



“Moderating Jihadi Activities in Egypt and the World” (7-10)

By: *Sayyid Imam Abdel-Aziz al-Sharif*, known as Dr. Fadl

As of December 3rd, all fifteen sections of Dr. Fadl manuscript had been published. The Kuwaiti newspaper “*Al-Jarida*” arranged a symposium in Cairo this week to discuss the manuscript. {see [PI Online 906](#) for a report on the symposium} Below are extracts of sections 7 to 10 of the manuscript in which Dr. Fadl emphasizes that Muslims should not engage in Jihad while visiting foreign countries seeking employment, education or as tourists and sets forth the reasons that such action is not allowed. He also tackles the problem of “*takfir*” {declaring a person a non-believer} and the restrictions on making such pronouncements that are imposed on laymen. Because of the repetitive nature of the writing, we have extracted certain sections on the manuscript in which Dr. Fadl expresses his thoughts on these two subjects.



(Summary Translation of Excerpts)

It is forbidden to indiscriminately engage in killing citizens of foreign countries for the following reasons: 1) Many Muslims could be killed in the process which is the greatest of sins. It is equally improper to use the *tatarrus* ideology¹ by which we presume that these Muslims could be sacrificed because they were shielding the enemy. The application of *tatarrus* requires the existence of a defensive necessity which does not exist in this case. In short, a Muslim is not allowed to kill a Muslim. 2) Muslims who were granted an authorization (visa) for the purpose of studies, commerce or tourism should remain faithful to the agreement they executed when applying for their entry visa by conducting themselves peacefully.

Betrayal and aggression against those who exhibit peaceful intentions towards us or with whom we have entered into agreements was forbidden by God “*Those believers who do not respect ties of kinship or covenants have transgressed all bounds – Al-Tawbah 10*” – Hiding behind the *tatarrus* principle is not an excuse and whoever entered a country legally or illegally must abide by the obligation of peacefulness.

Irrespective of the fact that the inhabitants of these countries are unbelievers, it is dishonorable to subject those who have given you shelter, education and employment to betrayal and violence. This is also based upon the actions of the prophet who declined to fight a tribe with which he had an amicable relationship. I therefore repeat that betrayal and deception is not considered a true Jihad.

Based upon the preceding, it is clear that aggression against and betrayal of [those peaceful] foreigners (including civilians) in our countries or theirs is forbidden by the Islamic belief that the spilling of such blood and claiming the spoils is against Islamic jurisprudence.

Nine: The targeting of civilians who have not shown any animosity towards Islam is not allowed under the *Shari’a*. You cannot make assumptions either as to who are those among you who believe or not in Islam as there exists no difference in the way they dress or behave.

The same restrictions apply to those Muslims who belong to other sects of Islam. Muslims’ blood and money are protected regardless of their sectarian differences.

It is forbidden to arrogantly boast about sinfully perpetrated acts. There exists no pride in committing deceit but rather the deceiver should seek forgiveness.

Ten: Deciding on who is a “*kafir*” (non-believer) or an apostate is an issue that has precise criteria and is not to be taken lightly. To decide on this issue, all the following points must be taken into consideration: 1) the intention behind the action must be harmful to Islam; 2) is the person’s action clearly stated so as to be considered “*kifir*” or can it be commission of a sin without becoming a non-believer; 3) the action must be clear and not the result of pressure or omission or ignorance; 4) the person should be requested to repent before such pronouncement is made; 5) even if you decide someone is a non-believer it is inappropriate to apply sentencing while, as we have established, Islam is in a state of weakness; 6) before applying sentence, we must also evaluate the advantages and disadvantages of such an action in view of the resulting harm which can occur to Muslims.

Based upon the preceding sections, the following are to be taken into consideration:

- The decision on who is a *kafir* (non-believer) takes two separate rulings. The first pertains to the action itself – is it clear and certain or just probable. The second pertains to the actor and any attenuating circumstances that may influence the ruling. These judgmental factors are only the prerogative of a qualified judge.

¹ Under the principle of *Tatarrus*, which literally translates as “shielding,” innocent people, including Muslims and women and children (supposedly shielding the enemy) can be killed if they are mixed with or stand in the way of reaching that enemy.

- Becoming an expert in the ideology of “*Takfir*” requires more than studying Islamic religious books. It also requires knowledge in Islamic jurisprudence, testimony, procedures and conflicts.
- The *Shari‘a* does not allow laymen to apply punishments on the population.
- Self-criticism and introspection is in order for those trying to establish the guilt of others.
- In a state of weakness, there is no duty to apply any punishments.
- You cannot make your assessments based on unverified statements, incorrect hypothesis, mere possibility or fantasy.

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