



# المُسَوِّدَةُ الْأَصْلِيَّةُ



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EXHIBIT 1

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THE NAME CHOSEN FOR THIS GROUP:

جَمْعِيَّةُ الْإِسْلَامِ الصَّحِيحِ

"JAM'IYYAT UL-ISLAM IS-SAHEEH", MUST BE ACKNOWLEDGED AS OUR TITLE FOR ALL OF THE REASONS ISLAM IDENTIFIES THE TRUE MUSLIMS. جَمْعِيَّةُ (JAM'IYYAH): MEANS WHEN TRANSLATED: ASSEMBLY, ORGANIZATION, SOCIETY OR INSTITUTION; ALL OF THESE DEFINITIONS APPLY FOR THIS GROUP, FOR WE HAVE OR IS IN THE PROCESS OF ASSEMBLING ALL THOSE OF THE AHL-SUNNAH WA'L JAMA'AT WHO ARE ON GUIDANCE WITH THE CORRECT AQEEDAH OR CREED UNDER A CENTRAL GOVERNING BOBY OF PIOUS AND QUALIFIED LEADERSHIP, A SOCIETY WITHIN A SOCIETY THAT STANDS FOR THE PRINCIPLES THAT ARE EMBODIED IN THE DICTATES OF ISLAM ORIGINAL, WITHOUT THE LEAST BIT OF COMPROMISE IN THE AREA OF GOVERNMENT AND ADMINISTRATIVE AUTHORITY, AN ORGANIZATION: THAT ADHEARS AND PROTECTS, BUT IS NOT OPPRESSED BY ITS LEADERS. KNOWLEDGE AS WELL AS EMOTIONAL INPUT ARE ACCEPTED FROM ALL OF ITS MEMBERS ON ANY ISSUE CONCERNING THE GOVERNING OF THIS MOVEMENT. WE ARE (IF QUALIFIED) ALLOWED TO DIFFER WITH OUR LEADERSHIP IN AREAS OF LAW, FOR THIS INSTITUTION: IS BUILT UPON THE GREATEST MINDS OF ISLAM AFTER THE PROPHET (SAWS), HIS FAMILY, AND COMPANIONS. THE FOUR ACCEPTED IMAMS OF ISLAM, THEIR PIOUS AND KNOWLEDG-ABLE STUDENTS AND FOLLOWERS TILL OUR TIME ARE ALL REPRESENTED WITHIN OUR GROUP.

الْإِسْلَامُ الصَّحِيحِ

(AL-ISLAMIS-SAHEEH): MEANS WHEN TRANSLATED, THE SOUND, TRUE, CORRECT, AUTHENTIC, SAFE, RIGHT, COMPLETE, PERFECT, VALID, ACCURATE, EXACT OR GENUINE ISLAM. OUR ISLAM IS, THE ISLAM, PRESENTED TO US BY THE PROPHET OF ALLAH MUHAMMAD IBN ABDULLAH (SAWS), WE ARE KNOWN TO EMBODY THE CORRECT REPRESENTATION OF THOSE WHO ARE KNOWN BY THE FAMOUS HADITH OF THE PROPHET (SAWS) AS THE "SAVED SECT", THOSE ON RIGHT GUIDANCE FROM THEIR LORD ALLAH (SWT), WHO UPHOLD THE LEGAL THEORY AS WELL AS THE THEOLOGY OF MUHAMMAD (SAWS), AS WAS PASSED DOWN FROM HIM TO HIS COMPANIONS, TO THE TABI'I, TO THE TABI'I TABI'UN ETC. THE AHL-SUNNAH WA'L JAMA'AH WHO TRULY AND UNQUES-TIONABLY UPHOLD AND PROPAGATE THE TEACHINGS OF THE SALAF (EARLY GENERATION) IS WHO WE ARE AND OUR PROTOCOL, THIS BOOK: GIVES OUR DESCRIPTION, OUR PURPOSE, OUR AQEEDAH, OUR LANGUAGE AS WELL AS OUR LEGAL METHODOLOGIES. THUS YOU HAVE ""THE ASSEMBLY OF AUTHENTIC ISLAM.""

جَمْعِيَّةُ الْإِسْلَامِ الصَّحِيحِ

MAY ALLAH(SWT) BLESS OUR NOBLE AND SELFLESS INTENTION AND THIS ORIGINAL OUTLINE IN A WAY THAT REACHES ITS GOAL AND GAINS THE SUPPORT OF ALL THE BROTHERS OF THE AHL-SUNNAH WA'L JAMA'AH.



والبرم الآخر وتؤمن بالقدر خيرة وشره قال  
صدقت قال فأخبرني عن الإحسان قال إن تعبد  
الله كأنك تراه فإن لم تكن تراه فإنه يراك  
قال فأخبرني عن الساعة قال ما المسؤول عنها  
بأعلم من السائل قال فأخبرني عن أمارتها قال  
إن تلد الأمة ربتها وأن ترى الحفاة العراة  
العالة رعاء الشاء يتطاولون في البنيان قال ثم  
انطلق فلبثت مليا ثم قال لي يا عمر أتدري  
عن السائل قلت الله ورسوله أعلم قال فإنه  
جبريل أتاكم يعلمكم دينكم (في صحيحين)

## CHAPTER ONE.



عنِ عمر ابن الخطاب رضي الله عنه ايضاً  
قال بيئنا نحن جلوس عند رسول الله صلى الله  
عليه وسلم ذات يوم إذ طلع علينا رجل شديد  
بياض الثياب شديد سواد الشعر لا يرى عليه  
أثر السفر ولا يعرّفه منا أحد حتى جلس إلى  
النبي صلى الله عليه وسلم فأسند ركبتيه إلى  
ركبتيه ووضع كفيه على فخذيه وقال يا  
محمد أخبرني عن الإسلام فقال رسول الله  
صلى الله عليه وسلم الإسلام أن تشهد أن لا إله  
إلا الله وأن محمداً رسول الله وتقيم  
الصلاة وتؤتي الزكاة وتصوم رمضان و  
ت حج البيت إن استطعت إليه سبيلاً  
قال صدقت قال فحجبتنا له يسأله و  
يصدّقه قال فأخبرني عن الإيمان قال أن



THE QUESTIONER KNOWS NO MORE ABOUT

IT THAN THE QUESTIONED. HE SAID: "

THEN TELL ME ABOUT ITS SIGNS? HE SAID: "

THE SLAVE-GIRL WILL GIVE BIRTH TO HER

MISTRESS AND YOU WILL SEE NAKED, BARE-

FOOT, DESTITUTE SHEPHERDS LYING IN

CONSTRUCTING BUILDINGS. THEN THE VISITOR

LEFT, I WAITED AWHILE, AND THE PROPHET

(SAW) SAID TO ME; O' UMAR DID YOU KNOW

WHO THE QUESTIONER WAS? I SAID: ALLAH

AND HIS MESSENGER KNOWS BEST. HE SAID: "

IT WAS JIBREEL WHO CAME TO TEACH

YOU YOUR RELIGION."

(RECORDED IN SAHIH MUSLIM)



ON THE AUTHORITY OF UMAR IBN AL-KHATTAB WHO SAID: ONE DAY WHILE WE WERE SITTING WITH THE MESSENGER OF ALLAH (SAW) A MAN APPROACHED US WITH PURE WHITE CLOTHING AND EXTREMELY BLACK HAIR, WITHOUT A TRACE OF TRAVEL ON HIM, AND NONE OF US KNEW HIM. HE SAT DOWN BEFORE THE PROPHET (SAW) BRACING HIS KNEES AGAINST HIS AND RESTING HIS HANDS ON HIS THIGHS, SAID: O' MUHAMMAD, TELL ME ABOUT ISLAM? THE MESSENGER OF ALLAH (SAW) SAID: AL-ISLAM IS TO TESTIFY THAT THERE IS NO GOD BUT ALLAH AND THAT MUHAMMAD IS HIS MESSENGER, TO ESTABLISH THE SALAT, TO PAY THE ZAKAT, FAST (THE MONTH OF) RAMADAN AND TO MAKE THE PILGRIMAGE TO THE HOUSE (KA'BAH) IF YOU ARE ABLE. HE SAID: YOU HAVE SPOKEN THE TRUTH AND WE WERE AMAZED THAT HE SHOULD ASK A QUESTION AND THEN CONFIRM ITS ANSWER. THEN HE SAID: TELL ME ABOUT TRUE FAITH? HE SAID: IT IS TO BELIEVE IN ALLAH, HIS ANGELS, HIS MESSENGERS, HIS BOOKS, THE LAST DAY AND TO BELIEVE IN DIVINE DECREE, ITS GOOD AND ITS EVIL. YOU HAVE SPOKEN TRUTHFULLY, THE MAN SAID: HE ASKED: TELL ME ABOUT IHSAN? HE SAID: IT IS TO ADORE ALLAH AS IF YOU SEE HIM AND IF YOU SEE HIM NOT SURELY HE SEES YOU. (THE MAN) SAID: TELL ME ABOUT (THE TIME OF) THE HOUR? HE (SAW) SAID:

