

Jihadist Fatwas

May - June 2013

Highlights

This review reports the main fatwas [religious-legal rulings] issued in response to readers' questions by Minbar Al-Tawhid wal-Jihad, the Web site of Salafist ideologue Abu Muhammad al-Maqdisi. In May and June 2013, Sheikh Shanqiti ruled as follows:

- Mullah Muhammad Omar, the leader of the Islamic Emirate of Afghanistan, is today considered the head of the Muslim Nation, and Al-Qaeda leader Sheikh Ayman al-Zawahiri is his underling.
- All secular people are automatically considered infidels.
- It is permissible to commit a suicide attack against Hezbollah in an effort to reduce harm to women and children.
- One must not take sides in the internal conflict in Egypt.
- Money obtained from infidels may be used for jihad.



السؤال	القسّم	المجيب	قراءة
هل يعتبر محمد مرسي معنور لأنه لا يستطيع أن يطبق الشريعة ؟ 03:13:21 2013-06-01 ebusalim	واقع المسلمين	الجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	5694
ما الفرق بين الحرام وعراهة التحريم وعراهة التنزيه ؟ 02:15:22 2013-05-29 Ibnradjab	الفقه وأصوله	الجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	4641
هل يجوز لي أن أنفذ عملية استشهادية في تجمعات حزب الله الرفضى ؟ 02:07:18 2013-05-29 فراسلوات العسير	الجهاد وأحكامه	الجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	6637
ما حكم التأمين ؟ وكيف أفعل إن كان إلزاميا ؟ 01:17:38 2013-05-27 أبو أسامة الخطاب	الفقه وأصوله	الجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	4094
ما حكم شرطة المرور و رجال الإطفاء ؟ 03:08:59 2013-05-25 KUDISH	مسائل الإيمان و الكفر	الجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	6881
من هو أمير المؤمنين اليوم ؟ وهل يجب تحقيق شرط القرشية في الخليفة ؟ 02:49:45 2013-05-25 يوسف المالكى	واقع المسلمين	الجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	7885
أسئلة حول الأوضاع في ليبيا . 02:18:07 2013-05-23 ابو اسحاق الاترى	مسائل الإيمان و الكفر	الجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	4580
ما الحل لفض النزاعات بين الأخوة فى ليبيا والطريق إلى الاجتماع ؟ 01:34:54 2013-05-23 الولاء والبراء	واقع المسلمين	الجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	4952
هل يوجد خلاف فى مسألة الاستفتاء على الشريعة ؟ 02:45:35 2013-05-20 اسد الوصى	مسائل الإيمان و الكفر	الجنة الشرعية في المنبر [أبو المنذر الشنقيطي]	6059

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Questions Directed at Sheikh Abu al-Mundhir al-Shanqiti

The Arabian Peninsula

Is Resigning from the Saudi Arabian Ministry of Defense a Sufficient Sign of Repentance?¹

- ❖ Question: A man who works for the Saudi Arabian Ministry of Defense has recently learned that the Saudi government is heretical. He has consequently resigned his post at the ministry, despite being in debt to the bank. Has he done the right thing?
- ❖ Answer: A man who is well-versed in Islam and its laws surely knows that the Saudi Arabian government is heretical and supports Allah's enemies. Government-sponsored religious-legal scholars issue fatwas that sanction the government's heretical deeds, but there is no truth in these fatwas, for the infidel Saudi regime promotes the war on the mujahideen and collaborates with the West. Resigning from his post with the Ministry of Defense is only the first step on this man's path back to Islam; he should also join the mujahideen. On the other hand, if the man can retain his post and use it to pass on useful information to the mujahideen, he should do so, as this would constitute very significant support for jihad.

North Africa

A Series of Questions about the Situation in Libya²

- ❖ Question: What is the ruling regarding military personnel who served in Qaddafi's army but defected? What is the ruling regarding rebels who have joined the new army?
- ❖ Answer: The door to repentance must be always open; soldiers who mended their ways prove by their deeds that they have returned to the straight path. Former rebels who have joined the army, the Ministry of Defense or the Ministry of the Interior are now recruits of the infidel, like all other members of such institutions.

