

## Fatwas, December 2012

This review reports the main fatwas [religious-legal rulings] issued in December 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 allows the people of Egypt to support candidate Morsi, the representative of the Muslim Brotherhood, for the presidential elections in Egypt. This is due to the contention that he is closer in faith to Islam than his secular opponent, Shafiq, and is therefore deemed to be the lesser evil.



Sheikh Al-Shanqiti allows the Mujahideen to collaborate with non-Islamic groups fighting in Syria against Bashar al-Assad's regime, as this is a Christian government. However, this is seen as an intermediate step, until the Mujahideen are able to join the ranks of groups dedicated the uniqueness of God.

Fulfilling the commandment of Jihad against the enemies of Islam comes before other matters, such as those who have not repaid their debts.

السؤال	القسم	المجيب	تسراء
ما حكم إرسال البدين في الصلاة ؟ 21:40:49 2012-12-26 salimad1	الفقه وأصوله	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	6938
هل أعيل والدي وأهلي أم أتركهم وأجاهد ؟ 21:25:07 2012-12-26 عـــــــبــــاء	الجهاد وأحكامه	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	6546
ما حكم متابعة التتويج في الصلوات ؟ ومتابعة الفلكيين في أوقات الخسوف والكسوف ؟ 21:19:08 2012-12-26 المهذب بالعزير	الفقه وأصوله	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	6540
هل أخذ أهلي معي إلى أرض الجهاد ؟ 18:56:54 2012-12-24 Abu jhad algharib	الجهاد وأحكامه	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	7272
ما حكم خلع الزوج الذي لا يتقئ لله ؟ 18:50:05 2012-12-24 مريم اعا	فقه الأسرة	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	7103
ما الفرق بين الخدعة والأمان ؟...وما حكم أموال المرتكبين ؟ 18:38:53 2012-12-24 نصير المير2	الجهاد وأحكامه	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	6623
هل أنغر إلى سوريا و والدي في مدة العدة ؟ 18:29:06 2012-12-24 abu jhad	الفقه وأصوله	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	7327
ما هو تعليقكم على فتوى الشيخ البراك حول المستور المصري ؟ 23:23:29 2012-12-16 صالح الصديق	واقع المسلمين	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	10713
هل معرفة الله بالعقل ام بالفطرة ؟ وهل يصح إيمان العقل ؟ 13:11:31 2012-12-15 MOATAZ	العقيدة	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	11051
ما حكم تدريس النظريات الكفرية المقررة ؟ 12:58:37 2012-12-15 كامل العراقي	واقع المسلمين	اللجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	8898

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

#### Syria

#### **Is anyone who can do so, obliged to go to war in Syria?<sup>1</sup>**

**Question:** In respect to Jihad in Syria, where there are a number of brigades and units that are fighting, it is easiest to join the Free Army (Free Syrian Army). "Is it permitted to fight under the flag of the Free Army, when there are a number of other fronts hoisting the flags of the uniqueness of God, such as the Al-Nusra Front?" The reason for this question is the difficulty in joining this front in principle.

"Am I obliged to go to war in Syria while I am living in the Arabian Peninsula? Or is Jihad through money and prayer for our brothers and spreading their Jihadi

<sup>1</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=6837&pageqa=4&i=](http://www.tawhed.ws/FAQ/display_question?qid=6837&pageqa=4&i=)

mission enough at this stage? And is it mandatory to repay debts and receive the permission of one's parents?

I would ask you to expand on these matters while noting evidence, as many young men have similar questions on their mind".

**Answer:** "If you found one of the groups fighting under a legal flag, it is the duty of every Mujahideen to rush to the war under it and to increase the [number of fighters under] the black color [of this flag]". "The Mujahideen may collaborate with all groups fighting the Christian tyrant until it is possible for them to join a group hoisting the legal flag". "And we shall tell the youth of Islam to ready for Jihad: the campaign today in Syria is one of the most important campaigns of Islam, which may play a large part in forming the foundations of the future of the Ummah and it is possible that victory in this campaign will be the beginning of victory in many campaigns on our doorstep". "Youth of the nation, this is no time for hesitation, the campaign has begun, do not lag behind it. Anyone not participating in these wars in order to keep safe will regret it later".

