

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Al-Taḳyīd li-Ḍābiṭ al-Subkī fī al-Takfīr

Explaining the Correct Methodology of Imām Subkī in *Takfīr*

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🔗 Author's Note

This paper is written in response to an article titled *Iman, Kufr and Takfir* authored by Shaykh Nuḥ Hā Mīm Keller which was released on www.shadhilitariqa.com in 2007. The need for this critique rises due to the author's ongoing silence upon a serious mistake in this article on the principles of *Takfīr*, which has caused confusion and resulted in conflict and tension amongst Muslims particularly living in the West. The mentioned article as a whole does not reflect meticulousness we have come to expect from the author for two primary reasons, a) his unfamiliarity with the language and nuance of the content he attempts to deal with and b) his lack of awareness of the historical-context in which the content was authored. The article therefore is redundant of the fundamental tools required to analyse any such content in order to reach sound conclusions.

This particular critique, however, aims to illustrate to the learned reader that Shaykh Nuḥ inaccurately used Imām Subkī's rule on giving consideration to the offender's intention. It does this by providing numerous *fatwas* of the Imām on charging the disparager of the Prophet (Allah give him peace and blessings) with disbelief and then offering a critical analysis to the rule on the offender's intention. My earnest hope and prayer is that Shaykh Nuḥ will rethink his argument in light of the principles and their commentaries provided in this paper. Lastly, I would like to pay thanks to the student of sacred knowledge who assisted in translating this work from the original Arabic and pray for his felicity in both worlds.

All praise is due unto Allah alone and may salutations and peace be upon he after whom there is no Prophet.

Thereafter:

It is paramount that I elaborate some of the central principles pertaining to the issue of *Takfīr* (charging someone with disbelief) in light of what has been mentioned by the scholar and jurist par excellence Imām Taqī al Dīn al-Subkī [1284-1355] - May Allah have mercy on him - in his work *al-Sayf al-Maslūl ‘alā Man Sabb al-Rasūl* [The Unsheathed Sword on the One who Insults the Messenger] and similarly in his *Fatāwā* [Collection of Legal Verdicts]. The purpose of this is to counter Shaykh Nuḥ Ḥā Mīm Keller who claims that the offender’s intention is unconditionally taken into consideration at the time of causing offence to the Noble Prophet Muhammad (may Allah give him peace and blessings).¹ Shaykh Nuḥ has based his misunderstanding upon a rule of Imām Subkī that offending the Prophet (may Allah give him peace and blessings) must be distinguished as to whether it is intentional or not as the latter is undeserving of a verdict of *kufr* (disbelief).

❧ Principles of *Takfīr* (*Uṣūl al Takfīr*)

The principles that we must always remember are:

1. There is unanimous scholarly consensus (*ijmā’*) upon charging whomsoever insults the Prophet (may Allah give him peace and blessings) with disbelief, which has been stipulated by more than just one of the great Imams and has never been disagreed upon.²
2. Legal rulings are based upon the outward state [and not the inner where the intention is contained] because of the ḥadīth-text which stipulates “we have been ordered to judge by the apparent and Allah is entrusted with secrets”.
3. *Luzūm* is not the same as *iltizām*. Such is because the one who holds a position which implies something [offensive] may not realise what is implied, as opposed to the one who intends particularly that which is implied in his comments and makes it his position. Thus the soundest view is that a mere “inevitable outcome” of a position is not to be taken as an individual’s position (*lāzīm al-madhhab laysa bi-madhhab*) with the condition that he does not make it his position himself.

1 In his discussion on ‘The Fallacy of Imputed Intentionality’ in his article *Iman, Kufr, Takfir* (2007) where this rule has been applied unconditionally to save Deobandi offences from the charge of unbelief.

2 One may refer to section one of chapter one on ‘The Clarification About Cursing the Prophet’ from *Kitab al-Shifa* of al-Qadi Iyad in which he mentions sources stipulating *ijma* on this matter. Imam Subki himself mentions this as the reader shall shortly discover.