The above said Hadith of Jibreel recorded by the two Imams of Hadith Bukhari and Muslim clearly illustrate the belief of the Ahl-Sunnah Wa'L Jama'At, and distinguishes without a shadow of a doubt the believers from the non-believers as well as from the accursed hypocrite. On its surface, all it describes to us is our aqeedah; Yet this Hadith, as the foundation of Jam'iyat Ul-Islami Sahih; implies much, much, more. It strengthens the cause of the true Mu'Min and through its wisdom brings forth the traditional teaching etiquette of the madrasah system established by the Prophet (SAW) Himself, and imitated by all those of the first three blessed generations to whom Allah (SWT) as given, in his book; the assurance, of the Garden (9:100) as well as all those rightly guided scholars, Imams, Mulla's and learned men of our blessed 'Ulama who've protected and applied the legal methodologies of the four "accepted" schools of Islamic sacred law, hence keeping Islamic order in the streets of our lands and cultural balance amongst the Muslim people despite the governmental tyranny and oppression of the Islamic Shariah Systems.

This method of passing on the sacred knowledge of the "four" has gone on since the death of the last of the pious Imams, Ahmad Ibn Hanbal (RA), through many of their faithful disciples. This knowledge is of such importance to Islam to the extent that the most authoritative of scholars amongst those who lived after Imam Shafie said that: "Before ash-Shafie, we would not know what was the abrogated or the abrogating verses of the Quran and Hadith." It was this pious Imam who, after years of study under minor Tabi'i (i.e. Imam's malik, Shafie, Hanafi, and Hanbal) devised a system which came to be known as the foundation of all the schools of law; Usul-Ul-Fiqh. Understanding this, we wonder how a person can carry on this legacy and the legacies of the other great Imams of the Ahl-Sunnah Wa'L-Jama'at by using the hadith of Jibreel as a catapult from which we will be thrust off into the movement to defend our way; and I say that we do this by applying its' wisdom, theological principles, and its' instructions.

We find in our time many people being raised without the benefit of true guidance. They have inherited the cultural ways of the western kuffaar states and has discarded the very crucial role that Islamic Scholars, Elders, and Imams play in the daily workings of our lives. Careless debates of our theology, which is actually condemned by even the lowest ranking scholar of Islam, are being senselessly engaged in, as well as the challenging; without knowledge, the schools of jurisprudence for which we as Muslims owe the authentic propagation of our religion to. There is no guidance, this (in the west) is greatly due to the lack of leadership, qualified scholars and organizations within our communities. Imam Ja'Far As-Sadiq once said:

"Controvert the people with my sayings, and if they over come you by argument. it will be I who will be controverted."

Basically, this advice given to the Muslims by the great and pious Imam of Islam Ja'Far As-Sadiq sets the basis for this action taken by all qualified scholars of Islam as well as the tribal or Islamic Shuyukh and Imams. It is not allowed for the student or subject (layman) amongst the Muslims to get himself (personally) involved in debates. If some one comes to you with foolish inquiries into issues that neither you nor the questioner is suited (qualified) to discuss, the proper etiquette in this regard is to relay to this person the opinion of your school of fiqh or the position of your Shaykh, Teacher, Imam, etc., because he will be best suited to defend that position based on sound proofs and traditional Islamic Legal Methodologies.

It is not the place of the student to get involved in senseless debates, for the study of sacred law is to perfect the soul and to come into confidence about those acts that truly bring one closer to Allah (SWT) as well as warn the soul of those acts which takes one away from Allah (SWT) or can be punishable by the authorities. Our Brotherhood has lost its' way of modestly referring a person to those who possess the greater knowledge. The sin and or decrease of pride has come into conflict with the true nature of the Muslim, which is to submit; to submit to that which is right and correct. Imam Ja'Far As-Sadiq went on to further elucidate the wisdom of his statement using the example Hisham Ibn Al-Hakam, he states that:

"Abu'L-Hudhayl Al-Allaf said to Hisham Ibn Al-Hakam: 'I wish to have a controversy



with you on the condition that if you overcome me, I shall adopt your faith and if I overcome you, you must adopt mine." Hisham said: 'You have not dealt justly with me. Nay, I will have a controversy with you on the condition that if I overcome you, you will accept my faith; but if you overcome me, I shall refer to my Imam (for a proper answer).'"

This answer, of Hishaam is one deserving of mention and ponderance. Students of sacred law, that are properly being tutored by an Imam or Shaykh, must take from that Shaykh and or the most authoritative position within his school and propagate them and that which is known to be true and accepted. The four schools of Islamic Law or the Mathaahib has been unanimously agreed upon by the Muslim world to be sound. Yes, they may differ on some issues of "Law" that are argued either on unclear proofs of human logic, but their methodologies are accepted by all to be authentic. The layman Muslim or the followers take the ruling of the Imam or leader who is over him, who represents a position within one of the "four" schools and implement it. Only the ignorant ones will challenge that application, for the learned man knows that it is our duty to "follow" and "obey" those who are in charge or charged with authority over us (4:59); "Are those who know not, equal to those who know?"

If there is a challenge to ones application, it "should" be defended with a beautiful speech and the proofs or words of the Shaykh or Leader that you are under. This way, if the debater is overcome, you bring him into the fold of organized Islam and if you are overcome, you refer him to your source to argue. These and similar lessons are learned from the blessed Hadith of Jibreel as well. This authentic (Sahih) tradition was recorded by many people from the protectors of Hadith, such as: Imam Muslim, At-Tirmidh, Annasaai, Ibn Majah, Ahmad, Abu Dawood, Al-Sayvadi, Ibn Hibban, Ibn Kuzaimah, Al-Bazzaar, Abu Ya'La, Ad-Daraqutni, and a number of others, all of whom can be relied upon as truthful and authoritative Hadith recorders and five of who are the authentic "six", collections of Hadith relied upon by the "smart" Muslims who've chosen the right way.

As is seen above. Al-Bukhari's name is not mentioned in the list of recorders of this Hadith from this particular chain of transmission, yet this Hadith is, in fact; recorded in his Sahih with a different chain of transmitters. Qadi Iyad, the maliki Judge and out of the most authoritative scholars of Islam's History, author of the Shifa has said (about this particular Hadith) that it, "Covers or points to all of the aspects of inward and external acts of worship. It touches upon the deeds that are related to the external organs as well as the heart." Indeed, he stated, "It covers the religion to such an extent that all of the religions (Islam's) sciences are found in it and branch out from it." (Kitaab Al-Iman Min Ikhmaal Al-Mmallim bi-Fawaa'id Saheeh Muslim).

Aside from the recording being known as the famous Hadith of Jibreel, it is also known as Umm Us-Sunnah (Mother or Foundation of the Sunnah) in the same way that we call Al-Fatihah Umm Ul-Quran or Umm Ul-Kitaab. Basically, as Shaykh Zarabozo states in the meaning of the Sunnah as a whole. Some say that it, since this Hadith was recorded; just before the farewell pilgrimage, was as if the Prophet (SAW), through the Angel Jibreel (AS)'s line of questioning, was in fact summarizing of the Religion of Islam, his message and mission. In one of the narrations to this hadith, recorded in Sahih Muslim, it begins saying:

"Abu Hurairah narrated that the Messenger of Allah (SAW) said, 'Ask me (about matters related to this Religion).' However, the people abstained from doing so because they were over awed out of profound respect for him. In the meanwhile, a man came there and sat near his knees and said; 'Messenger of Allah (SAW), what is Islam?'..."

It is recorded that according to Ibn Ul-Ubayy (RA) the reason the Prophet (SAW) said: "Ask me", is because they (the companions) were asking many questions and the Prophet (SAW) realized that some were asking obstinately. Therefore, he became angry and said, "Ask me, ask me, for, by Allah (SWT), you will not ask me about anything except that I shall tell you about it as long as I am standing in this place." (Sahih Muslim). After hearing and seeing



this, the people refrained from asking questions. Allah (SWT) sent the Angel Jibreel (AS) to put these important questions to the Prophet (SAW). It is already acknowledged by the world's qualified Scholars of Islam as well as the leadership of Jam'iyat Ul-Islam that this particular Hadith represents the legal and theological as well as the moral fabric of Islam, yet, its' circumstances for revelation (Asbab Un-Nuzul) is equally of legal benefit and embodies great Shari'i implications. The Companions knew that the Legal Realms of Islam basically dealt with governing actions internal and external in "five" ways, namely that which is:

- 1) Haraam: Unlawful and deserving of sin or punishment either in this life or next.
- 2) Fard or Waajib: Obligatory, that which if not done will carry great sin or loss of paradise; Repentance is obligatory for the violation thereof, and in some cases punishment is prescribed.
- 3) Halaal: That which is permissible yet not having to be sanctioned explicitly by sacred law. The involvement in is neither worthy of sin or reward.
- 4) Mubah or Mustahab: That which is recommended and is worthy of reward from the law-giver, yet the non-performance thereof does not entail sin or punishment.
- 5) Makruh: That which is hated and the application of things of this category is said to lead to the prohibited, yet there is no reward or sin attached to it.