### **Must I provide for my parents and family or leave them and go on Jihad?<sup>2</sup>**

**Question:** It pertains to a 47 year old man, with "youthful vigor" and the ability to bear arms and withstand difficulties, his parents are over 70 years old and he is their only child and provider. He has a wife and four children and he is their sole provider. There are no other sources of income or inheritance that can be used.

---

<sup>2</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=6909&pageqa=4&i=](http://www.tawhed.ws/FAQ/display_question?qid=6909&pageqa=4&i=)

His heart is torn when he sees the oppression and the enemy brigades flocking to his country, Syria, to take part in its destruction, and he wishes to participate and join the Mujahideen in Syria to stop the oppression and protect the honor and stop the attack on it.

Is there any impediment as far as he is concerned from going on Jihad when he knows this is defensive Jihad and no one has any excuse? He wishes to settle the matter with a fatwa from the Minbar al-Tawhid wal-Jihad portal "And we all have plenty of faith in your knowledge and precision in the issuing of your fatwas and it is my support in face of God on the day he asks me [judgment day]".

**Answer:** As long as he is found in the land of Jihad, he can combine the two – so that he undertake his responsibility, the care for his family that he cannot relinquish, and at the same time work together with the Mujahideen at the front, if they are near him, or he can help them with any support they may need and help from his place of residence. "Jihad is not carried out only by fighters; they require many additional things such as assistance and logistical support, moral support and encouragement, and taking the Mujahideen's place in caring for their families and relatives".

"And to that end God said: ... Jihad needs some people to remain to carry out part of the tasks, which Jihad cannot relinquish".

"Anyone carrying out these tasks must not believe he is neglecting Jihad and shirking it, as he is a partner of the Mujahideen in their actions and reward".

"Al-Bukhari related from the mouth of Zeid bin Khaled, may he receive God's grace that God's messenger, peace and prayer be upon Him, said: Anyone equipping a fighter in the path of God, is considered to have fought [himself] and

anyone standing behind a fighter in the path of God in a good way, is considered to have fought."

There is no sin in supporting his family and the families of the Mujahideen around him; however, he must not delay in joining the Mujahideen or in providing any support he can give.

### Egypt

#### **Muhammad Morsi's election as Egypt's president<sup>3</sup>**

**Question:** "How should one treat the race between Shafiq and Morsi, a race between two secular men? Is this considered heresy? Can it be treated as a struggle similar to the struggle between Persia and Rome?" [i.e. supporting the least worse candidate].

"Furthermore, several Salafi sheikhs in Egypt called to support Morsi's declaration on the constitution against his opposition.

I am still supporting him in the race between two secular men in respect of the heretic constitution". What is the position in this matter?

**Answer:** "Morsi's rise to power is the lesser evil compared to the rise of another person from amongst those opposing the Islamic project in its entirety and adopting the western culture word for word".

"There is no sin in being happy for him, as he is deemed to be the lesser damage compared to the military council".

Later on Shanqiti likened the struggle between Morsi and Shafiq to the struggle between Rome and Persia, meaning between those holding monotheistic beliefs

<sup>3</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=6938&pageqa=4&i=](http://www.tawhed.ws/FAQ/display_question?qid=6938&pageqa=4&i=)

such as the people of Rome and those holding polytheistic beliefs, such as the ancient Persians of the Zoroastrian religion.

Therefore, being happy in the victory of a rival who is close to Islam does not mean loyalty or support.

The joy of the believers [Muslims] in the victory of Rome over Persia does not prevent fighting it when it is the Muslims' interest to fight.

### **Jihad - General**

#### **What is the ruling regarding women leaving for Jihad without an escort?<sup>4</sup>**

**Question:** "Can a young girl go on Jihad without an escort (she is still unmarried) and without her parents' knowledge and enlist for a suicide bombing – or is she obliged to stay amongst heretics and the enemies of Islam and not enjoy the reward, as she is without an escort?"

**Answer:** "The reasoning behind preventing a woman from going without an escort is to protect her against the evil of depraved people.

A Muslim woman cannot go unless with an escort, whether this is going on Jihad or Haj etc., and proof of this is":

- (Hadith) a woman believing in Allah must not travel for a day and a night without an escort.
- Bader al-Din al-Einy contended that there is a prohibition on a woman from traveling without an escort whether if her trip is a short one or a long one, as for example for Haj etc.