- ❖ Question: What is the ruling regarding employees of the Ministries of the Interior and Defense? Is there any difference between those who were recruited for these offices but who support shari'a, and those who oppose shari'a?

¹ http://tawhed.ws/FAQ/display_question?qid=7356

² http://tawhed.ws/FAQ/display_question?qid=7407

- ❖ Answer: A distinction should be made between people who support shari'a and Allah's laws but interpret them erroneously, and infidels who oppose shari'a. Explain this situation to those who err, so that they will realize that the Libyan regime is not Islamic.
- ❖ Question: What is the ruling regarding those who signed contracts with forces subordinate to the Libyan general command?
- ❖ Answer: Joining forces that are subordinate to the general command is akin to joining the army. However, if someone has joined these forces so as not to relinquish them to secular people, and he does nothing to contravene shari'a, then he is not an infidel.
- ❖ Question: What is the ruling regarding those who have joined organizations that do not perpetrate heretical acts, but that are subordinate to the Ministry of the Interior?
- ❖ Answer: Bodies subordinate to the Ministry of the Interior are forced to follow manmade laws – and that is forbidden.
- ❖ Question: Does membership in the National Council make a man's sect an infidel sect, or only the man himself an infidel?
- ❖ Answer: The National Council, which legislates un-Islamic laws, is a heretical organization. Its members are infidels if it can be shown that they are acting deliberately [and not laboring under a misconception].
- ❖ Question: Should the Salafists in Libya concentrate on charity and da'wa [missionary work], or should they also engage in military activities?
- ❖ Answer: They must not neglect charitable works and da'wa. However, they should also engage in military activities, and not leave power in the hands of Allah's enemies.

Syria

Smuggling, Looting from the Government, and Closing Public Banks³

- ❖ Question: Is it permissible to smuggle various commodities, such as gasoline and food, from Syria to neighboring countries?
- ❖ Answer: Smuggling commodities that are themselves legal is legitimate in two instances: when a religious-legal authority has authorized the smuggling, or when the smuggling enables an Islamic product to supersede a product manufactured in an infidel

³ http://tawhed.ws/FAQ/display_question?qid=7384

country. However, smuggling that promotes one Islamic product over another is forbidden.

- ❖ Question: When the mujahideen liberate a city, they are left with government infrastructure: electricity, telecommunications, schools. How should this infrastructure be treated? May it be looted, like money?
- ❖ Answer: It is permissible to loot property that served the infidel regime itself, but not infrastructure that served all of the Muslims or the public in general.

- ❖ Question: Should Syria's public banks be closed, or should they be allowed to continue to operate?
- ❖ Answer: If the public is dependent on these banks and it is in the public interest to keep them open, this is what should be done. The banks should be monitored to ensure that they do nothing illegal with their money.

A Ruling Regarding the Money and Houses in the Village of Kisin⁴

- ❖ Question: Kisin, a village in the central province of Homs, was recently liberated from the Alawites. What is the ruling regarding the houses and monies that the Alawites left behind? How should they be distributed?
- ❖ Answer: It is forbidden to loot anything before the booty has been distributed among the mujahideen. Religious scholars have debated how to distribute war plunder. Therefore, the recommendation is to leave one-fifth of the bounty where it is, and distribute the remaining four-fifths of it equally among the mujahideen who participated in the fighting. An equal part should be given as an inheritance to the families of mujahideen killed in battle.

Changing Brigades⁵

- ❖ Question: A man joined jihad in Syria with the help of a local brigade of mujahideen, which welcomed him, gave him military training, and helped him materially and spiritually. The man even swore allegiance to the commander of the brigade. Ten months later, the man left the brigade and joined another brigade, for no discernible reason. What is the ruling regarding this man?