Actions in Islam were either going to be permitted or prohibited as well as commanded by Allah (SWT), the Most High in Al-Quran or in The Sunnah of His Messenger Muhammad Ibn Abdullah (SAWS). According to the ways that the Prophet (SAW) gave rulings they were always considered explicit in some areas and in-explicit in others. This may be the reason some scholars tend to say that the Prophets (SAW) Sunnah embodies acts that were given his sanction or prohibition verbally (Tacit). The non-verbal legal rulings were of the approved types as in the making of a two Rakat Salat by Bilal Ibn Rabah (RA) after each Wudu. This act, even though it is a Bid'ah (not of the prohibited type), being that it was not from the actions recorded in a Hadith as being from the Prophet (SAWS), was "tacitly" approved by the Prophet (SAWS) by way of allowing Bilal (RA) to perform this prayer in his presence. Yet, at other times, the Prophet (SAWS) would see certain Companions performing acts that were considered culturally abnormal and would show disapproval without explicitly forbidding the act. So, we can safely say that those acts sanctioned by the Prophet (SAW) of a tacit nature only dealt with matters that were written down as an approved act; as in the case with Bilal (RA). (N: This was only permissible in the lifetime of the Messenger-SAWS-, for he was able to approve or disapprove the act and all acts concerning what is permissible in Religion is sanctioned only by Allah (SWT) and His Messenger (SAWS), or it will not be accepted.

In all cases concerning the prohibition of an act, the Messenger of Allah (SAW) explicitly explained its' prohibition, hence we have now a legal category called Makrooh or hated; those things that are done by the devotee, that for some reason or another has become hated by the authorities, neither deserving of sin nor reward. There are two types of Makrooh, #1" those that are hated because they are doubtful matters, meaning the Scholars of Islam recommended that you refrain from its' practice because of the lack of proof establishing its' permissibility. Examples of this is the repeating or following a weak (Da'eef) Hadith or the participating in the Lawful (Halal) acts that may lead one to getting involved in doing what is unlawful (Haraam). An example of this is the befriending and mimicking the cultural dress and ways of the non-believers (Kuffaar) in exchange for them accepting you as a Muslim, claiming it makes Dawah easy. This eventually leads one's Religion towards the devastating path of those without guidance: Allah (SWT) says when translated:

"O' you who believe! Take not as Bitaanah (friends, protectors, helpers, etc.,)

those outside your religion, since they will not fail to corrupt you...." (3:118)

This first category has a direct link to our religion and should be avoided at all cost yet in category #2), there are acts that become Makruh or hated in our land that may not be hated in another. An example of this is the eating with forks and spoons. The Prophet Muhammad (SAW) never forbid eating with utensils for they were non-existent in his culture and you will never hear a Muslim claim that eating with the right hand as was an established Sunnah, hated; even though in what the Western Countries call the "civilized" world, this would be barbaric, yet if living in a land where culturally eating with utensils was seen as Makruh by the people, it would not necessarily be hated else where. What would cause a Scholar to give the label "Makrooh" to something like this, being that Allah (SWT) and His Prophet (SAW) did not forbid it, is because of the negative impact it may have on Muslim Unity. The Muslims who've resided in this land since before the advent of Islam may get offended by the use of utensils and begin the habit of backbiting and tale bearing. This does not make what Allah (SWT) has made permissible, prohibited; yet it saves the common Muslims from making mistakes that would have negative future implications on the community of Muslims as a whole; for the Scholar specializes in the safe-guarding of the religious aspects of our lives and see clearly the future implications our actions may have on the world wide community of Islam, whereas the common Muslim, concerned with building the Muslim nation in other areas needed to allow the Muslim World to survive, does not for reason of his occupation have the spiritual foresight of the Scholar of Islam in regards to religious matters. How these legal lessons are derived from the Asbaab Un-Nunzul (causes of revelation) of this particular Hadith is in the reaction of the companions concerning addressing the Prophet (SAW) showed disapproval of the Companions line of questioning, yet he did not prohibit it because he knew that certain questions must be asked, instead he urged them; "Ask me. Ask me", insisting that the Companions ask questions concerning Islam. Therefore, Allah (SWT), in His infinite wisdom sent the Angel Jibreel (AS) to instruct the Companions in the right line or method of questioning as well as inform the Prophet (SAW) that his frustrations in regards to the Companions line of questioning wasn't totally unsubstantiated, for the Prophet (SAW) has said before:

من حسن إسلام المرء تركه ما لا يشنيه

"Part of the goodness of ones Islam is to avoid what does not concern him." (Sahih Muslim)

Which is of absolute truth, the lessons outside of what has been mentioned thus far is numerous and beyond the scope of the present work. It must be pondered; the previous lesson in the method of questioning deals mainly with "subjects" of concern and what concerns the devotee in a community with an established leadership, whether it be spiritual, military, or presidential; matters that are of concern to him, like those things stipulated in the Jibreel Hadith, those things that will lead over to his Lord. Questions regarding this administering of the governmental affairs, by the layman in the community or questions about such things that Allah (SWT) and His Messenger (SAW) has left silent, that are of non-beneficial or unimportant matters, such as; oral sex etc., must be avoided because they are questions that are non-beneficial to the progress of ones personal struggle towards his Lord. As-Sanoosi in the Sharh of An-Nawawi pg. 189, b Zarabozo adds that;

"Such questions (about religious matters) do not go against the prohibition of asking questions. Actually, one must ask these types of questions because the answers to them are needed, hence this is an application of the Quraanic Verse An-Nahl 43; "Ask those who know if you know not."

To sum up this lesson, there must be a mention that there are in fact types of questions that are prohibited, obligatory, and Makruh. Those that are Obligatory are commanded by Allah (SWT) and His Messenger (SAW) because they are called for in order

to clear doubt and secure ones religion. Questions of a useless and/or prohibited nature are those that must be avoided, those of a purely theoretical nature or those asked with the intent to cause argument and heated debate. Hence, Allah (SWT), the Most High sent the Angel Jibreel to the Prophet (SAW) to ask him the questions needed and demonstrate the importance of the answers to those questions as well as the importance of the correct line of questioning to be out to the people of Knowledge of Religion. Praise be to Allah (SWT) for the foundation of our movement and for the religion of Islam, which has been thoroughly defined in this blessed tradition.

Before going into the meanings of the blessed and beautiful tradition, one must have knowledge of its narrator Umar Ibn ul-Khattab (RA), the greatest Companion of the Prophet (SAW) after Abu Bakr As-Saddiq (RA). A well respected personality in the Holy City of Makkah amongst all of the Arab Tribes residing there. Umar came into Islam as an answer to the Prophet's (SAW) prayer, recorded in Ahmad's Musnad, that Abu Jahl (the enemy of Islam) or Umar (RA) would be guided to Islam; five years before the Prophet's (SAW) migration to Medina marking for the beginning of the Islamic Calendar or Hijrah Calendar, Allah (SWT) blessed the Muslims with Umar's (RA) conversion. It is very much evident from any ones studies of Islamic History, that one Ummah is greatly indebted to Allah (SWT) for bringing the expander of the Muslim/Islamic Khalifat into the fold. Umar (RA) participated in all of the battles of the Prophet Muhammad (saws) and once attaining the seat of Khalifah after Abu Bakr (RA), he led the defeat of the Persians, and Roman Empires, extended the rule of Shariah from Iran to Egypt and aside from being the first to use the Islamic Hijrah calender, he laid down the institution of the now government and society. He is well known for his bravery and profound knowledge of the Quran and Hadith and for creative insight into Fiqh. He was one of the seven most knowledgable companions sought after for answers to legal questions by the rest of the Prophet's (saw) blessed companions (raa) (Ali Ibn Abi Talib, Ibn Mas'ood, Ibn Umar, Ibn Abbas, Zayd Ibn Thabit and Aeesha Bint Abu Bakr).