4. Giving interpretation to explicit (*sarīh*) statements is impermissible because such interpretation is in fact an alteration [and not an interpretation]; rather it is only valid in that speech which holds several possible meanings being conveyed but with conditions involved.
5. If an individual insults the Prophet (may Allah give him peace and blessings) with an explicit (*sarīh*) statement then it is ruled that he has committed unbelief even if he claims not to disbelieve and in spite of him appearing to adhere to Islam and having total animosity towards disbelief, so much that even if he is a jurist or scholar his knowledge shall not exonerate him from disbelief.

↪ Imām Subkī’s Stance on These Principles

I now present the clear expressions of Imām Taqī al-Dīn al-Subkī in support of these principles. He says in his *Fatāwā* (2: 561):

“As for insulting the Prophet (may Allah give him peace and blessings), **the established consensus is that it is disbelief and ridiculing him is disbelief.**”

And he also said in *al-Sayf al-Maslūl* in the first chapter regarding that which constitutes as disparagement from Muslims (p. 405):

“**The consensus of the *ummah* concurs upon the fact** that to disrespect the Prophet (may Allah give him peace and blessings) or any Prophet from the Prophets or to kill or murder them is disbelief. Regardless of whether the scorner or murderer believes it is permissible thereof **or even if he considers it forbidden. There is no dispute amongst the scholars regarding this matter and those who have cited the consensus on this matter and its details are numerous.**”

He also says in his *Fatāwā* (2: 562):

“To disparage all of them (i.e. the companions) without a doubt is disbelief. This is also the verdict for someone who disparages a companion for being a companion because this is mockery of the rights bestowed upon him because of his companionship [with the Messenger of Allah]. **Thus in this is attack on the Prophet** (may Allah give him peace and blessings), **so there is no doubt in the disbelief of the disparager.**”

And he says in *al-Sayf al-Maslūl* quoting al-Qāḍī ‘Iyād [1083-1149] from *al-Shifā*³ (p. 405-6):

“Know that all who disparage the Prophet (may Allah give him peace and blessings) or ascribe a fault to him **or attach some kind of defect to him or his lineage or to a quality from among his qualities, or allude to that, or compare him to something in an insulting manner, showing him contempt, belittling his grandeur, disregarding his rank or adding fault to him**, all such scenarios are an insult to him and the ruling regarding such an individual is the ruling of the disparager, he is executed” (until he says) **“the same applies to whoever ascribes to him that which does not befit his rank in a blameworthy way**, or jokes about his noble status with foolish talk, obscene language, disliked words or lies, **or belittles him in some of the human qualities which are permissible in his right** or events that happened to him. **All of this has been taken from the consensus of the scholars and Imāms of *fatwā* from the time of the companions until now.**” [Abridged]

And Imām Subkī quotes the text of al-Qāḍī ‘Iyād from *al-Shifā* in support of the fourth aforementioned principle (p. 407):

“He [Aḥmad ibn Abī Sulaymān] was told about a man to whom someone said: “No, by the right of the Messenger of Allah” and he replied, “Allah did such a thing with the Messenger” mentioning repulsive words. People responded to him saying, “what are you saying O enemy of Allah!”, then he spoke words more wretched than the first and added, **“I only intended** a scorpion by saying the *Messenger* of Allah!” When someone asked [about the *fatwā* concerning this person], Ibn Abī Sulaymān replied “testify against him and I am a witness with you in his execution and the reward in that.” Ḥabīb ibn al-Rabī’ said: **“because the claim to interpretation in explicit speech is not accepted because it is clear contempt and lack of respect for the Messenger of Allah** (may Allah give him peace and blessings) and nor is it venerating him. Thus shedding his blood is necessary.”

He also says in his *Fatāwā* building upon the second and fourth abovementioned principle (2: 557):

“And if the one who labels the renowned companions as unbelievers while actively believing like the belief of the one who prostrates to idols or the one who places the Qur’ān in filth and others like them [such that they claim to be Muslims at heart

3 Al-Hafiz Muhammad ibn Jafar al-Kattani gave the following praise to Kitab al-Shifa of al-Qadi Iyad which Imam Subki is quoting here: “It is a book of enormous benefit and immense use, not a single book has been authored like it in Islam” (al-Risalah al-Mustatrafah, p. 106). Imams Ibn Farhun, Ibn Juzay al-Kalbi and Suyuti mentioned that al-Qadi Iyad was the earliest of scholars who gathered the details of Takfir on someone who insults the Noble Prophet, Allah give him peace and blessings, and that whoever came after him relied upon his work.