---

<sup>4</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=6886&pageqa=4&i=](http://www.tawhed.ws/FAQ/display_question?qid=6886&pageqa=4&i=)

“In the event a woman leaves a heretic place and moves to the world of Islam without an escort, in face of urgency and need, and in the event that not taking this step would lead to staying in a place of heresy, the temporary trip supersedes the permanent stay”.

A man must also not go on Jihad but rather go with his wife on Haj so that she does not go alone, and certainly women must refrain from going on Jihad without an escort.

It is better a woman not go on Jihad than go without an escort.

If a young girl wishes to go on Jihad, there is no escaping finding an escort who will accompany her when going on Jihad.

It is better she marry a Muslim wishing to fight in the Jihad.

However, if she wishes to leave a land of heresy, there is no obligation to have an escort, and she can leave when it is convenient.

### **I wish to go on Jihad and my parents oppose this, what should I do?<sup>5</sup>**

**Question:** “I wish to go on Jihad in the path of Allah and have discussed the matter with my father and he strongly opposed it and my mother and father swore that they would never allow me to go”.

A 25 year old unmarried man is undecided between going on Jihad and staying with his family, finding a job and getting married.

---

<sup>5</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=6942&pageqa=4&i=](http://www.tawhed.ws/FAQ/display_question?qid=6942&pageqa=4&i=)

**Answer:** In the event the parents are independent and do not need anyone, or they have other children and relatives who can help them besides him, he must not hesitate and go on Jihad.

If he returns from the Jihad, he will come back to his parents after having done what was ordained by God, and if God wrote for him a martyr's death, God will not abandon his parents and their family and relatives and will be an advocate on the behalf of judgment day.

Jihad does not require the parents' consent, and if every father and mother would have spared their sons when going on Jihad, the flag of Islam would not have been hoisted.

As for marriage, this does not contradict Jihad and is not opposed to it. If it will be easier for him to get married before leaving for war or afterwards, or even instead of Jihad, he must not falter in getting married as "it helps the integrity and mental preparedness in executing the duties, and a wedding should not prevent you from going on Jihad".

**Does the obligation to go on Jihad apply to someone who owes a debt?<sup>6</sup>**

**Question:** "A person with a 4,000 dollar debt is facing great difficulty in repaying it. However [coping with] this debt is easier than going on Jihad. He is at a loss and has tried to repay the debt, what must he do?"

**Answer:** In respect to defensive Jihad that cannot be delayed, there is an obligation to go to war without the permission of the lender.

---

<sup>6</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=6926&pageqa=4&j=](http://www.tawhed.ws/FAQ/display_question?qid=6926&pageqa=4&j=)

Sheikh al-Islam Ibn Taymiya addressed the question of whether a person with a monetary debt who has not repaid it is obliged to go on Jihad. According to him, there is a priority between the various obligations. The keep, the woman and the child come before the repayment of the debt. The commandment of rituals such as Hajj and charity come too before the repayment of the debt. If the Jihad is meant to repel damage then it comes before the repayment of the debt and is more worthwhile.

**Should I take my family with me to the land of Jihad?<sup>7</sup>**

**Question:** At first the person asking the question speaks of his past as having been ignorant in respect of religion, how he did not know right from wrong and how he eventually repented until wanting to leave the current reality and go on Jihad. However, he is now facing a number of obstacles:

- Being married and father to an infant, whom have no one else but him: can he take them with him on Jihad?
- He has two outstanding interest bearing loans which he has not repaid yet. What must he do?

**Answer:** If he can go with his family on Jihad, "There is no sin in this; on the contrary, it receives reinforcement in the Prophet's Sunnah, peace and prayer be upon Him".

"Leaving with the family for doing God's work is the Sunnah of the prophets and the best of their students".

---

<sup>7</sup> [http://www.tawhed.ws/FAQ/display\\_question?qid=6921&pageqa=4&j=](http://www.tawhed.ws/FAQ/display_question?qid=6921&pageqa=4&j=)

As for the interest bearing loan, if he can recant on the transaction and undo it, this is a duty.

If recanting on the transaction is not possible, he must do all he can to avoid paying the additional interest, and if there is no escaping this payment, as he will thus cause himself harm, there is no sin in paying – he will recant with this transaction.