

Fatwas, November 2012

This review reports the main fatwas [religious-legal rulings] issued in November 2012, in response to readers' questions, by Minbar Al-Tawhid wal-Jihad, the Web site of Salafist ideologue Abu Muhammad Al-Maqdisi.

Highlights:

Sheikh Al-Shanqiti

1. Calls on the Muslims in Africa to join the mujahideen in Mali, and urges those in Libya to defend their country against secular elements before rushing to fight jihad elsewhere.
2. Does not believe Egyptian President Morsi will implement shari'a [Islamic law].
3. States that women are full partners in all aspects of jihad.



أستأراء	المجيب	التسم	السؤال
3304	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	العقيدة	ما هو الخروج المأمور على الإمام ؟ 07:01:48 2012-11-23 أبو ذر السلفي
3289	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	الفقه وأصوله	ما حكم القرض العقاري ؟ 06:43:50 2012-11-23 طالب المنفعة
3632	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	الفقه وأصوله	هل يصبح إطلاق عبارة إخواننا المنصاري ؟ 06:42:15 2012-11-23 أسد الوفي
4119	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	الجهاد وأحكامه	هل الجهاد فرض عين إذا لم يأذن الولدان ؟ 06:26:54 2012-11-23 الحطاب/رضوان
3990	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	العقيدة	ما حكم تكفير تارك مياني الإسلام الأربع ؟ وما معنى اجتماع شعب الإيمان وشعب الكفر في الشخص الواحد ؟ 16:03:14 2012-11-15 أبو جارة الحميري
6183	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	واقع المسلمين	هل يحتاج الإنفوة في سوريا إلى تكثير السواد؟ وهل يتعين التفرؤ إليهم على كل أحد ؟ 23:13:24 2012-11-13 صالح الصديق
4432	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	واقع المسلمين	ما هي ضوابط كتابة المرأة المسلمة للمعاملات التعرضية ونشرها ؟ 16:37:58 2012-11-12 أخت الطوافري
3794	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	الفقه وأصوله	هل يجوز أخذ مال من والدي من حسابي الذي أودع هو المال فيه نظروف سقرة من دون علمه من أجل الجهاد؟ 16:03:50 2012-11-12 أبو جعفر السكيري
4385	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	واقع المسلمين	ما حكم إبتدائي لوظيفة عسومية بموجب قانون الترتاب إبن من كل عائلة من عائلات أصحاب العفو العام ؟ 14:44:53 2012-11-12 Hadyahomali
6022	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	واقع المسلمين	ما هو الرد على ولد الدنو في تكريده لترك الحكم بما أنزل الله ؟ 03:12:16 2012-11-09 أبي الحطاب الإماراتي
3620	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	الفقه وأصوله	ما حكم ما يسمى بالحملة الملبوئية للصلاة على النبي عليه الصلاة والسلام؟ 02:53:50 2012-11-09 ناصر البسة
3505	الفتوة الشرعية في المنبر [أبو المنبر الشنقيطي]	العقيدة	هل رؤية الملائكة ممكنة ؟ 23:07:44 2012-11-07 السعيد

Questions directed at Sheikh Abu Al-Mundhir Al-Shanqiti:

The ramifications of the Arab Spring

Affirmative action after causing injustice¹

Q: a young man with an electrical engineering diploma says that his father had worked as part of a faculty but was fired 20 years ago as he was of Islamic orientation, and was consequently also imprisoned. After the revolution (it does not mention where) he received a general pardon and the state passed a law according to which every member from a family receiving a general pardon – shall man a public post. Is it allowed to accept such a post? Is this the usurping of another man's right who may be more qualified or who has been expecting this post longer?

A: it is enough you mentioned that you have a diploma so that you may fill said post. There is nothing wrong with such easements given by the state, and they benefit anyone who has been treated unfairly by the previous regime, and are an attempt to reinstate them with certain rights.

Can the Sharia be implemented in a certain territory without complete sovereignty over it?²

Q: a surfer identifying himself as coming from the Gulf Emirates encloses a YouTube segment in which the Mauritanian sheikh, Muhammad al-Hassan Walad al-Dido, states that the nation's sovereignty precedes the implementation of the Islamic Sharia, as its implementation is according to the level of sovereignty on the territory. He founds his argument in the fact that the Prophet did not

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http://www.tawhed.ws/FAQ/display_question?qid=6839&pageqa=1&i=&PHPSESSID=09a4b653da6fc86308b7b689dd7a2c9f

implement the Sharia in Mecca, as he did not have sovereignty, and even when he came to visit Mecca after the reconciliation with the people of the city, he did not smash the statues around the Kaaba as he did not have sovereignty. Thus he explains the conduct of the Egyptian president, Muhammad Morsi, who does not implement the Sharia as he is not complete sovereign yet.

