

Shaykh 'Ali bin Hasan al-Halabī al-Atharī
(*hafidhahullāh*)

THE SO-CALLED “ISLAMIC STATE OF 'IRĀQ AND SHĀM” [ISIS/ISIL]

**A RESULT OF THE PROCESS OF
ORGANISATION TO “JIHĀD” TO PLEDGING
ALLEGIANCE AND THEN TO ANNOUNCEMENT
OF A “STATE” (!)
DIVINELY LEGISLATED FOUNDATIONS AND
REALISTIC POINTS TO BRING TO ATTENTION¹**

**“AS FOR THE “PLEDGE OF ALLEGIANCE” THEN IT IS THE COMMON
CUSTOM WHICH WE HAVE KNOWN SINCE THE TIME SHUKRĪ
MUSTAFĀ AL-MISRĪ ANNOUNCED “JAMA'AT UL-MUSLIMEEN” AND
THAT HE IS THE LEADER TO WHOM ALLEGIANCE HAS TO BE
PLEDGED. THEN WHEN HE WAS EXECUTED AT THE END OF THE
1970S ANOTHER “AMEER UL-MUMINEEN” SUCCEEDED HIM, ABU'L-
GHAWTH MUHAMMAD AL-AMEEN 'ABDULFATTĀH; AND THEN
AFTER HIM ANOTHER “AMEER UL-MUMINEEN” (!!?) WAHEED
'UTHMĀN, WHO IS PERHAPS STILL THEIR LEADER. THEN CAME THE
TĀLIBĀN IN AFGHANISTAN AND IT ANNOUNCED THAT MULĀ 'UMAR
WAS “AMEER UL-MUMINEEN”, AND I ALSO THINK THAT HE IS STILL
ALIVE.**

¹ From the Shaykh's article entitled *Dā'ish: at-Tandheem...Jihād...al-Bay'ah...Thumma al-Khilāfah! Ta'seelāt Shar'iyyah wa Tanbeehāt Wāq'iyyah* [ISIS/ISIL: Organisation...Jihād...The Pledge of Allegiance and then an Islamic State! Divinely Legislated Foundations and Realistic Points to Bring to Attention]. Dated 21st July 2014/23rd Ramadān 1435 AH:

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Translated by 'AbdulHaq al-Ashanti

BETWEEN BOTH THE JAMA'AT UL-MUSLIMEEN AND THE TALIBĀN WAS TANDHEEM UT-TAWHEED WA'L-JIHĀD FĪ BILĀD IR-RĀFIDAYN WHICH IN 2007 ANNOUNCED THE ESTABLISHMENT OF AN ISLAMIC STATE IN IRĀQ, WHICH SET IN MOTION THE "ISLAMIC STATE OF IRĀQ AND SHĀM" AND THEN INTO THE "KHILĀFAH STATE"... THEN NOT LONG AGO ANOTHER "AMEER UL-MUMINEEN", ABŪ 'ĪSĀ AL-QURASHĪ AL-URDUNĪ IN PAKISTAN, ANNOUNCED A KHILĀFAH OUTSIDE OF THE CONTROL OF THE TĀLIBĀN, AFTER HE HAD MADE TAKFEER OF THE TĀLIBĀN AND REBELLED AGAINST IT! SO THEN WHO IS THE KHALEEFAH OF WHO?! WHO KILLS WHO?! AND WHO WAS BEFORE WHO?!"

Bismillāh, ir-Rahmān ir-Rabeem

For whoever still does not know the meaning of this label "ISIS/ISIL" and the reason for it, then it is an abbreviation of the title of their movement and organisation: the 'I' stands for 'Islamic', the 'S' stands for 'State', the 'I' stands for 'Iraq' and the 'S' stands for 'Shām'/the 'L' for the 'Levant'² And even if now they view themselves as going through a new stage: from organisation to 'state' and from movement to 'Khilāfah', which will practically dissolve the term 'ISIS/ISIL' bit by bit.