despite committing these acts], **his supposed belief in Islam will not save him from the charge of disbelief.**”

Similarly Ibn Taymīyah [1263-1328] writes in his *Fatāwā* (7: 616):

“If an individual takes the Qur’ān and places it in rubbish and claims “I believe that whatever is in it is the speech of Allah” or if he were to kill a Prophet from the Prophets and claim “I believe that indeed he is a Messenger of Allah” or executes other similar actions **which negate the affirmation of faith in the heart, when he says “I am a believer in my heart” in this state, he is considered a liar in regards to what he is asserting.**”

Observe dear reader, how Imām Subkī does not warrant any type of interpretation in explicit statements and actions, and does not allow the individual’s supposed ‘inner belief’ to prevent one from proclaiming disbelief upon the individual, and he gives his judgement in accordance with the outer state, and makes it clear that the consensus has established that whoever disparages the Noble Prophet (may Allah give him peace and blessings) even if he believes it to be forbidden! So the apparent state of the individual is an indication towards his true inner conviction which is not for anyone to give a ruling upon except the Prophet (may Allah give him peace and blessings), as mentioned by Imām al-Suyūfī [1445-1505] in his epistle⁴ *al-Bāhir fī Hukm al-Nabīy bi-al-Bātin wa al-Zāhir* [The Dazzling Epistle in Explaining that the Messenger of Allah, may Allah give him peace and blessings, Issues Rulings According to the Inwards and the Outwards].

Imām Subkī reiterated the second, third, and fourth aforementioned principles at the time of proclaiming disbelief upon a *rāfiḍī* who cursed [the stars of this *ummah*] Abu Bakr, Umar, and Uthman (may Allah be pleased with them all) in the presence of others in the grand Umawī mosque in Damascus. He says (2: 572):

“Thus a kufr verdict is issued on him in accordance with the authentic Hadith, **even if he did not intend disbelief through his action.** The ruling of disbelief upon him will be the same as the one who prostrates to an idol or places the Qur’ān in filth, **even if he does not disbelieve in his heart** because of the established consensus upon the doer of such an action.”

He also said in the third evidence for proclaiming disbelief upon the mentioned *rāfiḍī* (2: 574):

“**The collective outward form that appeared from this *rāfiḍī*,** his cursing and bluntness in that as well as him considering it lawful in the presence of others and his persistence [in cursing] in relation to Abu Bakr, Umar, and Uthman, whereas they are the leaders of Islam who established the religion after the Prophet (may Allah give

4 In al-Sayf al-Maslul (p. 211), Imam Subki also mentioned that this was a speciality of the Noble Prophet (may Allah give him peace and blessings) and that Muslims were obliged to follow his instructions in executing a person even if they could not find a valid reason for shedding his blood.

him peace and blessings), and despite their well-known virtues and good-works. This act is like defaming the religion and making defamatory comments about the religion is disbelief. These are three evidences which became apparent to us on the permissibility of executing him.”

Look at how Imām Subkī took into consideration the principle we mentioned that the individual’s apparent state is taken into consideration [and not the inward intention] at the time of issuing a verdict of disbelief. He added (2: 559):

“And what corroborates with my use of the previous Hadith [on the disbelief of the *rāfiḍī*] **is the collective outer form of this *rāfiḍī*** such as his offence in front of many others, and his openness and persistence on it. We know that had the Prophet (may Allah give him peace and blessings) been present it would have offended him. In addition, **such attack gives height to innovation and its people and ridicules the *Sunnah* and its people, so this altogether is extremely disparaging, and sometimes a ruling is established on a collective matter which could not be established on the separate parts of a matter.**”

And he also says in his fifth evidence in charging that *rāfiḍī* with disbelief and execution (2: 578):