No discussion is complete about our leader and second Khalifah Umar (ra), without the mentioning of his conversion. It is said that he was on his way to kill the Prophet (saw) when someone told him that his sister had embraced Islam. Hence, he decided to go to his sister and take care of his family first. Upon arriving at his sister's house, he heard the people inside reciting Al-Quran (taha). They hid the Quran before letting him in and when entering he requested to see what they were reciting, but his sister refused. He then struck his sister and she started to bleed. Umar (ra) then felt sorrowful and compassionate and again requested to see what they were reciting. His sister told him that he must go and wash himself completely and then he could touch what they were reading, he did so and upon his return, read the Quran. This touched his heart and he embraced Islam. (Al Ali Pg. 80)

Shaykh Zarabozo records in his commentary to An-Nawawis, 40 Hadith, Pg 119, that there unfortunately is no chain of transmission for this story, so it is not an authentic narration and Allah knows best. The words of this Hadith as is narrated by Umar Ibn ul-Khattab is as such:

"One day ----- extremely white clothing and extremely black hair".

Commentators of this Hadith such as Al-Haitami; uses the same Hadith of Jibreel, but through another chain or narration which begins describing the Angel Jibreel (as) appearing dressed as a Bedoin Arab and extremely ill mannered as the Bedoin Arabs were at that time. In this narration the Angel was dressed quite dirty and after walking over the heads of the companions seated there for Jumuah prayer, propped his thighs up against the Prophet's (saw) thighs, asking about Islam. He (Al-Haitami) seems to imply that the teachings related to the appearance of the angel and his actions in regards to addressing the Prophet's (saw) by his first name, asking questions during Jumuah and stepping rudely through the jamaat were all to be learned from, hence as scholars have noted, some conclusions can be made from his

appearance as well as his behavior. This would, in this author, as well as Shavkh Zarabozo's opinion who also commented on this Hadith, mean that Imam Al-Haitami and others are making contradictory statements for this matter, by first stating, that the approach of the Angel Jibreel to the Prophet (saw) during Jumuah was rude and then saying that there was lessons to be followed from the Angel's appearance and behavior, when to follow a rude action would be against the spirit of Islam.

It must be made clear that the actions of the Angel Jibreel (as) in this case as well as the Hadith in question are not to be followed in addressing the knowledgeable for answers to questions in Islam, for there is a proper manner of seeking religious instructions. The actions of the Angel (as) were more in the area of highlighting a particular line of questioning and the answers of such questions given by Rasoolullah (saw) by actions that would draw the audience attention to the questioner.

شديد بياض الثياب شديد سواد الشعر

In many narrations of the Angels appearance in this same incident, it was stated specifically, that there can be seen no traces of "Dirt", which associated with, "there were no traces of travel on him". Again, according to Al-Haitami this introduces a recommendation to present oneself clean and scented when seeking sacred knowledge from a scholar as well as when attending Jumuah services. White clothing is especially preferred for the people of knowledge, being that it is the scholars and people of knowledge who set the trends for the rest of our Ummah. It also, gives either compliment or criticism to the inward attributes of a person. Another reason why cleanliness in Islam and the use of scent (non-alcoholic) is preferred and obligatory (bath) once within every seven day period.

لا يترك عليه أثر السفر ولا يخرقه منا أحد

This clearly indicates that no one amongst the Companions knew who this man (the Angel) was. It is highly unusual for this to be, in a society that is so interrelated and/or connected at some point by Blood or War. In some narrations the Companions, with Umar (RA) turned to look at each other in order to see if anyone actually knew him. It is also unusual for a bedoin or anyone for that matter to have travelled all the distance to the presence of the Prophet (SAW), not know by any of the Companions and tribesman in the surrounding areas of Medina without one trace of dirt on him. Might I remind you, that: we are speaking of a barren desert waste land (Arabia), with no paved walking ways. This grabbed each Companions attention and forced them to focus on this mans words as well as the reply given by Rasoolullah (SAW).

حضر جلس إلى النبي (ص) فاستند ركبتيه إلى ركبتيه

Oh! The attitude of the true Talib Ud-Din, to sit up close and personal with his teacher with full and focused attention to the answers and/or lessons being taught, making all questions concerning the subject matter short and clear and not running more than one question at a time off on his teacher before receiving a sufficient answer.

Among Muslims today especially in the adult halaqa and those who have converted to Islam in the West at older ages, to pop culture and the like. People now seeking knowledge expect to be sought out and taught on their time or would prefer sitting in the back of the audience, far away from clarity, some even go to the extent of falling asleep in the middle of the lesson or arguing, without qualification; with their instructor in a public setting in order to show, by disagreeing with the ustaadh, their ability to comprehend or their baseless claim to Ilm Ud-Din.

وضع كفيه على مخذبيه

An-Nawawi states here that the Angel Jibreel (AS) put his own hands on his own thighs.



vet the reports from Ibn Abbas (RA) and Abu Amr Al-Ashari state explicitly that he (the Angel) put his hands on the Prophet's (SAW) thighs. This is also the conclusion of many others. Al-Tabaraani goes on to say that this is the correct way a student should sit in front of his teacher. I would say that this forgotten etiquette in our Ummah, filled with the evils of pride and self conceit is a lovely mannerism displaying the humbleness of the student of Islam in front of his teacher as well as his patient submission to his teachers superior knowledge. The desire of the student to out shine, so-to-speak, his teacher or fellow mates was non-existent due to the sincere intention of the student to seek only the knowledge that would (if practiced) assure him of the Garden and aid him in guiding others to their Lord safely. I must also relay here a quote from Ibn Hajr found in his Fath Al-Bari on this action. He states:

"Once again, this abrupt manner of coming all the way up to the Prophet (SAW) and putting his hands on the Prophet's (SAW) thighs may have been just another means by which he is showing himself to be a rough, ill-mannered bedouin Arab: hence, it could have been simply another way by which He (AS) was trying to attract the Companions attention:

وقال يا محمد !

This particular statement of the Angel becomes troubling to this author as well as the previous actions of the Angel Jibreel (AS) inside the gathering for Jumuah services described in the statements of Al-Haitami earlier. This leads one to explain away legal methodologies constantly to the "misguided" Muslims who have taken the "other" extreme; not totally discarding the Sunnah and Schools of Fiqh but finding a way to totally disregard the fact that there must be prerequisites met before being able to derive legal rulings on issues, directly from the text of the Quran and hadith, being that there may be circumstances such as the Abaab Un-Nuzul (See Shafi'e Risala) on down to an Nasikh Wa'l-Mansukh (see also Shafi'e Risala) of the Quran and Hadith; altering, delaying, or prohibiting their application.

These hypocrites although disregarding the following of "One" School of Fiqh and promoting propagating that one can carelessly choose rulings from them all, mixing the rulings of the Shafi'e with the Hanafi without examining either schools Daleel etc., not knowing why they differ and believing that just by reviewing the evidence of both schools they can choose the correct path; claim also to follow "qualified" Scholarship and lead people into dangerous areas, most of the time ending in Muslims following legal rulings all over the Muslim World to satisfy their own personal desires, ignoring and hence disrespecting the legal or religious authority of their current residence. Legal rulings differ between the four schools not based on the soundness of the application of a particular Hadith in some cases, but the sources in which the particular Hadith was taken, and the reliability or lack of reliability of that source, which is only to have occurred in 25% of all legal rulings arrived at by the "Four: accepted schools of law and only on those with unclear proofs, for all of the "Four" agree on 75% of the rest of their rulings all arrived at through different yet accented legal methodologies. (See my article Taqlid i Shaykhsi or my book Ashaabus-sign).

The Holy Quran says in regards to the addressing of the Prophet (SAW):

لا تخطوا دعى الرسول بينكم كدعى بينكم بعضهم بعضكم  
 "Make not the calling of the Messenger among you as your calling one of another."  
 (Nur 63)

"O' Muhammad", in this Hadith according to the judgement of Allah can then either not be followed or this particular ayat of Quran has been abrogated, such a way of addressing the Prophet (SAW) is not proper and has been clearly condemned in the above ayat of Quran. Hence, the layman would ask the question: "How is it then that the Angel (AS) addressed him in that manner?"

Shaykh Zarabozo, who will quote extensively and whose commentary on this particular Hadith has benefited me greatly in this discourse, being that he has the most authoritative

and scholarly study of this Hadith in English, gives us three answers to consider;

1) The prohibition of such address applies to humans only and not to the Angels.

2) this event occurred before the prohibition of such address (although this explanation seems unlikely since the event took place so late in the Prophet's (SAW) life) and;

3) This was done to further the appearance that the Angel Jibreel (AS) was a bedoin Arab. (These answers were originally given by Haitami).