First of all: I view that some important words have to be mentioned:

The major media focus, or the amplification, currently of ISIS/ISIL and its emergence, spread, tyranny, violence, strength, is of matters most of which it is guilty of. This is especially with its embrace, whatever the case may be, of continuous Zionist intimidation of our blessed land Jordan and others, which is also is of its dangers.

The truth is that: we, by Allāh's Virtue and Mercy, in this safe land particularly [i.e. Jordan], are the most distant, insha'Allāh, from these alleged dangers and those intimidations. This is due to many reasons: religious, national, political, social or ideological, yet this is not the place to clarify its full trajectories,

"And whatever you have of favour – it is from Allāh."

{an-Nabl (16): 53}

² [TN]: The Arabic abbreviation "Dā'ish" therefore derives from the letters: ad-Dawlah ['D'], al-Islāmiyyah ['I'] fi'l-'Irāq ['I'] wa'sh-Shām ['Sh']. I translated in the main text however the English rendition while in the original article the Shaykh referred to the Arabic abbreviation.

However, this current issue does not prevent us from cautioning and bringing to attention (both of which hold a lofty position, all praise is due to Allāh) to some of the arbitrary and abrupt adventures committed by some foolish enthusiastic and emotional individuals here and there. Based on this I say: this organisation [ISIS/ISIL] emerged suddenly, came onto the scene suddenly, expanded suddenly and then it announced an Islamic state with a Caliph, suddenly! All of this, with amazing acceleration, opens up a thousand and one doors to domains of logical thinking and multiple possibilities. However, we will not at all enter into speculation and guesswork; rather we will move, with steadfastness and verification, from the door of knowledge, proof and evidence, which is the perspective of all.

Generally, the roots of this organisation are connected to the ideological foundations traversed by the al-Qaeda movement, namely the claim to wage jihād, extremism in takfeer and whatever is based on this. All praise is due to Allāh, we have warned against this and brought attention to this early on, well over ten years ago, before the 9/11 attacks on the Twin Towers in New York and the 11/9³ attacks on the hotels in Amman. And we have written a number of books and articles on this, the most important of them being: *at-Tabdbeer min Fitnat it-Takfeer* [Warning from the Tribulation of Takfeer], *Sayhat un-Nadbeer bi Khatr it-Takfeer* [The Cry of the Warner of the Danger of Takfeer],⁴ as well as other books, Allāhu Musta'ān.

Jabhat un-Nusrah [an-Nusrah Front] branched off from al-Qaeda within the arena of the Syrian revolution, and then later the emergence of ISIS/ISIL was also from the arena of the Syrian revolution. Then there developed in-fighting and killing between the two [i.e. an-Nusrah and ISIS/ISIL]. Due to the emergence of ISIS/ISIL, which was for a number of reasons, this led to disengagement with ISIS/ISIL, via an open and famous announcement from Ayman adh-Dhawāhirī (the current leader of the al-Qaeda organisation) connections to be made between al-

³ [TN]: i.e. the 11 of September, in that "9/11" is an American rendition of what in the UK for example would be referred to as "11/9", i.e. the 11th of September (September being the ninth month of the year). So both attacks actually took place on the 11th of September.

⁴ [TN]: Both books commended by Imām al-Albānī before his death, may Allāh have mercy on him. The claim of restricting kufr to just *takdheeb* (denial) and *juhūd* (rejection) was also erroneously levelled at Shaykh 'Ali Hasan al-Halabī al-Atharī by the likes of the Muhammad ibn Sālim ad-Dawsarī (the unknown one who was later arrested by Saudi authorities for being linked to terrorists and rebels). Ad-Dawsarī, in a clear example of intellectual denial and partisan polemic, claimed in his book *Raf' ul-Lā'imah* that Shaykh 'Ali Hasan al-Halabī al-Atharī restricted and limited kufr to just *takdheeb* (denial) and *juhūd* (rejection), even though in *Sayhat un-Nadbeer* [The Call of the Warner] Shaykh 'Ali Hasan al-Halabī al-Atharī clearly mentions in detail the types of kufr.