“Undoubtedly, this scenario which has been mentioned, there is no doubt that it offends the Prophet (may Allah give him peace and blessings) and offending him necessitates execution [of the offender] due to evidence from the Hadith” (until he says) “But offence is two types. The first is that the one who offends does so intentionally to offend the Prophet (may Allah give him peace and blessings). The other is that the ones who offends, does so unintentionally” (until he says) “And with the speech of this *rāfiḍī*, may Allah curse him, **it could be said [in support of his statement] that he said what he did to defend the honour of the Noble household of the Prophet** [so it was unintentional offence]. **However in this scenario, he expressed his rancour towards the status of the rightly guided caliphs in a manner that demeans it.**” [Abridged]

Look at how Imām Subkī took the apparent state of the *rāfiḍī* into consideration and took it as a sign to his intention and a reason for his disbelief while mentioning that the intention of the *rāfiḍī* could have been support for the noble household, yet, there emanated from him obscene language [for which reason he does not escape the charge]! So what do you think about the one who employs obscene language for the Prophet (may Allah give him peace and blessings) in a manner that demeans the rank of his Messengership while arguing that he is defending the boundaries of pure *Tawḥīd* to the extent that he likens the knowledge of the Prophet (may Allah give him peace and blessings) with that of wild beasts and children [and insane people] thinking that he is defending the boundaries of the Allah’s knowledge (as

Ashraf ‘Alī Thānawī did in *Ḥifz al-Īmān*)⁵? And what do you think about he who compares the knowledge of the Prophet (may Allah give him peace and blessings) to the knowledge of Satan the accursed and debates the scholars throughout his lifetime claiming that for Satan there is such comprehensive knowledge of the earth such that not even the Prophet (may Allah give him peace and blessings) possesses (as Khalīl Aḥmad al-Sahāranfūrī argued in *al-Barāhīn al-Qāṭi’ah*)?⁶

Imām Subkī says in *al-Sayf al-Maslūl* [The Unsheathed Sword] (p. 414):

“The upshot is that to have *taṣḍīq* (absolute conviction of faith) it is necessary that something important in the individual’s heart complies with it and his action too, and that is to venerate the Messenger (may Allah give him peace and blessings) and to honour him and give him the loftiest praise, and to love him, and to be satisfied with accepting that which he ordered and that which he forbade, by binding the heart to it. Thus whoever becomes arrogant or begins to disparage or ridicule then he is doing the complete opposite of that. **Thus the *taṣḍīq* becomes non-existent due to the appearance of a contradicting sign, even if the form of *taṣḍīq* is present.** But when the sign of *taṣḍīq* does not appear and a contradicting sign appears to its action, it is as though there is no *taṣḍīq* at all” (until he says) “and the disbelief of the disparager who claims he is a *muṣaddiq* (testifier in faith), there is no doubt in his disbelief, **whether he deems disparagement to be permissible or not**, whether he is ignorant of it or he is well aware. And whoever from the jurists paused [from issuing a charge] on the individual who does not deem disparagement to be permissible was unaware of the basis of *takfīr*. Indeed ridiculing opposes exalting which is a condition of faith.”

And Imām Subkī indicated towards a similar notion in *Fatāwā Ḥalabī* better known as *Qaḍā al-Arab fī As’ilah al-Ḥalab* [Fulfilling the Aim in the Questions of Aleppo]. Ponder, dear

5 Here is the part of Ashraf Ali Thanawi’s comments in which he compares the knowledge of the Noble Prophet (may Allah give him peace and blessings) with lowly creatures and denies it being his unique speciality in an explicitly insulting manner, with the translation provided by Shaykh Nuh (2007: 26), “If it refers to but some of the unseen, then how is the Revered One [the Prophet] (Allah bless him and give him peace) uniquely special, when such unseen knowledge is possessed by Zayd and ‘Amr [i.e. just anyone], indeed, by every child and madman, and even by all animals and beasts?” What is the ruling regarding this ugly comparison except that which al-Qadi Iyad expressed and Imam Subki quoted (2000: 405-6) above on p. 4?