أَخْبَرَنِي عَنْ الْإِسْلَامِ ؟

The Angel Jibreel (AS) in this narration first asked about Islam, in other narrations he is recorded to have first asked about Imaan. Scholars have in the past, gotten themselves into the habit of recommending that Imaan be inquired about before Islam due to the order in which they are reproduced for us inside the Holy Quran in 2:77/ and Suratul Anfaal (beginning verses). I tend to stray from such statements due to the implication of them can be no true Islam without Iman, this goes the same for Imaan, for one cannot claim to have Iman without first uttering the phrase La ilaaha illallah wa Muhammad Rasoolullah a Shadatayn which establishes his Islam and opens the door for him to paradise. Each of these categories and what they entail as regards to their religious implications will be dealt with shortly. First before explaining the duties or obligations internal or external attached to these two words lets review the literal meaning of Islam, being that its' meaning was sought after first. Basically, it means to surrender, or it implies submission. No man has written that in this particular sense related to the Religion of Islam it denotes; "self surrender or to give ones self up to someone and accent his over-lordship in the fullest sense of the term. The religion sent down by Allah and brought into the world by His Apostles has been called Islam for the simple reason that, in it, the bondsmanship yields completely to the power and control of the Lord and makes the rendering of whole-hearted obedience to him the cardinal principle of his life. this is the sum and substance of the Islamic creed." Allahu Alim...

فَقَالَ رَسُولُ اللَّهِ (ص) : إِذَا شَهِدْتَ أَنْ لَا إِلَهَ إِلَّا اللَّهُ  
وَتَشَهِدْتَ أَنَّ مُحَمَّدًا رَسُولُ اللَّهِ (ص) وَتَقِيمَ الصَّلَاةَ وَتُؤْتِيَ  
الزَّكَاةَ وَتَصُومَ رَمَضَانَ وَتَحِجَّ الْبَيْتَ أَنْ اسْتَطَقْتَ إِلَيْهِ

The Messenger of Allah (SAW) goes on further to say that the Islam is first to "Testify that there is no one worthy of worship except Allah" and to "Testify" that Muhammad is his Messenger: neither of which are mere verbal testifications nor do this testimony alone without action save one from the punishment of the hell fire for Allah says in Al-Quran: (2:14, write Arabic and English).

To testify that one believes Allah is one and that he is the only God that is to be worshiped entails the inner and outer belief (in actions) in three topics relating his oneness or Tawheed they are; 1) Tawheed Ar-Ruboobiyyah: The belief in the Oneness of Allah concerning his actions, such as His being the sole Creator and the only one who nourishes and sustains the creation; 2) Tawheed Al-Uloohiyyah: this means that all acts of worship must be directed toward Allah and Allah alone as He is the only one worthy of worship and 3) Tawheed Al-Asma la's Sifat: This implies believing in all of the names and attributes of Allah as mentioned in the Quran and Authentic Hadith, as being unique to him, without regaling them, stripping them figuratively (each of these categories will be discussed in detail under the discussion of Iman later). It is imperative that the Muslims realize that this destiny as far as the here after is concerned depends on the statement and a understanding of the "La ilaaha illallah". The reason I've said here "statement and understanding" is as was alluded to earlier, that Muslims of our day tend to have accepted that the statement alone will gain the entrance to Jannah. They've (The Muslims) become lax on reading and pondering over the



entrance to Jannah. They've (The Muslims) become lax on reading and pondering over the verses of Quran and the prophetic Hadith warning us about the actions of the Hypocrites, who will indeed reside in the lowest depths of hell-fire, and who used to say: "I testify that none is worthy of worship except Allah and..." yet Allah describes them as liars. It is recorded on Zarabozo's Commentary that Al-Hasan Al-Basri once told a person, "What have you prepared for death?" He replied: "The testimony that there is none worthy of worship except Allah." Al-Hasan told him, "That has some condition to it. And beware of defaming chaste women." This famous follower Wahb Ibn Munabbih was once asked, "Isn't the statement of La ilaha illallah the key to paradise?" He answered; "Yes, but the key must have the right ridges or the door will not open for you." So, for the person Al-Hasan Al-Basri was speaking to, it is recorded in Baadi Vol. #1, to be a poet who used to defame the pious women and that they (the ridges) are conditions that will differentiate Muslims who will benefit from that statement from those who will not, no matter how many times a day they may have heard it. The Shahada is not only a testimony; "I testify" but is an affirmation of what your heart has accepted as truth. It goes hand in hand with actions as was understood by the earlier generation, this and verses of the Quran:

"Save him who bears witness knowingly" (Al-Zakhruf 86) proves the obligation of knowing and understanding the duties accompany this declaration and executing them, it also reflects the governance of this statement to outward as well as inward deeds.

The other half of this statement is to "testify that Muhammad is the Messenger of Allah". Basically everything that becomes obligatory to you in regards to your first testimony to Allah becomes obligatory in regards to your testimony of the messengership to all the worlds, to Muhammad, except worship. The Messenger was indeed sent by Allah and chosen specifically to deliver the message to all the world and to be obeyed. Allah says in Al-Quran; (Anaan 124)

الله أعلم حيث يجعل رسالته

"This as Zaraboozo puts it implies some characteristics of Muhammad as Allah obviously, due to his justice, wisdom, and mercy, would not choose one who is treacherous or lying to be his messenger". If anyone claims that the Prophet (saw) did not actually convey the entire message or that he distorted it in any way, he is actually saying that Allah did not know who was the correct or best person to be a messenger. This is obvious disbelief! The Prophet Muhammad said;

أعطيت خمساً لم يعط أحد من الأنبياء قبلي... كان النبي  
يبحث الرقعة خاصة " بحثت الرقعة خاصة

"I have been given five aspects that were not given to any Prophet before me... (one of which is) every Prophet was sent only to his people, while I have been sent to all of mankind". (Bukhari)

It is therefore obligatory to believe with the utmost conviction that Islam is a world religion and that Muhammad (saws) is the Prophet of all of mankind. If the message of Islam reaches a person clearly and he refuses to believe in the messengerhood of Muhammad (saws) he remains an unbeliever.

The Prophet (saws) also says;

قد تركتكم على البيضاء ليلها كنهاراً لا يزيغ عنها بخدي  
إلا هالك

"I left you in a bright path whose night and day are alike. No one strays from it after me except he is destroyed".

Thus sealing the fate of all who claim Islam, but refuse to obey and imitate the Prophet (saw) commands prohibitions and recommendations. It also makes it obligatory to defend and void friendship with all those who oppose Allah and his messenger, a fact proven through

various verses of Al-Quran. Anyone who knowingly and willingly violates the Shahadah becomes a disbeliever, all scholars are of an agreement on this point. Examples of such are worshipping other than Allah, cursing the Prophet's or claims that he was a liar, all of which would violate each respective aspect of the Shahadah and will take one out of the fold of Islam.

When asked by the Angel Jibreel about Islam he (saw) named Shahada (which was discussed above). salat, zakat, fasting and pilgrimage. In another Hadith received in the two Sahih's Bukhari and Muslim on the authority of Abdur-Rahman Abdullah Ibn Umar Ibn Ul-Khattab (ra) son of the venerable 2nd Khalifa Umar Ibn Ul-Khattab who narrated the Hadith of Jibreel in discussion:

"I heard the Messenger of Allah say: "Islam is built on five pillars. testifying that there is none worthy of worship but Allah and that Muhammad is his messenger, establishing prayers, giving the zakat, making the pilgrimage and fasting during the month of Ramadan". This as well as other evidences from Quran and Hadith solidify the meaning of Islam as such. One who does not implement each as an obligatory requisite in order to remain within the fold of Islam, of course according to the Shariah that govern each category automatically becomes a renegade or remains a disbeliever. Prayer is a word that has and does exist in every language now and before the revelation of Quran. Though this prayer or salat in Islam denotes an entirely different meaning than the literal definition of prayer in Arabic, English, Hausa or any of the many world languages. Prayer (salaat) or establishing the prayer must be done according to the ways shown to us by Rasoolullah, for if this is not done it will not be accepted by Allah. The Prophet Muhammad said:

صَلُّوا كَمَا رَأَيْتُمُونِي أُصَلِّي

"Pray in the manner you've seen me praying!"

This is one of the strongest evidences for the place of the Sunnah in Islam. It is impossible to know how to pray, without the Hadith and the Sunnah of Muhammad (saw), yet those who claim to be Muslims following the Quran without following the Sunnah would not know how to pray to Allah. It also says in the Quran; (107, 4-5)

"Woe to those performers of prayers who delay their prayers from it's stated fixed time". Ad-Dansiri pointed out that "One difference between the two phrases of establishing the prayer and performing the prayer, is that Allah did not say performers of prayer, but he said those who establish the prayer". This is different from what is stated in the ayats of 107 above. Ar Ruajhib Al-Isfahaani said that "in this ayat performers of prayers is used, but it is rarely used in the Quran and this ayat is one of the very few that it is used". Allah distinguishes between the true and real prayer in form only. The true prayer is the one of the heart and soul, the prayer of humility, the prayer of those who stand silently and in fear of Allah."

