

## Periodical Review: Fatwas – October 2010

The following report contains the main Fatwas published in October 2010 on the “Minabr Al-Tawhid wal-Jihad” website, belonging to the Salafi ideologist Abu Muhammad Al-Maqdisi.<sup>1</sup> The surfers’ questions are answered by the “Website’s Sharia Committee” comprised of several prominent Salafi Sheikhs.



**Abu Muhammad Al-Maqdisi**

It should be noted that since Al-Maqdisi’s arrest on September 17<sup>th</sup> 2010, there has been a significant decline in the number of questions on the subject of Jihad on the website.

The Fatwas published over the past month dealt with a wide variety of issues and regions, including: the ruling regarding working on oil installations in Iraq; the scope of Jihadi publications in the Maghreb, the ruling regarding harming Christians, women and children, the principle of “Bayaa” (pledging allegiance), commemorating the anniversary of the September 11<sup>th</sup> attacks, the ruling regarding leaving for Jihad, the ruling regarding charity funds etc.

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<sup>1</sup> <http://www.tawhed.ws/FAQ/>

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الصفحات (99) : عرض من (1) إلى (10) من إجمالي (983)

تمت الآن في الصفحة (1)

العدد	التصنيف	التفصيل	السؤال
159	اللجنة الشرعية في المنبر [أبو مسلم الجزائري]	الفقه وأصوله	حكم من جمع مال الزكاة ثم استعمله لنفسه لغرض الجهاد في سبيل الله . أبو سعد 02:04:52 2010-10-27
240	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	العقيدة	هل من الشرك قول : لولا فلان لكان كذا ؟ القسام الجزائري 00:13:53 2010-10-27
195	اللجنة الشرعية في المنبر	العقيدة	ما حكم عبارة: " لا تسمى الله قينسناك " ؟

### Fatwa forum on the website

#### Iraq

- Is one allowed to work on the oil installations in Iraq? Sheikh Nasr Al-Din Al-Baghdadi was asked this question by a hard-working individual from Iraq, working on oil installations in the country as an engineer in a department not dealing with the export of oil, but only refining oil. Al-Baghdadi reminds the readers that Iraq is in fact "Dar Harb", a land under occupation, and that the oil there is the main support for the achievement of the goals of the foreign forces and the Iraqi government, and something in which the Sunni have no part. Furthermore, the oil profits are used to fight the Mujahideen. Therefore Muslims must not serve the heretics even in the manner mentioned in the question. Working in the oil sector is akin to helping the heretics. The Sheikh does not stop here, and calls for the attacking of all the oils installations and

oil pipes, as well as the prevention of employees in that sector from continuing their work.<sup>2</sup>

- In a similar regard, Sheikh Abu Al-Mundhir Al-Shanqiti was asked what is the ruling regarding the transport of oil to American bases on Somali territory. The example given is a driver working for an oil company as a truck driver in one of the Persian Gulf countries, occasionally transporting oil to American bases. The Sheikh replies that his work constitutes pledging allegiance to the heretics and helping them kill Muslims. The sentence on anyone carrying out such an act is a declaration of heresy and excommunication from the Muslim community.<sup>3</sup>

#### The Arabian Peninsula

- Sheikh Abu Al-Mundhir Al-Shanqiti was questioned on Saudi Arabia's decision to only empower the senior religious clerics with the ability to issue Fatwas and fight the websites containing Fatwa sections, to block them and to prosecute website owners who do not abide by the royal decree issued. The person asking wants to know whether one should abide by this decree and stresses that this answer will be of importance to the forum owners whose Fatwa chat-rooms have been closed down.

The Sheikh emphasizes: appropriating a Fatwa to one specific person or group is in contradiction to the concept of spreading knowledge. Such a thing is an attempt to takeover Allah's religion in a manner which prevents the public from being exposed to Fatwas and religious opinions that do not coincide with the ruler's opinion. Such a state of affairs may cause the public to deviate from the true path. Therefore, he calls on decent religious clerics to

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<sup>2</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3538&pageqa=1&i=](http://www.tawhed.ws/FAQ/display_question?qid=3538&pageqa=1&i=)

<sup>3</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3494&pageqa=1&i=](http://www.tawhed.ws/FAQ/display_question?qid=3494&pageqa=1&i=)

fight it and publish their Fatwas. He also mentions that appointing a Grand Mufti to the Kingdom is an "invention" that did not exist in the early days of the Islamic nation.<sup>4</sup>

#### The lack of sufficient Jihadi publications in the Maghreb

- The Mujahideen supporters say that in comparison to other fronts, there aren't many experts and people seeking knowledge in the field of religion amongst the Mujahideen in the Islamic Maghreb. Proof of this is the lack of propaganda publications for the residents of the Islamic Maghreb, who need them. Also raised is the issue of religious clerics from Mauritania who have joined the Jihad in the Islamic Maghreb and are actively participating in the guidance and joint leadership with their brothers in Algeria, who have a lot of experience in fighting and in organization.