6 Here are the unambiguously blasphemous comments of Khalil Ahmad with the translation provided by Shaykh Nuh (2007: 25), “if, after seeing the state of Satan and the Angel of Death, we affirm that the Pride of the World (upon whom be blessings and peace) has all-encompassing vast knowledge of the earthly sphere, contravening without proof decisive scriptural texts and proceeding solely from false analogy, then if this is not outright shirk, how should it be a part of faith? Such vastness [of knowledge] is established for Satan and the Angel of Death through scriptural texts. Through what decisive scriptural text has the Pride of the World’s vastness of knowledge been established, that one should affirm an act of shirk by rejecting all scriptural texts?” Note how, according to this writer, knowledge which constitutes *shirk* when attributed to the Prophet becomes Iman when given to the Satan! Readers can decide for themselves, is this *Iman* or a self-imposed fatwa of *shirk*?

reader over how Imām Subkī took the outward sign in consideration whilst distinguishing between belief and disbelief and he did not give consideration merely to the *taṣdīq* which resides within the individual but rather he took the outward a sign over the inward and made exalting [the Messenger of Allah] a condition of faith, to such an extent that he clarified that if the signs of *taṣdīq* are absent the *taṣdīq* will also be ruled as absent, even if its form is present! And in *al-Sayf al-Maslūl* [The Unsheathed Sword] Imām Subkī quotes the following statement of Abū Ya‘lā, one of the Hanbalī scholars, from *Kitāb al-Shifā* (p. 131):

“Whoever insults Allah or His Messenger has indeed committed disbelief **regardless of whether he deems what he said to be permissible or not**. Thus if he says “I do not deem that [which I said] permissible, **his testament shall not be accepted from him in the outward, by agreement, and he becomes an apostate**” (until he says) **“and when we charge him with disbelief we do so based upon his outward state**. As for his inward, if he truly believes in that which he claims then he is a Muslim, as is the case with a *zindīq*.”

And Imām Subkī mentions in *al-Sayf al-Maslūl* [The Unsheathed Sword] quoting al-Qāḍī ‘Iyāḍ (p. 129 & 408), that the jurists of Andalusia passed the charge of disbelief and hanging upon the jurist [Ibn Ḥātim] al-Tulayṭilī for mentioning the Prophet (may Allah give him peace and blessings) as an ‘orphan’ in a debate. Look at how Imām Subkī considered the saying of the jurist as offensive in the right of the Prophet (may Allah give him peace and blessings) though it emanated in a debate. And he thereafter presented the following statement of Ḥabīb ibn al-Rabī‘ (p. 129):

“The opinion of Mālik and his companions is that no doubt whoever says, with regards to the Prophet (may Allah give him peace and blessings) that which constitutes some sort of deficiency (*naqs*), he is executed without being given the opportunity to repent.”

Imām Subkī also mentions (p. 408):

“The jurists of Qayrawān and the companions of Saḥnūn issued the ruling of execution on Ibrāhīm al-Fazārī **who was a poet and master of various sciences**. He was from amongst those who would attend the assembly of Qāḍī ibn Tālib [a Malikī jurist who passed away 275AH] to debate. He was accused of several repulsive matters [like insulting Allah and the Prophet] and therefore it was ordered that he be executed and crucified. So he was stabbed with a knife, crucified upside down and then placed in fire to burn.”

Shaykh Nūh, are not all of these evidences against you? For you plainly expressed in your article ‘Iman, Kufr, and Takfīr’, that repugnant statements whence they emanate in debates even if they insult the Prophet (may Allah give him peace and blessings) or belittle his

magnificence, they shall not be considered nor be classified as disbelief!⁷ Thus, it has been clarified for you now like the bright shining sun during midday that the pivot of charging an individual with disbelief is based upon the outward according to the *ummah* and not on the intention. And an explicit statement, it is not permissible to interpret it. A scholar, no matter how vast his knowledge may be, will not be saved due to his knowledge from disbelief when disparaging the Prophet (may Allah give him peace and blessings) or ridiculing his magnificence. This is the methodology of Imām Subkī (may Allah have mercy on him).