The prayer "in form only" was never the goal of the command. The scholars here seem to have come into conflict with each other as to the "Establishment" of prayer and the "performance" of prayer, hence it must be written here the statements of Zarabozo; pg. 356 Vol 1. of his Shark of An Nawawi's to:

"Definitely part of the establishing of prayer is the establishment of the spiritual and inward aspects of the prayer, as Ad-Sarsisi has alluded it. But that is certainly not the only difference between the two as can be seen in the definition or statement about "establishing the prayer" as given by many of the scholars of Islam. For example, the famous communicator on the Quran, Ibn Jareer at-Tabaari wrote; "Establishing it means to perform it within its' proper limits, with its' obligatory aspects, with what has

been made obligatory concerning it by the one upon whom it has been made obligatory." Then he quoted the companion Ibn Saadi as saying, "Establishing the prayer is to perform it bowing, prostrations, and reciting in a complete manner as well as having fear of Allah and complete attention to it."

Thus the establishing of the prayer is as such and is legally outlined in the Fiqh books of the great Imams of the Ahl-Sunnah.

## ...THE RULING CONCERNING ONE WHO DOES NOT PRAY

One may break down into three (3) categories (with the second of the two having five sub categories) those who do not pray; namely:

- 1) Those who, by agreement of all the scholars, are not disbelievers and deserve no legal penalty. This includes those who may missed prayer due to forgetfulness, sleep, or coercion. Obviously, such people are not considered disbelievers.
- 2) Those who, by agreement of all scholars, are, in fact; disbelievers. This category includes the following groups of people:
  - A. The one who does not pray and rejects the idea that it is obligatory to pray... This person is a disbeliever by a consensus as he is going against numerous and definitive evidences from the Quran and Sunnah.
  - B. The one who refuses to pray out of pride or envy. This is the person who recognizes the truth of Islam yet he does not want to submit to Islam or perform the prayer out of hatred for the religion, out of pride that he does not feel that he must perform such an act and so forth.
  - C. The one who does not pray out of disdain and ridicule for the prayer. This person is disdainful or ridiculing one of the foundations of Islam and, for that reason,...this takes him outside of the fold of Islam.
  - D. The one who refuses to pray even though he is being threatened by the proper authorities with being killed as a punishment for not praying...This person is considered a disbeliever since he refuses to submit even with the threat of death.
  - E. The one who simply disregards the prayer completely, without recognizing that it is obligatory or rejecting it as an obligation.
- 3) Concerning the third category, the scholars of Islam are as a difference of opinion as to whether or not these people fall outside of Islam or not. There are the people who accept the obligation of the prayer and do not deny its importance. They recognize that they are committing a sin by not praying. Yet, still out of laziness, remiss, or such they do not perform the prayer. Some scholars say that they fall completely out of the fold of Islam. he shall be in the hell-fire forever. and in fact, Muslims cannot perform the funeral prayer for him in this world. Other scholars state that such a person is truly an evil-doer (fasiq). he is committing a lesser form of Kufr and is at the doorsteps of falling out of the fold of Islam and is not to be treated like or considered a disbeliever.

For the sake of fairness. before giving the position of our Jamaat on this last issue (#3), I will provide the strongest proof from both sides of the debate; One of the strongest pieces of evidence for those who say that such a person does in fact become a disbeliever, is the Hadith of the Prophet(s):

إِنَّ بَيْنَ الرَّجُلِ وَبَيْنَ الشِّرْكِ وَالْكُفْرِ تَرْكُ الصَّلَاةِ

"Between man and shirk and Kufr is the abandoning of prayer." (Muslim).

Zaragoza noted here that; "the definitive nature of the words Ash-Shirk and Al-Kufr in this hadith implies something known and needs no further explanation and thus would take one out

of the fold of Islam. Furthermore, both the words Shirk and Kufr have been used, and this is another sign that the act must take one out of the fold of Islam."

Another Hadith is:

العهد الذي بيننا وبينهم الصلاة فمن تركها فقد كفر  
 "The covenant that is between us and them (the disbelievers) is the prayer. Whoever abandons it has committed an act of disbelief." (at Tirmidhi, Nasaai, Ibn Majah and Ahmad)

and lastly;

لا تترك صلاة مكتوبة متعمداً فمن تركها  
 متعمداً فقد برئت منه الذمة

"Do not abandon an obligatory prayer intentionally for the one who fails to perform it intentionally has made himself free of the protection of Allah and his Messenger. (as Sahih, Ibn Majah and Ahmad.)

One of the Strongest pieces of evidence for those who say that such a person does not leave the fold of Islam is a Hadith recorded in Imam Malik's Muwatta, Abu Dawood, Ahmad, and an-Nasaai:

خمسة صلوات اخترقهن الله تعالى من أحسن و صوتهن  
 و صلاتهن له قتلتهن و أنتم ركوعهن و خشوعهن كان له  
 على الله عهد ان يغفر له و من لم يفعل فليشركه على  
 الله عهد ان يشاء غفر له و ان شاء عذبه

"Allah has obligated five prayers. Whoever excellently performs their ablutions, prays them in their proper times, completes their bows, and Khooshoo has a promise from Allah that he will forgive him. And whoever does not do that has no promise from Allah. He may either "forgive him or may punish him."

In both cases where the scholars either, 1) deems this person of the 3rd category above to be outside of Islam and would not be prayed over upon death as a Muslim, or 2) those who say that he remains within the fold of Islam, yet as a faasiq agree on the he punishment of this crime yet with some stipulation. Those who hold that the person left Islam state that he is as an apostate if he does not repent. Most of those scholars that say he does not fall outside of Islam state that he must be commanded to pray and if he refuses to pray, (some Hanafi's state that he should be imprisoned until he prays) then he should be killed as a punishment for his refusal to pray. Hence, the conclusion of the majority of the scholars is the same.

The Jamaat Islami position on this issue is that since regardless to if this person of the 3rd category becomes a non-believer or not, he still receives the worldly punishment of death according to the majority. It baffles me that the scholars can have a difference of opinion over the disbelief of the criminal who neglects prayer or belief and still enforce a punishment of death on both cases. If one believes that this person has not committed disbelief and is only a faasiq, then the position of the minority of Hanafi's to imprison him should be applied if he does not pray, for this group not death, for the penalty of death is given to the apostate who doesn't repent not the faasiq. We agree with the position of the majority that the person who falls in this 3rd category is just as those who were described in the other categories, a non-believer.

Now, as for the punishment that is applied (death). it cannot be in the same manner as the first two (2) categories and subdivisions, as for those cases one doesn't need to ask those people to pray or repent, they're lawful targets. Category #3 is quite different, they must be asked to repent and if they do so they are not to be killed at all, yet if they refuse



to repent and make prayer, they are killed and buried as a non-believer. This is a ruling binding on all those Imams of our movement and community leaders who are in a position to implement this punishment without it causing more harm to his Ummah (if outside of the Islamic land) Allahu Alim!

The zakat linguistically implies purification as in the science of at Tazkizzah and Nafs (The purification of the self) taught by those scholars of Tasawwuf. Charity (Sadaqa) is also used in the Quran and Hadith for Zakat which comes from the word Sidq (truth). These words both compliment the meanings of Zakat for it is a cleansing of the personal soul for it is an obligation and the adherence to your obligations in religion will grant you the purity needed to enter paradise and it is a Sadaqah or Charity from you to the poor for Allah's sake. The importance of the prayer of Zakah can be proven through the glorious Quran in Surah Tauba (write in Arabic and English)

As well as in the example of the first Kalif of Islams decision to fight those who refused to pay the Zakah as apostates until they paid the obligatory Zakat.

The Prophet(s) said:

يَأْتِي الْأَعْيُنُ عَلَى صَاحِبِهَا عَلَى خَيْرِ مَا كَانَتْ إِذَا هُوَ لَمْ يَخْطُ فِيهَا خَطْبًا  
تَطْوِيهِ بِأَخْفَافِهَا وَيَأْتِي الْغَنَمَ عَلَى صَاحِبِهَا عَلَى خَيْرِ مَا كَانَتْ إِذَا لَمْ يَخْطُ  
فِيهَا خَطْبًا تَطْوِيهِ بِأَظْلَافِهَا وَتَنْطَحُهُ بِقُرُونِهَا... وَلَا يَأْتِي أَحَدَكُمْ  
يَوْمَ الْقِيَامَةِ بِشَاةٍ فَأَقُولُ لَا أَمْلِكُ لَكَ شَيْئًا قَدْ بَلَغْتَ وَلَا  
يَأْتِي بَعْضُكُمْ بِحِمْلَةٍ عَاقِبَتُهُ لَهْ رِغَاءٌ فَيَقُولُ يَا مُحَمَّد  
فَأَقُولُ لَا أَمْلِكُ لَكَ مِنْ اللَّهِ شَيْئًا قَدْ بَلَغْتَ

"(On the day of resurrection) Camels will come to their owner in the best state of health they had ever had (in the world), and if he had not paid their Zakat on them, they would tread him with their feet; similarly; sheep will come to their owners in the best state of health they have ever had in this world, and if he had not paid their Zakat, they would tread him with their hooves and would butt him with their horns...I do not want anyone of you to come to me on the Day of Resurrection carrying over his neck a sheep that will be bleating. Then he says: O' Muhammad (please intercede for me)! I will say, 'I can't help you for I conveyed Allah's message to you.' Similarly, I do not want anyone of you to come to me carrying over his neck a Camel that will be grunting. Such a person will say, O' Muhammad (intercede for me)! I will say to him, 'I cannot help you for I conveyed Allah's message to you.'"