Abu Al-Mundhir Al-Shanqiti refers to the subject and explains that the reason for the lack of publications stems from the fact that the Mujahideen in the Islamic Maghreb are not located in the cities but in the desert, forests and mountains. They are constantly moving due to the security situation, which requires a lot of time and effort. The scarcity of equipment and means in that environment hinders their ability to produce publications. He explains that the Mujahideen in the Maghreb have sufficient religious clerics, but the nature of the Jihadi activity in the field overshadows their acts of preaching and propaganda. Indeed, over the past years, Mauritanian religious clerics with extensive knowledge have joined the Jihad, and most of those joining Jihad

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<sup>4</sup>[http://www.tawhed.ws/FAQ/display\\_question?qid=3478&pageqa=1&i=&PHPSESSID=5f93ec508ca207ef9c4770ab13aa74fd](http://www.tawhed.ws/FAQ/display_question?qid=3478&pageqa=1&i=&PHPSESSID=5f93ec508ca207ef9c4770ab13aa74fd)

from Mauritania are religious clerics from various social strata. They have turned the Jihad theatre into a religious study theatre.<sup>5</sup>

#### Attacking Christians in Egypt

- A surfer asks Abu Al-Mundhir Al-Shanqiti for clarification regarding the issue of attacking Christians in Egypt. He mentions that those in Egypt who are attacking Islam are Orthodox Christians, and not Christians from other movements. He asks whether it is permitted to attack only the Christian priests or all of the Orthodox Christians. He also asks whether it is permitted to attack priests in the south of Egypt, even though the attack on the Muslims is in the north of Egypt or in Cairo, as according to him, all of the priests in Egypt are collaborating against the Muslims. Other questions raised by him: what is the ruling regarding attacking churches and blowing them up and what is the ruling on attacking stores, vehicles and other Christian property? What is the ruling with regards to intentionally or unintentionally attacking Christian women and children? And what is the fate of the Christians in Egypt belonging to other movements?

He replies: If we narrow down the conflict, it is only permitted to attack those heading the attack against the Muslims, whether they are priests or not. But if we expand the conflict, then it is permitted to harm anyone in which there is an interest in attacking, according to the stages of the conflict and its severity. He also explains that all of the Christians living today in Islamic countries do not enjoy "Dhimmah"<sup>6</sup> as they do not qualify for the conditions for its existence. This is because they are the ones who enabled the West to reach Islamic countries and served as fifth column against Islam. Therefore,

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<sup>5</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3462&pageqa=1&i=](http://www.tawhed.ws/FAQ/display_question?qid=3462&pageqa=1&i=)

<sup>6</sup> The people of the *Dhimma* or people of the "contract" are non-Muslim subjects of a state governed in accordance with Sharia law.

their blood is permitted as well as their money and property, but there are reservations: he stresses that it is not permitted to attack churches and Christian places of worship as it constitutes an attack on the Christian religion. According to him Christians are the target in the conflict today because they are taking the position of the aggressor, not simply because they are Christian. He states that children and women must not be harmed unless they took part in attacking Muslims. He explains that it is permitted if women and children are unintentionally harmed, but that one should be wise and prevent the enemy from using them as a shield. He reminds the Christians that the Muslims could have eliminated them in times when they were a minority, but instead provided them with the right to live and practice their religion so that they became familiar with Islam and could embrace it, and not because they acknowledge their heresy and the righteousness of their religion.<sup>7</sup>

- What is the ruling on the attacking of churches in Egypt? A surfer poses this question following previous questions asked of Sheikh Al-Shanqiti and the answers he gave. The surfer disputes the Sheikh's statement that churches in Egypt must not be harmed and explains that they are no longer for religious rituals, but are a training place, a place for the manufacturing and storing of weapons, as well as a place for holding Muslim men and women. The Sheikh replies that if this is indeed the state of things, then of course attacking churches is permitted. However, he states that the "enemies" may exploit such a matter for propaganda, depicting the Christians in Muslim countries as victims, as a means of gaining the sympathy of Christians around the world. Such a thing may serve as an excuse for Christians to attack mosques. He

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<sup>7</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3414&pageqa=2&j=](http://www.tawhed.ws/FAQ/display_question?qid=3414&pageqa=2&j=)

concludes that it is best to refrain from attacking churches unless there is a specific need to do so, so as not to grant the "enemies" a free gift that strengthens their position.<sup>8</sup>