Qaeda and its announced branch in Shām for all of its [al-Qaeda's] factions to fall underneath Jabhat un-Nusra and nothing else.

Let's return to the start, in regards to "organisation" then the like of them are in abundance everywhere in the partisan Islamic movement arena. They all continue to puncture the unity of the Islamic Ummah, bring tribulation to it and tear it apart, without any benefit, as experience has demonstrated, and without any result.

As for "Jihād" then it is the trump card which many partisan groups and movements still use with strength up to this day so as to be more attractive to many good and truthful Muslim youth, from the east and west, for blind partisan involvement in groups which they neither know what or who is behind them. The desire of these youth, may Allāh keep them on the right path and increase them in guidance, is to attain Allāh's Pleasure and to gain success into His Paradise. Jihād, as it is, love it who loves it and hate it who hates it, represents the "pinnacle of Islām" as stated by our kind Prophet (*sallAllāhu 'alayhi wassallam*). However, the issue and lesson is in regards to its obligation and potential legitimacy in its rules, and establishment of its duties and reasons for its existence.

Thus, the criterion between recklessness and courage is a thin line, just as the difference between Jihād and fasād [corruption] is also, an even thinner line. From the precise and lofty details of Islamic fiqh in this issue, which is unheeded and unknown of by many contemporary "Jihād" theorists today, not to mention by most of their youth, and which leads them all into destruction which almost has no end, is what was mentioned by Imām Abu'l-Mudhaffar as-Sam'ānī. Imām as-Sam'ānī died nearly 950 years ago in the year 489 AH [1096 CE]. He mentioned in his tafseer, when explaining Allāh's Saying:

"O you who have believed, when you meet those who disbelieve advancing [for battle], do not turn to them your backs [in flight]. And whoever turns his back to them on such a day, unless swerving [as a strategy] for war or joining [another] company, has certainly returned with anger [upon him] from Allāh, and his refuge is Hell – and wretched is the destination."

{*al-Anfāl* (8): 15-16}

He stated:

There is another view in regards to the verse, which is a Madhhab, today, and which most of the jurists hold, which is that: if the kuffār are more than the Muslims [on the battlefield] then it is allowed for the Muslims to flee. This is based on Allāh's Saying,

“...and do not throw (yourselves) with your own hands into destruction.”

{*Baqarah* (2): 195}

If they remain patient [with the onslaught] then that is also permitted, except that if they know for certain that it is not possible to resist them, then at that point it is not allowed for them to be patient as they will be throwing themselves into destruction.

The same was stated by the Imām and Usūlī, 'Izzaddeen ibn 'AbdusSalām who died around two hundred years after al-'Allāmah as-Sam'ānī in 660 AH [CE] in his book *Qawā'id ul-Ahkām fī Masālih il-Anām*:

The Muslims retreating from the kuffār is a harm, however it is allowed: if there are more disbelievers than Muslims, then it is allowed as a concession for them as otherwise it will be difficult for them [to face the larger number] and as an aversion of the harm of the disbelievers overcoming the Muslims due to their increased number over the Muslims.

The contemporary Jihādī experience, due to the errors and deficiencies upon which it is based, serves to only confirm the accuracy and confirmation of these lofty foundational principles. After all these years and centuries, all of those adventures (!!) have not produced anything fruitful except for the entry of multiple states upon peoples and increased distortion of Islām's upright image around the world. There is not a true Muslim who rejects Divinely Legislated Jihād with its true rules – this has to be said so that the contrary of this true and pure acknowledgement is not understood from the ignorant blind followers and deceivers hiding in the shadows.