Even the Prophet (may Allah bless him) has warned here that one would be barred from his indecision in the yawns Ul-Qiyammah, stating; "I conveyed Allah's message to you", basically, he is warning one from falling outside of the religion of Islam. The Holy Quran gave forewarning in the Chapter Tauba 34-35, below that one who does not give to Allah a percentage from his wealth is a hoarder of wealth and has been given here in this verse the assurance of the Hell-fire.

(Write the Ayaat in Arabic and English) 9:34-35



## ...RULING CONCERNING ONE WHO DOES NOT GIVE ZAKAT.

As a consensus amongst all scholars, anyone who denies the obligatoriness of any of there pillars of Islam (Shahada, Sahat, Zakat, Sawm and Haji) then becomes a disbeliever (Kaafir) and as can be seen from the evidences above. one leaves one open to the lost of paradise. Anyone who therefore denies that Zakat is a necessary and obligatory aspect of Islam, then they have apostacized themselves from Al-Islam. Once again my dear brothers, our well qualified scholars have come to a disagreement as to whether a person who accepts the obligation of Zakat yet do to laziness, stinginess. etc. refuses to pay Zakat becomes a disbeliever or not. Does he remain a Muslim, yet disobedient, or does he commit anostacy and thus leave the religion of Islam totally. Ahmad Ibn Hanbal has been recorded in Al-laalakas, Vol. 1, pg. 159 as saying, "Who ever leaves the prayer has committed Kufr. And there is no deed whose abandonment is Kufr except the prayer. Whoever leaves it becomes a disbeliever and Allah permits the taking of his life." On the other hand;

Ibn Al-Chaimeen has also stated that one narration from Imam Ahmad Ibn Hanbal is that; "the one who does not pay the Zakat out of stinginess becomes an unbeliever in the same way that one who does not pray out of laziness becomes an unbeliever. He says that this opinion is supported by some of Ahmad's followers.

It would seem my dear brothers from the Hadith of the Messenger of Allah(s) that those who refuse to pay the Zakat would become disbelievers, would be enough to clear all doubt concerning this undue but it isn't. I am reluctant to go off into which of the opinions of Imam Ahmad was authentic for it becomes irrelevant considering the fact that the Companions themselves were divided as to the state of those who refuse to Zakat. Abu Bakr decided to treat them as apostates and force them to pay through a military effort yet Ali (RA) disagreed. this disagreement did not alter the action for Abu Bakr (RA) was the Kalifah and the Muslims duty is to "Obey" the leader, yet it remained a disagreed upon issue. The Companion Ibn Masood has been recorded as saying that he did not consider a person who had abandoned the Zakat to be a Muslim. He said; "The one who leaves paying the Zakat is not a Muslim. Abu Bakr said during his Khalifat that he would fight against anyone who distinguishes between the prayer and Zakat. In the recordings of Imam ul-Hadith Muslim from Abu Bakr he says: "I will fight anyone who distinguishes between the prayers and Zakat-Zakat is the compulsory right to pay me even a she-kid which they used to pay at the time of Allah's Messenger(s), I will fight them for withholding it."

So was stated earlier. the question is whether they have become an unbeliever and the opinion of this Ulama is that they have. Whether they have outright denied the obligation of Zakat or have accepted the obligation of Zakat but through laziness or stinginess have not paid it, this Ulama has followed the clear trail of evidence and accents their transgressions as disbelief and then as disbelievers. So for the Hudud for this action if in an area controlled by those of our Jamaat these individuals are to be fought against until Zakat is taken, for the only example we have regardless to differing opinions on this issue as to the nunishment of the rejectors or withholders of Zakat is that of our blessed Amir ul-Mu'mineen Abu Bakr. These Companions never even asked their rejectors whether they believed or not they just fought them as if they were apostates from Islam, this was the "Best of Generations", and this example is the one to be followed by the foremost without hesitation or the least bit of compromise except for what Shariah will allow. Allahu Alim!

The very next pillar in which Islam stands according to this particular narration is Siyaam (fasting), or to abstain from something whether it be food or drink or even for that matter. speaking. In the Shariah, it is a very great, obligatory and essential act to gain closeness to Allah and is the abstaining from food, drink, and sexual intercourse during the days of Ramadan. Fasting in and of itself is of two types; the Obligatory and the recommended. The Obligatory fast of Ramadan has been prescribed for the Muslims as an obligation both in the Hadith, such as the one on question as well as the many Ayat of Quran. Allah ta ala says in Al-Baqarah 183 (write in Arabic and in English).

The Prophet(s) have also said in his recorded sayings of guidance and wisdom that:



الصيام حجة عن النار كحجة احدىكم من القتال

"Fasting is a shield from the Hell-Fire like one of your shields shielding you while fighting." (Ahmad, Nasaai and Al-Albaani's as Saqhir as Sahih.)

This ayah of Quran, the book whose verses are without flaws; has established, an aspect of fasting not mentioned by the Muslims of today. We find Muslims of our day when asked why they fast in the month of Ramadan saying: "I fast so that I can gain 'discipline'!" This answer is not sufficient. A better answer for one who just have not taken the time to ponder on who has not read any of the traditions of the Nabi ullah(s) could have been simply because Allah, the Most High, has ordered us to in the final revelation. The problem I find on these and other related answers concerning the reason Muslims fast based on human logic is that they are not totally according to the wisdoms of the Quran and Hadith. This doesn't mean that discipline is not achieved through the act of fasting, because it is achieved but not until the heart submits to the merits of the fast. The verse of Quran above mentions the attainment of Taqwa", (تَتَّقُونَ), this word comes from Taqwa (تَقْوَى) which means literally piety, god-fearingness, fear of god, piety and or religiousness, and in no way can "discipline" be the goal according to this verse but through these means. Yet, "discipline" as is realized through the self sacrifice and or restraint from worldly and or material desires can in fact be achieved visually without the presence of god-fear or Religiousness. One can easily follow the orders of his political leader, follow the precepts of his own biased policies and abstain from drugs, alcohol, and meat products, as well as food and drink during daylight hours and continue their actions till the Day of Judgement, living totally in accordance to a disciplined protocol yet bankrupt of piety, god-fear, and Religiousness also defined in the word "Taqwa" as well as true discipline for he will be submitting to the will and desires of Allah only realising that the attainment of Paradise and Punishment of Hell-Fire are realities dealt with either through obedience to Allah and His deserved submission or obedience to the lesser or inferior faces of the shayaatin. The Prophet(s) lead one to strive harder by mentioning that fasting is also a shield from the Hell-Fire in the same way a shield works when being used in battle, but one must understand that a shield in battle protects one "totally" from the death that would be apparent through the transgressions of to the enemies weapon if the shield were not present. This protection in the after-life from Hell-Fire is given only to those who have accepted this religiousness and god-fear described in the definition of Taqwa. Therefore, fasting being used as a shield from the Hell-Fire is achieved only after the realization and submission to Allah through the acceptance and obedience to his chosen slave Muhammad Ibn Abdullah(s). The Prophet(s) has also described how the fast and the Quran will help the believers in the after-life in this hadith recorded in Ahmad and Al-Albani's Jami as Saqhir as Sahih:

الصيام و القرآن يشفعان للعبد يوم القيامة يقول الصائم  
أجرت منعته الطعام و الشهداءت بالنهار فتشفعني فيه  
ويقول القرآن منعتهم النوم بالليل فتشفعني فيه قال  
صلى الله عليه وسلم

"The fast and the Quran shall come as intercessors on the Day of Resurrection. They'll fast shall say: O' Lord, I have prevented him from his food and drink during the day, so let me intercede for him. The Quran will say: 'I kept him from sleep during the night so let me intercede for him.' Then they will be allowed to intercede."

He (Saw) also says recorded in the two Sahih's:

يترك طعامه و شرابه و شهوته من أجل الصيام لي  
و أنا أجزي به و الحسنه بعشر أمثالها

"Allah has said, he leaves food, drink, and desires because of me. Fasting is for my sake and I shall reward I. And every good deed shall be rewarded ten-fold."