#### The principle of "Bayya" – pledging allegiance

- Abu Al-Mundhir Al-Shanqiti states that only those in the battlefield are obligated to swear allegiance ("Bayaa") to the Amir who is with them in the battlefield. Even those aiding the Amir in the battlefield must swear their allegiance to him. However, the general public must swear allegiance to the Imam or Caliphate. A pledge of allegiance can only be given to a Muslim Imam ruling according to Allah's law. If one swears allegiance to heretic rulers who do not rule according to Allah's law, their pledge is worthless and does not count.<sup>9</sup>
- Abu Al-Mundhir Al-Shanqiti was asked whether a Mujahid may transfer or work with another group without receiving the Amir's approval, if he is in a situation which forces him to do so. Is such an act deemed as disobeying the Amir? He replies: the religious texts stated that one must obey the Amir and this is akin to obeying Allah and his emissary, and therefore one must not do anything against the Amir's judgment, but must consult with him. Operating in the framework of another group is a sensitive issue which may cause confusion or interfere with a planned action, and thus result in an unhappy outcome. This may also thwart the secrecy of an operation as a result of familiarity with another group, without the leadership's knowledge. Therefore, one must not act in this manner unless having consulted the Amir. The Amir shall determine whether such an act is necessary and will make the

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<sup>8</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3482&pageqa=1&i](http://www.tawhed.ws/FAQ/display_question?qid=3482&pageqa=1&i)

<sup>9</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3342&pageqa=1&i=2](http://www.tawhed.ws/FAQ/display_question?qid=3342&pageqa=1&i=2)

appropriate decision – prohibiting it or allowing it. Obeying the Amir is a great blessing to Jihad, whatever the difficulty.<sup>10</sup>

#### Mention of September 11<sup>th</sup>

- Several impulsive members of the Salafia mentioned that the Mujahideen's commemoration of the September 11<sup>th</sup> 2001 anniversary in the statements of Jihadi leaders and in published visual files, is an unwelcome innovation ("Bidaa") because the Prophet and his friends did not commemorate the anniversary of their victories. Abu Al-Mundhir Al-Shanqiti replies that there are religious benefits to "commemorating a Muslim victory and a heretic downfall". Marking this day is permitted as the Hadith contains commemorations of the anniversaries of Muslim victories. There is no reason for not commemorating such events in permitted statements such as speeches, lectures, announcements and video clips. Commemorating this date also constitutes obeying Allah's commandments in the Quran.<sup>11</sup>

#### Harming women and children

- Are the Mujahideen in Palestine permitted to harm women and children, especially Jews, for example when the Mujahideen plan an attack on a children's school? Abu Al-Mundhir Al-Shanqiti replies: it is religiously forbidden to intentionally attack women and children, unless they are also on the fighting side, in which case they are subject to the principle of an eye for an eye, or when the enemy is killing Muslim women and children, in which case the Mujahideen have permission to intentionally kill women and children.

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<sup>10</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3296&pageqa=1&i=2](http://www.tawhed.ws/FAQ/display_question?qid=3296&pageqa=1&i=2)

<sup>11</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3189&pageqa=4&i=](http://www.tawhed.ws/FAQ/display_question?qid=3189&pageqa=4&i=)



He calls for such discussions to be avoided in case the enemy tries to exploit them and continues attacking Muslim women and children.<sup>12</sup>

- Sheikh Abu Al-Mundhir Al-Shanqiti was asked whether Muslims are allowed to take Christian women hostage. He objects to it, using the words of Sheikh Abdullah Azzam who warned against taking Russian female soldiers hostage, as according to him this made the Russians take Muslim women hostage.<sup>13</sup>
- A surfer from Iraq asked whether it is permitted to kidnap heretic children for ransom. Abu Muhammad Al-Maqdisi replies that if the father is Muslim then one cannot kidnap his son. If both parents are heretics, even then it is prohibited to intentionally kill children or harm them as they are protected by virtue of their youth. He advises the Mujahideen not to get involved in such acts of abduction, especially as in Iraq there are mixed marriages. He states that such abductions are not permitted in other places as well, not only in Iraq.<sup>14</sup>

#### Going on Jihad

- A 30-year-old merchant tells that he lost his possessions and has a huge debt, which he has succeeded in almost completely paying off over the past years. He states that he has the opportunity to go on Jihad in Yemen, but expresses his fear that he will miss the opportunity to do so due to the difficulty in reaching it and his age. He asks Sheikh Abu Al-Mundhir Al-Shanqiti whether he can go on Jihad despite the fact he is still in debt. The Sheikh answers that a man who has not paid his debt, must not go on Jihad unless it is one of four instances: (1) If he has remaining money, even if it is not enough to cover his debt, or he has income from livestock or real estate;

<sup>12</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3469&pageqa=1&i=](http://www.tawhed.ws/FAQ/display_question?qid=3469&pageqa=1&i=)

<sup>13</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3504&pageqa=1&i=](http://www.tawhed.ws/FAQ/display_question?qid=3504&pageqa=1&i=)