A: Al-Shanqiti admits that did not succeed in viewing the YouTube link but according to what was said he explains that the Muslim Brotherhood is not interested in implementing the Sharia, and their rise to government in Egypt has revealed this, as it has revealed this fact in Gaza. The promises made by certain elements to implement the Sharia are false promises. The promises for implementation through democracy, the people's rule, pluralism and government change – are groundless as these means contradict the Sharia. the statements made on the Prophet are nonsense, as the religious commandments have yet to come down to him in Mecca, and only came in the time of Al-Medina. Al-Shanqiti admits that the Sharia cannot be implemented at once, but says that at the moment this is not the question at hand. The question is whether or not one accepts the rule of the Sharia and refutes all laws contradicting it. In the event there will be a declaration on complete obedience to Allah's law, then the government will be able to begin implementing the Sharia according to a schedule coinciding with its abilities and existing circumstances. However, in the event the government accepts in principle the way of heresy, and later contends that it wishes to implement the Sharia in this manner gradually, then this path opposes the Sharia. Al-Shanqiti clarifies that the Sharia can be implemented gradually only if there is complete obedience to its rule. He also rejects the statements made by the Mauritanian sheikh who said that the democracy in the West is secular while democracy in Islamic countries pertains to day to day life, and stresses this is the same democracy as in the West, on all of its principles

and measures. He calls him a fickle person, changing his fatwas according to circumstances. In summary, Al-Shanqiti clarified that the sheikhs are members of the tyrants' court; they have always protected them and justified their failure to adhere to the Sharia for various and strange reasons. This is not the first time Sheikh Al-Dido behaves this way.

Leaving for Jihad from Libya to Syria³

Q: Muslims in Libya ask about leaving for Jihad and whether this is a duty imposed on every Muslim. The reason for this question is that in Libya too those believing in the uniqueness of God are facing a severe attack by the secular elements operating to remove them from the important state institutions. There are also those who owe money or whose parents do not agree to their leaving. Others contend that the Mujahideen have enough manpower in Syria and that all they want is weapons and money.

A: indeed the Mujahideen in Syria require weapons and money; however this does not mean that they do not need fighting men. They are at war with the government that has an army and followers. Anytime the number of the Mujahideen increases, their strength increases as well. When the Mujahideen are no longer needed they will declare it openly. The influx of young Mujahideen to Syria will increase the numbers of those advocating the uniqueness of God, and these may remain alone facing an enslaved regime supported by the West. That is why the West warned against Syria becoming a crutch for Jihadi groups. The West is inclined more to reach some sort of solution in Syria in order to block the Mujahideen whose power is increasing. Therefore, the influx of young Mujahideen to Syria creates pressure on the West that will prevent it from

continuing to support the regime. As for the situation in Libya, the Sheikh admits that it is sensitive, and therefore the absence of believers in the uniqueness of God or decline in their number – will allow secular elements to take over the focal points of the government and squander all of the efforts and blood that was shed in the revolution in Libya. Therefore, they must adhere to Libya so that the country does not fall into the hands of secular elements. It is difficult to determine whether they can combine the two tasks; however, those without a specific role or task at current times, must go on Jihad. he reminds that there is a Mujahideen front in Mali urgently in need of aid and support, as the enemies began mounting an attack against it. Therefore, it is better that Muslims from African countries go and help the Muslims in Azawad, while Muslims in the Middle East help the Muslims in Syria.

Iraq

Killing Shiites hurting Sunni Islam⁴

Q: regarding the killing Shiites in Iraq, who although are not fighting in the field, nonetheless openly deny Allah, defame the Prophet and the Sunni, and some even allow their killing. Is it permitted to kill them in order to protect Islam?

A: in the past the Shiite were careful and hid all of their transgressions against Islam. However, today the Shiite, their prominent members and the "commoners" publicly proclaim their beliefs, and disparage the Prophet's followers and the Prophet's wife, Aisha, and also claim that the Quran has been distorted. The Sheikh determines that these Shiite are heretics who abandoned the Islamic religion, and therefore must be given the same treatment given such people. It is allowed to fight them in order to repel their aggression. There is no

doubt the Shiite in Iraq are a group fighting the Muslims, and therefore they all must be fought. As for the Shiite who do not fight the Muslims, fighting them in order to punish them is permitted only according to the decision of the emir or his deputy.

General

Q: what is the law regarding drinking carbonated beverages such as Pepsi, Coke and Barbikan. Is prayer acceptable when drinking them?

A: the Sheikh quotes experts in mass nutrition stating the downside of such beverages. He notes that due to this, it is allowed to drink only a small quantity so that they will not adversely affect health. Consuming them in large quantities is deemed damaging consumption that is prohibited by the Sharia. As for Pepsi and Coca Cola, they contain alcoholic substances, as updated by the National Institute for Consumption in France. Therefore, the question is whether this fact alone necessarily makes drinking them prohibited. Here two questions must be answered; whether mixing alcoholic substances in certain drinks – makes them ale? The answer is no. A drink must be defined as ale and then it cannot be consumed according to the Sharia. If intoxicating substances are mixed in it, it does not necessarily make it impermissible to drink. Wine was not allowed as it is ale. In conclusion, Pepsi and Coke are not considered ale unless drinking them, in small or large quantities, causes intoxication. The second question that needs to be answered is whether mixing alcohol in a drink makes it unfit for consumption. The answer is not necessarily, and there is no proof in the Quran and the Sunnah that wine is unclean. Assuming that wine is unclean, there is no evidence that the reason for it is the mixing of alcoholic substances. Assuming alcoholic substances are the reason for the wine's impurity – this does not mean that mixing them with water or with another drink make them unclean, if they

are not dominant in color, in taste or in smell for example. The Sheikh concludes that mixing several alcoholic substances in any drink does not necessarily mean it is ale or impure. However, research and numerous reports mention the Pepsin enzyme comprising part of the carbonated beverages as being questionable due to its being derived from pig excrement.