As can be seen by the introduction into this Hadith by the Prophet(s) the words "Allah has said", is an indication of its divine status as a Qudsi Hadith. The merits of the fast is innumerable and must be sought after by the pious Muslims as well as the Muslims striving for piety in order to gain that closeness to Allah that will result in his placement in the Paradise with the Prophets (AS) and Martyrs. the Month of Ramadan itself has been clearly indicated in association with the reward of Paradise and hope for the forgiveness of sins in the Hadith recorded in Bakhari and Muslim:

من صام رمضان إيماناً و احتساباً غفر له ما تقدم من  
ذنوبه

"Whoever fast the month of Ramadan with faith and hoping for its reward shall have all of his previous sins forgiven for him."

Therefore, the fasting of this month in which we were blessed with the Holy Quran acts in the same manner as the Shahada of the Convert in relation to past sins, hence the sins committed as a Muslim that one may, due to neglect or forgetfulness, have not repented for will be forgiven after the completion of the fast in the Month of Ramadan. This month has also been mentioned by name in Al-Quran ul-Kareem in relation to the fast thus making it official that anyone who denies the obligatoriness of the fast in the Month of Ramadan and rejects its practice as a pillar upon which Islam stands then becomes a non-believer or apostate. The Holy and Blessed Quran says (2:185--write English/Arabic here.)

It is recorded in the beneficial and greatly needed commentary of An Nawawi:s 40 Hadith Collection Vol. 1, pg. 381, by Zarabozo that Ibn ul-Qayyim noted some of the beneficial and important aspects of fasting when he wrote:

The purpose of fasting is that the spirit of man was released from the clutches of desires and moderation prevailed in his carnal self, and, through it, he realized the goal of purification and everlasting felicity. It is aimed at curtailing the intensity of desire and lust by means of hunger and thirst, at inducing man to realize how many were there in the world like him who had to go even without a small quantity of food, at making it difficult for the Devil to deceive him, and at restraining his organs from turning towards things in which there was the loss of both worlds. Fasting, thus, is the bridle of the god-fearing, the shield of the Crusaders and the discipline of the virtuous."

(Nadwi pg. 173)

## ...THE RULING CONCERNING ONE WHO DOES NOT FAST

As was alluded to earlier, the one who denies the Obligation of the fast in the Blessed and Sacred Month of Ramadan becomes a disbeliever for the place of the fast has been established in the Quran as well as the Hadith with clear certainty. As for (like the other two pillars the Salat and Zakat) one who accepts the Obligation of the fast but for some reason has not observed it; there is one Hadith, it would clear this issue up with one blow. It is recorded by Abu Ya'la and Dailami, it says:

عن الإمام أحمد والبيهقي في صحيحهما قال قال رسول الله صلى الله عليه وسلم من ترك واحدة من هذه الثلاث أو الصلاة المكتوبة أو صوم رمضان أو زكاة الفطر أو حج البيت لم يمت مسلمًا بل مات كافرًا قال قال رسول الله صلى الله عليه وسلم من ترك واحدة من هذه الثلاث أو الصلاة المكتوبة أو صوم رمضان أو زكاة الفطر أو حج البيت لم يمت مسلمًا بل مات كافرًا

"The bare essence of Islam and the basics, upon which Islam has been established, are three. Whoever leaves one of them becomes an unbeliever and his blood may be legally spilled. (These acts are:) Testifying there is no God except Allah, the Obligatory prayers, and the fast of Ramadan."

Ibn Ya'la and ad-Fahami states that it is Hasan and if it were would be enough to end the discussion, but the most authoritative Hadith specialist of our time Al-Albani have declared it weak and has attributed it to Ibn Abbas and not a statement of Allah's Messenger(s). being that this is not a "fabricated" weak Hadith and in the opinion of Al-Albani is attributed to such an authoritative Companion in Ibn Abbas. it leaves me with the importance of this issue left on ones mind. For Ibn Abbas to make such a definite statement shows the importance of the fast of Ramadan alone. If one reasons in the fact that Allah has promised this Companion Paradise in Surah 9:100, and the fact that no companion would make such a statement unless he was telling a truth for he in this regard would be tantamount to disbelief, we would have to regard such a person an unbeliever, they urge one to consider Ibn Abbas' statement carefully if one chooses to accept the obligation of the fast yet neglects its' application being that it may have been correct. Shavkh-Thahabi as recorded in Zarabozo's Commentary on the Hadith of Nawawi pg. 353, Vol. 1, once wrote:

"According to the established believers, anyone who leaves the fast of Ramadan without being sick is worse than a fornicator or an alcoholic. In fact, they doubt his Islam and they suspect that he might be a Zandiqah (renegade against Islam) and one of those who destroy Islam."


The Ulama and Jamiyaat al-Islam must make the ruling of disbelief along with the majority on those who reject the obligatory nature of this pillar of Islam. Yet on the issue of one who accepts its (fasting) obligation but due to a reason other than those stipulated in the books of fiqh, reject its observance, this Ulama has ruled that they are to be considered "faasiq" based on the ambiguous nature of the evidence, although punishment to this person as you would apply to the alcoholic or fornicator, his testimony is not accepted and he is treated as a mischief maker.

The Hajj which means. He prepared or betook himself, to, or towards a person or object of reverence is just that, a means of taking oneself to a site of reverence, the Holy Sanctuary at Makkah. The Quran has made this ritual and all of its rights according to the Sunnah of our blessed Prophet Muhammad Ibn Abdullah(s) in the Ayat of Surah al-Imaan 97: (Write in Arabic and English.) Therefore, its denial of this particular pillar of Islam as an Obligation that must be observed by all Muslims (who are able) is tantamount to disbelief and apostacy. The reward of this act has been discussed numerously by the Messenger of Allah in the Hadith



recorded in the two Sahih's, some of which are mentioned below:

17

من حج الله فلم يرفث ولم يفسق رجع كيوم ولدته أمه  


"Whoever performs Hajj for the sake of Allah and does not commit any lewdness or sins returns like the day in which his mother gave him birth." (without any sins) and

العمره إلى العمرة لما بينهما من الحج المبرور ليس له جزاء إلا الجنة

"One Umrah until the next Umrah is an expiration for what is between them--And the Hajj that is accented by Allah and performed properly has no reward other than paradise."

ان رسول الله صلى الله عليه وسلم سئل أي العمل أفضل فقال إيمان بالله ورسوله قيل ثم ماذا قال الجهاد في سبيل الله قيل ثم ماذا قال حج مبرور

"The Messenger(s) was asked, 'What is the best deed?' He stated, 'Belief in Allah and the Messenger.' He was then asked, 'What next?' He said, 'Jihad in the way of Allah.' He was again asked, 'What next?' He replied, 'The Hajj which is performed correctly accepted by Allah.'"

The Prophet Muhammad(s) has given us many rewards to rush towards in this regard. Haji spiritually humbles the person who experiences its rights. El Hajj Malik El-Shabbazz (Malcolm X), raised in America at a time that racism against people of color was prevalent as well as the misguidance of the Musalima (Nation of Islam) had grown to despise and hate the White Man for his oppressions and enslavement of his ancestors. He joined the groups of Muslim pretenders led by the despicable Elijah "Poole" Muhammad and found contentment in this hate after a life of disobedience to Allah, he used this hate for the White Man and started on his quest for knowledge of self which would then lead him closer to knowing his duties in reference to God. As time went along and he began recognizing the lies and contradictions in the teachings of the despicable Elijah Poole, he went in search of True Islam. Upon accepting Islam, he traveled off to Bilad ul-Haramain in order to perform the haji rights ordered by the Quran and Sunnah. There he found the rich, poor, Black, White, and all other classes of humans, Muslims, submitting to their Lord Allah and following the ritual rights of worship together as was taught by the Noble Prophet Muhammad(s): It was this experience that inspired El-Hajji to re-establish Islam in America amongst Zanj (Blacks) and teach them its true message, hence leading this misguided group to a new awakening. For the women, Allah's Messenger made Hajj equal to Jihad Ul-Kaabeer in Allah's cause, recorded in Ibn Majah and according to Al-Albaani it is Sahih it says after the Prophet(s) was asked whether or not women are "required" to take part in the physical Jihad, He answered:

نعم عليهن جهاد لا قتال فيه الحج و العمرة

"Yes, upon them is Jihad which does not contain fighting: Hajj and Umrah (lesser Pilgrimage)."

Aside from the rewards mentioned above, the Hajj is also a place where Muslims from all over the world come to plug in with one another and truly live up to the Ayat of Surah 49:13 (Arabic and English), to live and know one another and conjoin along with our brothers all over the