As for the “pledge of allegiance” then it is the common custom which we have known, with clarity, since the time Shukrī Mustafā al-Misrī announced the establishment of “Jama'at ul-Muslimeen” and that he is the leader to whom allegiance has to be pledged. Then when he was executed at the end of the 1970s another “Ameer ul-Mumineen” succeeded him, Abu'l-Ghawth Muhammad al-Ameen 'AbdulFattāh, and then after him another “Ameer ul-Mumineen” (!!?) Waheed 'Uthmān who perhaps is still their leader. Then came the Tālibān group in Afghanistan and it announced that Mulā 'Umar was “Ameer ul-Mumineen”, and I also think that he is still alive. Between both the Jama'at ul-Muslimeen and the Talibān was Tandheem ut-Tawheed wa'l-Jihād fī Bilād ir-Rāfidayn [The Organisation of Tawheed and Jihād in the Land of the Two Rivers] which in 2007 announced the establishment of an Islamic State in Iraq, which set in motion, and I do not say “evolved into” the ‘Islamic State of Iraq and Sham’ and then into the ‘Khilāfah State’ generally as is the case today and the topic of our article. Then not long ago another

“Ameer ul-Mumineen”, Abū 'Īsā al-Qurashī al-Urdunī in Pakistan, who dons a black turban and black robe, announced a Khilāfah outside of the control of the Tālibān, after he had made takfeer of the Tālibān and rebelled against it!

This therefore is an ongoing sequence of events of pledges of allegiance which has not ended, and perhaps never will. The issue of these pledges of allegiance and their very dangerous growth has major realistic consequences and the actual consequences are bitter. Via this reality, which is intermingled with tribulation, we came across the warning of “Ameer ul-Mumineen” (!!?) Abū 'Īsā al-Qurashī to Abū Bakr al-Baghdādī (“Ameer” of the “Khilāfah” of ISIS/ISIL) nine months ago, and requesting him to pledge allegiance to him as the Caliph!!? He used as proof for this the hadeeth of the Prophet (*sallAllāhu 'alayhi wassallam*): *“Whoever pledges allegiance to a leader should give him the pledge with his hand and the sincerity of his heart, he should obey him as much as he is able. If another comes to dispute [the Khilāfah], then that other man should have his neck struck [i.e. be executed].”*⁵ and in another wording: *“...then kill the latter of them from the two.”*⁶ **So then who is the Khaleefah of whom?! Who kills whom?! Who was before whom?! In another chain of events of claims for pledges of allegiance to be made, the Khilāfah, Khulafā' and then death and killing! All of which is but mere jest with the Ummah and its deen and creed.**

From a second historical angle, the foundational seeds of these pledges of allegiance, which are also unrelated to the Divine Legislation, are rooted many years ago from the ideas of the Sūfī cults which passed on to the partisan Islamic movements such as the Muslim Brotherhood and the Tablighi Jamāt which are based on allegiance, disavowal, hearing and obeying. This is not even rejected by the very leaders of these groups themselves. So after this historical journey let us look at this guided knowledge-based fiqh which was substantiated by Shaykh ul-Islām Ibn Taymiyyah (*rahimahullāh*) in regards to the reality of the pledge of allegiance to the first rightly guided Caliph Abū Bakr as-Siddeeq (*radi Allāhu 'anhu*) and its ruling and the process of its confirmation. Ibn Taymiyyah stated:

If 'Umar, and a group with him, were able to pledge allegiance to him and the remaining Companions did not pledge allegiance to him, he [i.e. Abū Bakr] would not become the Imām [leader of the Muslims] due to that. Rather he would become the leader when all of the Sahābah, who are people of influence and authority, pledge allegiance. For this reason, the refusal of Sa'd bin 'Ubādah [to swear allegiance] did not harm that as that does not

⁵ [TN]: this hadeeth is narrated by 'Abdullāh bin 'Amr ibn al-'Ās, Kitāb ul-'Imārah, Saheeh Muslim.

⁶ [TN]: narrated on the authority of Abū Sa'eed al-Khudrī, Kitāb ul-'Imārah, Saheeh Muslim.

affect the intent of rulership. As the intent is to obtain influence and authority [and the support of the people who wield this] with which the benefits of the leadership can be obtained.