❧ The Rule of Imām Subkī Regarding Offence is Conditional

As for Imām Subkī's rule regarding giving consideration to the offender's intention at the time of causing offence, as is stipulated in *al-Sayf al-Maslūl* [in the words] (p. 135):

“Offence is two kinds: an intentional offence and an unintentional offence. Thus Miṣṭaḥ, Ḥumnah and Ḥassān, their intention respectively was not to offend the Prophet (may Allah give him peace and blessings) wherefore they were not charged with disbelief nor with being executed. As for Ibn Ubay, his intention was to offend the Prophet (may Allah give him peace and blessings) therefore he was deserving of execution. However the Prophet (may Allah give him peace and blessings) has the right to avert the execution⁸. This principle, and giving consideration to the intention in that from which an offence is established, must necessarily be given attention. For the reason that an individual may perform an action or say a saying and another is offended by it, but the one doing the action or saying the speech does not intend to offend the other at all, but merely intends something else by it **and it did not occur to him that what he done or said caused offence to the individual such that its entailment was not apparent to him**⁹ (*wa-mā kāna luzūmuhu lahu bayyinā*), this does not constitute the ruling of offence.”

This [rule] refers to the saying or action which inevitably causes an offence and its entailment is not apparent to the one making the offensive statement or carrying out the action (since the inevitable outcome of a position is not the same as the position itself as stipulated above).

This rule does not apply, however, to a statement or action *explicit* (*sarīḥ*) in its offence and disbelief when the speaker or doer takes it as his position, and neither does it apply to a statement that has a number of probable meanings whilst the speaker fixes its meaning and

7 On (p. 27 & 28) Shaykh Nuh asserts “due consideration should be given to the emotions aroused by the “fatwa wars” of their times...”

8 Observe this comment carefully how only the Noble Prophet (may Allah give him peace and blessings) has the right to avert the execution from offence caused to him and none other than him because this is his personal right.

9 In Islamic law, this is what is known as *luzum ghayr bayyin*, and Imam Subki has hence restricted his rule to this single scenario here.

sticks to it. How [can this rule apply to these scenarios] since we have cited from Imām Subkī above “if an individual places the Qur’ān in filth he has committed disbelief” where he gives no due consideration to the individual’s intent and we cited numerous other crucial texts too¹⁰, which you have been oblivious of?

“You memorised *one thing* and *many things* slipped from you”

If you had paid close attention at this passage, which you took as proof [in your article], you would have found that this meaning which I explained to the rule of Imām Subkī in his very own words “that its entailment was not apparent to him” is rejecting your use of it as proof and hinders your explanation. It explicitly points that his rule is restricted to the scenario when the offence is unclearly entailed in the outcome of one’s statement or action (*luzūm ghayr bayyin*). Whilst taking the implied sense (*mafhūm*) of this comment of Imām Subkī as evidence, the remaining two scenarios where the inevitable outcome is *apparently* offensive [*lāzim bayyin*] or the offence is explicit and taken as a position [*iltizām*], the upshot is to issue the charge of disbelief in both according to the great Imām and consideration is not given to one’s intention in any of these two scenarios.

Right here your attempt to apply Imām Subkī’s rule unconditionally without restricting it to the scenario of *luzūm ghayr bayyin*, in your misleading article ‘Iman, Kufr, and Takfīr’, has been shown to be inaccurate. Such is because Imām Subkī takes the intention into consideration in this one scenario only and none other. Therefore your use of this rule for the profane statements of the major scholars of the Deobandi sect is disproved, on the basis that their statements are explicitly repugnant and are awfully obscene; they are evident (*zāhir*) in their meaning, rather, fixed (*muta’ayyin*) in their meaning of disbelief. It is for this reason that you yourself acknowledged that their comments are “repugnant” and “unacceptable” and that not a single Muslim from the Islamic world would accept them [2007: 26]¹¹. The authors [of these comments] persisted on their meanings and supported them throughout their lifetimes and did not repent, despite the fact that scholars wrote to them and notified them, but they remained unwavering in their positions. Thus how can it be possible that the rule of Imām Subkī apply to them? Rather the previous mentioned *fatwas* [of Imām Subkī] apply to them,

10 Including Imam Subki’s fatwa on the rafidi where he presents this same rule but shows how it does not avert the judgement of disbelief and execution from the latter. Likewise, Imam Subki uses various quotes from Kitab al-Shifa such as the fatwas on the impermissibility of interpreting explicit statements and execution of offenders regardless of their inward belief etc, which are all indicative that this rule is not unrestricted and unconditionally applicable.