⁴ http://tawhed.ws/FAQ/display_question?qid=7300

⁵ http://tawhed.ws/FAQ/display_question?qid=7384

- ❖ Answer: According to the teachings of the Prophet Muhammad, one must respect and obey the commander [of a brigade], so as to preserve unity. It is therefore forbidden for a mujahid to perform any deed or make any move – including leaving a brigade – without the commander’s permission. However, a mujahid may leave his brigade under the following circumstances: if the brigade commits acts that are not sanctioned by shari’a, or if for any reason he cannot continue fighting with his brigade but rather only with another brigade. If the mujahid wishes to leave for any other reason, even if it is not legitimate, it is best to let him leave, lest his presence only disturb the other mujahideen and dampen their spirit. This should be explained to the other brigades. In general, it would be best if all of the brigades united under one banner and commander, rather than each doing as it pleases.

Lebanon

Committing a Suicide Attack amidst a Hezbollah Gathering⁶

- ❖ Question: A man wishes to perpetrate a suicide attack in a crowd of Hezbollah members and supporters, but when he does so, fears he may also kill innocent Shi’ite passers-by. May he commit this deed?
- ❖ Answer: The time has come for the Muslims to openly fight the infidel sects, which have long since declared war on the Muslims, whom they fight with all their might. Although doing so may increase the conflict between Sunnis and Shi’ites, it will generate broad support for the mujahideen from Sunnis everywhere. An escalation of the struggle between Sunnis and Shi’ites is in the interest of the mujahideen; consequently, all available means should be used to multiply attacks on the infidels. Attacking Hezbollah in Lebanon constitutes retaliation for its intervention in the war in Syria, and can only have a significant positive influence. However, attention should be paid to coordination among the mujahideen and an ample assessment of possible outcomes. Also, attacks should be directed against fighting forces and their supporters, and efforts must be made to avoid harming women and children, lest doing so give the infidels an excuse to attack the Muslims. Moreover, attacks should have immense and painful consequences, otherwise they will merely warn the infidels to strengthen their security measures and, as noted, give them an excuse to attack Sunnis.

⁶ http://tawhed.ws/FAQ/display_question?qid=7485

Egypt

The Military Coup⁷

- ❖ Question: In light of recent events in Egypt, chiefly the military coup, should one aid the Muslim Brotherhood or the secular camp?
- ❖ Answer: One should not take sides in this struggle; taking sides does the believers no good. The secular camp wishes to implement laws that are not shari'a, and the Muslim Brotherhood now prefers democracy to shari'a. Both sides oppose jihad and plan to hound its supporters. Some forbid "sitting on the fence" regarding the war between secularism and Islamism. However, since [the Muslim Brotherhood] does not follow shar'a and is not truly Islamist, believers are advised to ignore this struggle and concentrate on keeping God's commandments.

Kidnapping Egyptian Soldiers in the Sinai Peninsula⁸

- ❖ Question: Seven Egyptian Army soldiers were recently kidnapped in the Sinai Peninsula. Various reports indicate that Salafi-jihadists were responsible for this act. Was it permissible?
- ❖ Answer: Every army is charged with defending the laws of its country. Soldiers of a country whose laws are manmade and contravene shari'a and Allah's commandments are therefore soldiers of apostasy. The regime in Egypt, in particular, is an infidel regime, so its army is an infidel army. Moreover, the Egyptian government persecutes supporters of jihad and arrests them for no reason. Kidnapping soldiers interferes with the infidel's plans to harm believers, and may help liberate believers from Egyptian prisons. It would be preferable to accomplish this by peaceful means, but since this is not possible, one may kidnap infidel soldiers. Nevertheless, the mujahideen in the Sinai should focus on attacking the Jews – something the Egyptian government is trying to prevent. The believers should bear in mind that attacking the Egyptian Army only gives the regime an excuse to interfere in the Sinai, and protect Israel on the pretext of fighting terrorism.

Morsi's Failure to Implement Shari'a⁹

- ❖ Question: Did Morsi fail to implement shari'a only because he was unable to do so?

⁷ http://tawhed.ws/FAQ/display_question?qid=7512

⁸ http://tawhed.ws/FAQ/display_question?qid=7461

⁹ http://tawhed.ws/FAQ/display_question?qid=7344

- ❖ Answer: Sheikhs and religious-legal scholars who assist infidel regimes are themselves infidels. It is scholars of this ilk who claim that Morsi is not culpable for failing to implement shari'a. Morsi never stated his intention to implement shari'a, but rather spoke in praise of democracy. Morsi and the Muslim Brotherhood often directly opposed shari'a and Allah's commandments; this does not appear to have been the result of constraints and excuses. Even if Morsi intended to implement shari'a, no one has the right to postpone doing so, and thus stand in the way of Islam.