So let us reflect on the benefits that Ibn Taymiyyah mentioned which many are ignorant of, and also on the contradiction of the claimants to pledges of allegiance in the modern innovated way. For they, both the heads and the followers, claim allegiance should be pledged to a group from the Islamic Ummah, no matter how small or large, without the involvement from the majority of the Ummah – this is not to be taken into consideration according to the Divine Legislation. For there has to be the involvement of Ahl ush-Shawkah [the people of influence and power] which can only be gained via obtaining influence and authority, and by which the interests of rulership are ascertained. All of these terms, generally and specifically, are not realised even in the slightest with the modern forms of continuous claims to pledge allegiance to a “Caliph”.

We want those who are conscious of Allāh, from those claimants to a pledge of allegiance, as well as those who have been deceived by them and have divided the Ummah due to their actions, to be fearful of what was stated by the rightly-guided Khaleefah 'Umar bin al-Khattāb (*radi Allāhu 'anhu*): “Whoever pledges allegiance to a man, without consultation with the Muslims, then neither he nor the one to whom he is pledging allegiance are to be supported, lest they both be killed.”⁷ Thus, the Divinely Legislated Khilāfah which the Arab Qurashī Hāshimī Prophet (*sallAllāhu 'alayhi wassallam*) promised would arrive at the end of time, is the Khilāfah which is on “the Prophetic manhaj”, which is “Shūrā” in its controlled meaning and true academic principles. As for other than it then it is nothing but a partial particular rule like other republics, kingdoms or modern nation states, all of which ISIS/ISIL regards as outside the fold of the deen!

If we comprehend with certainty that the meaning of “Khilāfah” with ISIS/ISIL and its followers is not too far from the limits of the void Rāfidah Shi'a viewpoint of Khilāfah! For they say **“the Imāmah is from the Usūl of the deen, and the defining factor for takfeer and imān”** – this is sufficient as a calamity! What confirms the correct and true Islamic method regarding Imāmah [leadership] which I have presented here, is what has been relayed in *Kitāb us-Sunnah* of Imām Khallāl from Imām Ahmad bin Hanbal (*rahimahullāh*) that he was asked about the hadeeth of the Prophet (*sallAllāhu 'alayhi wassallam*): “Whoever dies and does not have an Imām has died the death of *Jahiliyyah*.” Imām Ahmad said about this hadeeth: **“Do you know who the Imām is? The Imām is the one upon whom the Muslims are united and all of them say: “this is the Imām”.”**

⁷ [TN]: This hadeeth was narrated by Ibn 'Abbās, Saheeh ul-Bukhārī.

As for “Abū Bakr al-Baghdādī” and his group “ISIS/ISIL” who number a few thousand simple and enthusiastic and emotional Muslims, as is apparent from them, then they announced a comprehensive “Khilāfah” upon the Muslim Ummah, East and West, length and breadth, as if they were the first to announce one! Without even the slightest referral back to any credible scholar of the Ummah! This in itself exposes the reality of their stance towards whoever is not from them or with them from the common Muslims and scholars. As Divinely Legislated and Prophetic “Shūrā” [counsel] is without any factional isms and schisms, or bigoted machinations; and a Khilāfah will not be considered credible unless all of the Ummah concur, not just a political party or group. Of the least, and clearest, fiqh conditions for a credible Khilāfah is that the true people of power and authority have knowledge of the Caliph and his person and the condition of his character – both of which are absolutely missing in the case of “Abū Bakr al-Baghdādī”!