11 On (p. 28) Shaykh Nuh referred to them as “indefensible breaches of proper respect”. He also pointed that Deobandi comparisons of the Prophet’s knowledge to lowly creatures and comments were “strident”, “hyperbolic”, “artless”, “disadvantageous”, “exaggerated” and “far below the standards of normal Islamic scholarly discourse”, “offensive” and even noted that Khalil Ahmad in particular was “disingenuous” in his argument and that he “badly stumbled in this passage” and that their “vehemence” was “misplaced” and “affected the way they spoke about the Prophet” by emphasising his humanity at “the expense of his dignity”. Had these offences been unclear and unobvious (*lazim ghayr bayyin*), Shaykh Nuh would not have made these categorical and bold remarks.

those on charging, with disbelief, whoever insults the Prophet (may Allah give him peace and blessings) an explicit (*sarih*) insult, whether fixed (*muta'ayyin*) or unfixed (*mutabayyin*) in its meaning. Likewise, the *fatwā* [of Imām Subkī] on the disbelief of the *rāfiḍī* who cursed the companions in the presence of others in the grand Umawi applies to the Deobandi statements because the state of these is far worse than his, in that from them emanated numerous obscene and repugnant statements just as you have quoted in your article and have verified the ascription of these statements to them [and that they persisted on them].

Shaykh Nuḥ, if we incorrectly assume the principle of Imām Subkī is unconditional as you claim then there would not remain any distinction between belief and unbelief and the foundations of the religion would be destroyed, such that people would insult Allah and His Messenger [may Allah give him peace and blessings] and the tenets of this religion using explicit insults, and they would make excuses and would claim that their intention was not to insult or disbelieve so that the charge of disbelief is not placed on them wherefore they would not be executed or crucified. Which of the scholars in this *ummah* would agree with you on this detrimental methodology? So, do you resist proclaiming disbelief upon the Qādiyānīs since they also have interpretations for their statements and claim that there was no intention to insult the Prophet (may Allah give him peace and blessings) in them? And how would you answer one of them if you were asked, how are you certain that Ghulām Aḥmad Qādiyānī *intended* to insult the Noble Prophet (may Allah give him peace and blessings)? There is nothing after the truth except for misguidance.

This important elaboration also invalidates your accusation against Imām Aḥmad Riḍā Khān that he was incautious with charging [Deobandi individuals] with disbelief. And this is not so except, by Allah, a major allegation! How can this be when he clarified in his *Fatāwā* and other works including *Subḥān al-Subbūḥ* and *al-Mu'tamad al-Mustanad* that in charging individuals with disbelief he followed the methodology of the theologians not the jurists? Do you have knowledge of what that is? The theologians do not charge an individual with disbelief in the scenario when the inevitable outcome is apparently offensive (*lāzim bayyin*), rather they do so only when the offence is explicit and taken as the position (*iltizām*), whereas the jurists issue the verdict of disbelief in the former case. So, Shaykh Nuḥ, is the position of Imām Aḥmad Riḍā Khān more cautious in charging an individual with disbelief or Imām Subkī's, who would charge an individual with disbelief in the scenario when the inevitable outcome is *apparently* offensive (*lāzim bayyin*) based on the position of the jurists as implied in his comments “such that its entailment was not apparent to him” [in the above passage containing the rule]?

And to conclude, we shall quote the statements of Anwar Shah Kashmīrī, a Deobandi scholar, from his book *Ikfār al-Mulḥidīn* in order to complete our proof against you in the principles of disbelief [strongly hoping that you will revisit your argument]. He quotes the saying of Ḥabīb ibn al-Rabī' (p. 27) “the claim to interpretation in explicit speech is not accepted”, and continues, “thus it has become known that as interpretation is not accepted in the absolute essentials of the dīn likewise it is not accepted in that which appears to be ruse in the speech

of people.” And he says (p. 73), “the pivot of charging an individual with disbelief is based upon the apparent and consideration is not given to purposes and intentions”. And he mentions (p. 86) that “venturing in unfit speech regarding the honour of the Prophets is disbelief even if the speaker does not intend to insult”. He also says (p. 62), “giving an invalid interpretation is like the disbelief”. There is more to come from me Inshā-Allāh [in support of the rights of the Noble Ḥabīb, Allah give him abundant peace and blessings], so remain mindful.

Allah alone guides to the correct path.

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