General Questions Concerning Islamic Obligations

The Status of Infidel Courts¹⁰

- ❖ Question: Are courts that rule according to manmade laws heretical? What is the ruling regarding someone who participates in the hearings of such courts? What is the significance of his knowing or not knowing that such courts rule according to heretical laws?
- ❖ Answer: Courts that rule according to manmade laws contravene Allah's law; they are heretical. One should avoid them just as one would avoid sites of idol worship. Anyone who attends an infidel hearing without denouncing it, is himself an infidel. However, a Muslim who attends such a court without realizing that its laws contravene Allah's law should not be considered an infidel, because many sheikhs issue rulings that lend these courts an Islamic-legal mien, confusing many Muslims.

General

A Series of Questions about Heeding the Call to Jihad¹¹

- ❖ Question: A Syrian man has gotten married and lived in America for four years. His brother is fighting jihad in Syria. Three months ago, his brother was seriously wounded, and the man flew to Syria to minister to him and help him financially. When his brother recovered, the man joined the mujahideen. However, some time later, he returned to his family on the advice of a sheikh. Now his wife refuses to let him rejoin jihad; she insists that he support jihad financially, instead. Must he remain in America and work at the only place agrees to employ him – a restaurant that serves pork – or must he leave his wife and daughters and return to jihad?
- ❖ Answer: At present, jihad in Syria is an obligation for all Muslims who can fight. However, if a man is living in exile, is the sole breadwinner, and cannot find someone to

¹⁰ http://tawhed.ws/FAQ/display_question?qid=7443

¹¹ http://tawhed.ws/FAQ/display_question?qid=7335

care for his family in his absence, he may stay with his family. At the same time, he must support jihad to the extent possible – by sending money, engaging in da’wa [proselytizing], and caring for the families of mujaideen. He must not work at a restaurant that serves pork, however, and must seek other employment. He may live in America, provided he lives in a Muslim and not an infidel environment.

- ❖ Question: A married Syrian who has two children lives in America but wants to join jihad in Syria. However, his wife does not agree to let him do this. She is even threatening to give the children to the American authorities if he leaves for jihad. What should he do?
- ❖ Answer: Jihad in Syria is obligatory for all Muslims, especially Syrians, who are well aware of what is happening. If the woman can take care of the family’s affairs – using either her own or her family’s money – then the man must leave for jihad without delay. If the woman means to make good on her threat, some alternate solution must be found, which is acceptable to both parties (for example, leaving the children with the man’s family). If no such solution can be found, the man may not leave for jihad and risk his children’s conversion to Christianity. However, it is not good to live with a wife who prevents one from joining in jihad and threatens to give one’s children to infidels.

- ❖ Question: A man wishes to postpone his departure for jihad so as to complete his studies in a technical field that might benefit the mujahideen. Is this permissible?
- ❖ Answer: The obligation to jihad is paramount at present. However, preparing for jihad – including receiving relevant technical training – is considered participation in jihad.

- ❖ Question: A man’s parents are wealthy. May he take their money and use it to prepare for jihad?
- ❖ Answer: It is undisputed that a son may not take money from his parents without their knowledge. Theft is forbidden, even for the purpose of jihad.

- ❖ Question: A Moroccan man in his 30s who is married without children wishes to join jihad in Syria. His parents are elderly, and he has a 40-year-old sister and a brother who suffers from mental illness. The man pays his parents’ living expenses. His parents do not want him to join jihad in Syria. What should he do?
- ❖ Answer: Your description of the situation indicates that the son is responsible for the care of his family, such that his absence will be detrimental. It would therefore be best for him to stay with and continue to care for his family.