<sup>14</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3500&pageqa=3&i=](http://www.tawhed.ws/FAQ/display_question?qid=3500&pageqa=3&i=)

(2) If he has left a will appointing someone else to pay his debt; (3) He has asked for the permission of the creditor to go on Jihad; (4) He goes on Jihad to fend off the enemy, as this is Jihad that cannot be postponed.<sup>15</sup>

#### Setting the Bible and the New Testament on fire

- Abu Muhammad Al-Maqdisi was asked whether it is permitted to burn the Bible and the New Testament in retaliation for the burning of the Quran, or should something else be done. He forbids this and explains that although these books are distorted and contain heresy and distortion, they also contain reliable stories. Therefore, according to him, one should say: "Your books deserve burning more than our books, which you hate".<sup>16</sup>

#### Zakat funds

- An Iraqi surfer asks about Zakat funds (charity) coming from Muslim merchants who trust that the people receiving the money will pass it on to the poor and the needy, without specifically naming them. The surfer says that the funds are actually allocated to the Mujahideen in Iraq and to the families of the prisoners and casualties from amongst the Mujahideen of the Islamic State of Iraq. He asks Abu Muhammad Al-Maqdisi if it is permitted to behave this way without the people donating the funds knowing about the way the money is allocated, and mentions that had they known they would not have donated funds as their views differ to those of the Mujahideen.

He replies that as the people donating the money did not specify who should receive the money, there is nothing wrong with giving it to the Mujahideen and to the families of the prisoners and casualties, as they are the first people

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<sup>15</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3288&pageqa=1&i=](http://www.tawhed.ws/FAQ/display_question?qid=3288&pageqa=1&i=)

<sup>16</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3515&pageqa=3&i=](http://www.tawhed.ws/FAQ/display_question?qid=3515&pageqa=3&i=)

entitled to Zakat. There is no reason for whomever collects or gathers the charity to ask and examine in depth with the donor as to whom he wishes to give the money, as most of the public is afraid and does not want their charity to go to Jihad. This is because the public views it as only killing and fighting, because the enemies of Allah portray Jihad as terrorism. In conclusion, whoever collects the money must be clever and not reveal that he intends to give it to the Mujahideen so that he can distribute it freely, in face of the international war on Islam. At the end, Al-Maqdisi expresses his wishes for the victory of the Mujahideen in Iraq and everywhere else.<sup>17</sup>

#### Jihad in Gaza

- Abu Muhammad Al-Maqdisi was asked why the Salafi groups do not unite with the Izz ad-Din Al-Qassam Brigades. He replies that there is no doubt that there are people who support Jihad and side with the Mujahideen in the Brigades, however the Brigades and the Hamas government do not heed this minority, and instead listen to the senior members opposing the implementation of Islamic law and fighting the Mujahideen.<sup>18</sup>
- Sheikh Abu Al-Walid Al-Maqdisi was asked what the ruling is regarding the Iranian funds given to aid the Palestinians and Palestinian organizations, and whether it is permitted to use this aid for Jihad in Palestine. He replies that money for Jihad in Palestine must not be received from Iran, as then the Jihad will not be deemed as Jihad for Allah, but will instead be in accordance with Iranian policy. Such funds are political funds which the recipient cannot use as he sees fit. Instead, he is dictated to on how to use them in a way which will achieve Iran's objectives and turn his back on the path of Allah,

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<sup>17</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3526&pageqa=1&i=2](http://www.tawhed.ws/FAQ/display_question?qid=3526&pageqa=1&i=2)

<sup>18</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3456&pageqa=1&i=2](http://www.tawhed.ws/FAQ/display_question?qid=3456&pageqa=1&i=2)

and not spread the Islamic religion amongst the masses and not fight the conqueror and push him out of Muslim territory. The best proof of this is the state of the organizations in Palestine.<sup>19</sup>

#### Muslims studying overseas

- A surfer from Saudi Arabia asked Sheikh Abu Muhammad Al-Shami, a member of the website's Sharia Committee, about the ruling on men or women studying abroad. The Sheikh replied that universities abroad have a policy which is detrimental to Islam and therefore one should not study there, unless under certain conditions: the person shall not heed the disparaging statements against Islam; there is a real need for studying abroad (e.g.) studying a profession that is not studied in Islamic countries or that one cannot specialize in, in Islamic countries; and that the person is able to practice his religion.<sup>20</sup>

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[http://www.tawhed.ws/FAQ/display\\_question?qid=2890&pageqa=1&i=&PHPSESSID=ea3facfa4ea23cee2bf2f48ee4ae1478](http://www.tawhed.ws/FAQ/display_question?qid=2890&pageqa=1&i=&PHPSESSID=ea3facfa4ea23cee2bf2f48ee4ae1478)

<sup>20</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=3066&pageqa=3&i=](http://www.tawhed.ws/FAQ/display_question?qid=3066&pageqa=3&i=)