As for the prayer, it is not affected by the consumption of such beverages.

Notwithstanding all of the above, the Sheikh stresses that he has already ruled that one must not purchase products from countries fighting the Muslims so as not to help them and their economy. Therefore, any carbonated drink regardless of whether the Sharia allows its consumption – must be boycotted if imported from countries fighting the Muslims.

Current affairs – SMS messages, rumors and dreams⁵

Q: regarding SMS messages and emails sent to people, that state that a march of one million people is being organized for the purpose of a prayer for the Prophet Muhammad, and therefore one must say "Prayer and Peace be upon Him" 10 times and send the message to 10 people. Is this permissible or is it considered to be an unwanted innovation leading to a deviation from the true path. And what of rumors and dreams that are uncorroborated?

A: it is mandatory to pray for the Prophet. There is nothing wrong with multiple prayers via text messages, as these are a new means that is allowed for the purpose of religion; however one must not exaggerate this use so as not to distract from the duty. As for baseless rumors, the Prophet has warned against them. The Prophet did say that dreams herald the occurrence of events, but one

must not believe in them and act according to them, as they are not a religious source.

Taking money from a family member without his knowledge⁶

Q: a person claiming to a resident of Alexandria in Egypt asks whether he is allowed to take money from his father, money which his father deposited at his bank, in order to go on Jihad together with his family without his father's knowledge. The deposited money is intended for the father's personal affairs.

A: the money cannot be taken without the father's knowledge even for a good cause, as the Prophet said: "Allah is good and does not consent to anything but good".

Women carrying out Da'awa for Jihad⁷

Q: (by a female surfer) what are the rules for a Muslim woman writing inflaming articles encouraging sacrifice and going on Jihad, that will be published in the general and Jihadi forums under aliases. Are the rhetoric and writing merely the lot of men? Must women settle only for Da'awa amongst her family, despite the fact that modern technology enables her to carry out Da'awa amongst both women and men?

A: it is a woman's duty as it is a man's duty to accumulate knowledge and pass it on. Such was the case in the times of the first women in Islam. Biographies are filled with wise women who engaged in religious knowledge. This is proof that religious knowledge and knowledge of the Sharia are not merely the lot of men.

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http://www.tawhed.ws/FAQ/display_question?qid=6846&pageqa=1&i=&PHPSESSID=09a4b653da6fc86308b7b689dd7a2c9f

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http://www.tawhed.ws/FAQ/display_question?qid=6850&pageqa=1&i=&PHPSESSID=09a4b653da6fc86308b7b689dd7a2c9f

the Prophet's followers consulted with the Prophet's wife, Aisha, in any matter that was difficult to solve. As for the woman's participation in Jihad, she may take part in anything she can do. In the prophet's time women left together with the Mujahideen, helped and provided services and first aid. If the Sharia permits women's participation in Jihad in the field, then such is the case in her participation in inflaming for Jihad. Women can have an important role in encouraging fighting and reinforcing fighters. They can win with the help of women as was the case in the battle of Bader. The Sheikh lists the roles women may fill: inflaming for Jihad, spreading religious knowledge and refuting those straying, reporting the Mujahideen news and clarifying their situation, issuing publications, distributing books and articles on every website and forum, hacking into websites deviating from the true path, learning programming and designing websites and to specialize in any matter important to Jihadi propaganda. In truth, women today can carry out Jihad exactly like the man fighting in the field, and there is indeed such a need. As for the rules in connection with writing, as long as she does so behind a computer screen, there are no restrictions. However, she must not get dragged into discussions of a personal nature, and must choose carefully her words when addressing men. It is better women do not use a name identifying them as women when surfing the forum, unless it is necessary.

Taking out a mortgage⁸

Q: is it allowed to take out a mortgage from the Iraqi government, for which interest is charged?

A: if the mortgage bears interest, it is forbidden. If it does not bear interest, there is no sin in it.

The question of marriage on going on Jihad⁹

Q: should one inform an engaged woman before her wedding that her future husband intends to leave for Jihad after the wedding or should this matter be left alone until the husband is ready to go on Jihad, meaning – after the wedding?

A: anyone deciding to go on Jihad in a short while and wishing to be married beforehand, does not have to update his fiancée, as this is a duty and he does not require anyone's approval. However, it is better to update the fiancée and thus refrain from hurting her. If it is done in agreement and with acceptance, he is worthy of her patience and suffering that are a result of the husband's absence.