- ❖ Question: A 20-year-old man is nearly almost deaf, and wants to get a cochlear implant. He could not get the implant and deal with the consequences in a theater of jihad. Must he join jihad, or should he remain in his country, get the implant, become a businessman and aid the mujahideen financially?

Answer: Among the ailments cited by the Qur'an as absolving a man from the obligation to jihad are blindness and lameness, but not deafness. A deaf man is perfectly capable of fighting the mujahideen – and they could use his help. However, if the man can undertake projects that will enable him to send significant financial aid to the mujahideen, this may be of greater benefit to them than his fighting alongside them, a deaf man on the field of battle.

- ❖ Question: If there is no other choice, may one bribe infidel soldiers to cross the border into a theater of jihad?

- ❖ Answer: If there is no other choice, this is permissible.

Using Money Obtained by Dealing Drugs to Support Jihad¹²

- ❖ Question: A man has returned to the fold and ceased dealing drugs. Now he would like to get rid of the money he earned illegally. May he donate the money to jihad?
- ❖ Answer: Money obtained illegally must be dispensed of in the most respectable, legitimate way possible. It may not be used to meet the personal needs of the man who obtained it illicitly, or be given to someone who cannot guarantee that it will not be used illicitly.

Using Illegally Obtained Money to Join Jihad¹³

- ❖ Question: A man works for an infidel institution, knows that it is forbidden for him to work there, and understands that his wages are considered illegal. Now he would like to join jihad, and use the money he earned to this end. May he do so?
- ❖ Answer: What is forbidden is the fact of his working for the infidel; once he has returned to the fold, his wages are no longer considered "infidel monies" that must be returned to the infidel. Rather, they are now "Muslim monies", which the man must use to benefit Muslim interests. If he is poor, he may use some of the money for his own needs.

¹² http://tawhed.ws/FAQ/display_question?qid=7332

¹³ http://tawhed.ws/FAQ/display_question?qid=7313

Who Is the Leader of the Muslims Today? Is It Possible to Meet the Requirements for the Caliphate? Are All Secular People Infidels?¹⁴

- ❖ Question: Who is now the leader of the believers [emir al'mu'uminoun]: Sheikh Ayman al-Zawahiri or Mullah Muhammad Omar?
- ❖ Answer: The leader of the Muslim believers is the man who has been granted the authority to carry out the word of Allah. Today that man is Mullah Muhammad Omar; Sheikh Ayman al-Zawahiri has sworn allegiance to him.

- ❖ Question: Is it possible to meet the requirements for the caliphate – that is, that the caliph be a member of the Tribe of Quraysh [the tribe of the Prophet Muhammad]?
- ❖ Answer: According to shari'a, a man can only be an imam [leader] if he is of the Tribe of Quraysh. This is supported by multiple sayings of the Prophet himself.

- ❖ Question: Are all secular, liberal people infidels?
- ❖ Answer: Secularism holds that all laws should be based on the material world and logic, and not on religion. Secularism is therefore diametrically opposed to religion. Secular people claim that the individual must decide for himself how to behave. They refuse to recognize that religion determines all aspects of life. Anyone who holds such beliefs is surely an infidel, and should be excommunicated from Islam.

Caring for Parents Whose Children Wish to Join Jihad¹⁵

- ❖ Question: A family had three sons. Until leaving for jihad in Syria one year ago, the eldest son shared the family's living expenses with the middle son; now the middle son is responsible for all of the family's expenses. The youngest son is a university student, and has also decided to join jihad in Syria. However, the middle son has said that if his younger brother leaves, he, too, will join jihad, leaving their parents alone. The parents are elderly, and the mother is sick with an illness that needs monitoring. What should be done in this case?
- ❖ Answer: If the youngest son is able to join jihad he must do so. The middle child must remain with and care for their parents. However, if the middle son insists on joining jihad as well, the brothers must determine what to do, based on their capabilities: The one who is most able to aid jihad must leave for jihad, and the one who is best able to

¹⁴ http://tawhed.ws/FAQ/display_question?qid=5924

¹⁵ http://tawhed.ws/FAQ/display_question?qid=7431

care for the parents must stay with them. If agreement on a decision cannot be reached, the siblings should draw lots.