Of the greatest statements is what has been noted by our teacher, the upright 'Allāmah, the Muhaddith of Madeenah an-Nabawiyah, Shaykh 'AbdulMuhsin al-'Abbād al-Badr (may Allāh bring benefit by him) as transmitted from him by his noble son al-Hasan. Shaykh 'AbdulMuhsin was asked about those who pledge allegiance to Abū Bakr al-Baghdādī on the basis on him being “the Khaleefah of the Muslims”, and our Shaykh [AbdulMuhsin al-'Abbād] answered: **“They have given their allegiance to Shaytān!”**

And what reinforces what we have previously acknowledged are the words of Abū Muhammad al-Maqdisī who has a lofty rank of credibility with many of the Jihādīs [Takfeerees], even ISIS/ISIL, around the world due to their agreement in general ideology and perspectives! Abū Muhammad al-Maqdisī described the **“legitimate people in charge”** of **“ISIS/ISIL”** as having **“deception, and toing and froing, and lying against the leadership of the Mujāhideen”**, and that ISIS/ISIL **“have shed sanctified blood”** and that **“extremism has entered the ranks of some of their followers, rather of their very legitimate leaders”** (!) and that **“within their ranks are Khawārij”**! Likewise, what was recently disseminated with the strong censure of ISIS/ISIL from Abū Qatādah al-Filistīnī, of the most famous heads of the Jihādīs today. Abū Qatādah censured the ISIS/ISIL and their ideas, “Khilāfah” and “Khaleefah” in what was exactly the same vein as that of Abū Muhammad al-Maqdisī’s criticism of them.

The shameful realities and vile events, which have been widely reported via multiple routes of transmission are not hidden from the one who has foresight and insight. Reports of ISIS/ISIL and their cold blooded and brutal killings, devoid of fiqh and mercy, of any Muslim who opposes them or criticises their movement – this is even if their ideas are actually similar! As has occurred in the case of the Jabhat un-Nusrah and the war between them, so then what in the case of those who totally oppose their creed from the very basis, and refute their extremism from the outset?!

By your Lord, where are those vile and shameful killings from the guidance of our great Islamic deen of mercy which wants good and guidance for all people? Allāh Says,

“And We have not sent you, [O Muhammad], except as a mercy to the worlds.”

{*al-Anbiyaa* (21): 107}

To proceed:

All of this, along with the enmity of the Shi'a, against our people from Ahl us-Sunnah in 'Irāq is another matter. It is a frightening situation which is above description, the maltreatment of Ahl us-Sunnah and their execution, expulsion and oppression. It all necessitates a decisive stance from the leaders of the Muslims particularly, and from the rest of their Muslim brothers generally, to liberate the remaining people of the Sunnah there who are living between expulsion, torture and execution. And Allāh Says,

“And if they seek help of you for the religion, then you must help...”

{*al-Anfāl* (8): 82}

And Allāh Says,

“And indeed, the wrongdoers are allies of one another; but Allāh is the protector of the righteous. This [Qur'ān] is enlightenment for mankind and guidance and mercy for a people who are certain [in faith].”

{*al-Jātibiyah* (45): 19-20}

In conclusion I state, with clarity and frankness: that the loss of unity and conscious, true, trustful co-operation based on piety and righteousness, firstly between the states within Shām [the Levant] and its surrounding regions itself, and secondly between the scholars and rulers in holding firm to the rope of Allāh, and then thirdly between Ahl us-Sunnah with each other in mutually advising each other to truth, patience and mercy – has all contributed to the emergence of ISIS/ISIL and then the announcement of their very own so-called “Khilāfah”. And perhaps, if the intelligent ones do not realise, and quickly, the imminent danger from its start then their delay could contribute to the emergence of other things which may not be far off from being much worse than it. While a positive realisation of what is taking place on the ground, as is hoped for will certainly lead to resourceful steady social inclusion, which eliminates all forms of erosion, laceration and infiltration. So that subsequently the end of those who formed these deviant partisan groups, with all their various names and kinds, will either dissolve or repent. And by Allāh their repentance is the most precious thing which we strive for with them and it is the loftiest that we want from them, as [Ibn

Taymiyyah] said: **“Ahl us-Sunnah are the most knowing of the truth and the most merciful with the creation.”**