

# Rulings on Lands

This is based on Shaykh Aboo Jandal Faaris az-Zahraanee al-Azdee's , may Allaah hasten his release, book.

The study of al alaqat al dowliyyah is based on the question, who is our brothers and who is the enemy? Sheikh Usama ibn Laden said, "the whole world has been divided into two camps, the camp of Islam and the campo of kufr."

But this situation is temporary because it is not allowed to have two camps permanently, the camp of Islam must take over the camp of kufr, we study this to understand the concept of love for the sake of Allah and hate for the sake of Allah, to love Allah and the believers and to hate the kuffar and murtadeen.

We want to conquer the camp of kufr, perhaps not to force them to embrace Islam, but they must embrace the law of Islam.

However we have people who reject even to call the kuffar kuffar; we find the entire school of irja', making Talbees and making excuse for the kufr leaders. One of the rotten fruits of irja' is to leave the salah, that is what happens to many of the people now, some people do not pray except jumu'ah, some not even jumu'ah,` some do not even make a single sajdah. Because of Irja', people leave the salah, people make Muwalaat with the kuffar, the one who says Imaan is in the heart, he is Murji', Ahl Al Sunnah Wal Jama'ah believe that Imaan is sayings by the tongue and actions by the limbs willingly without duress and conviction in the heart; the three together is called Imaan.

We have relationship with other Muslims, that is the brotherhood of Islam, Allah (swt) said, "the believers are a brotherhood" he did not say that we are brothers to the kuffar, he said that the kuffar are their own brotherhood and the believers their own brotherhood.

We do not say Dar ul Muslimeen or Dar ul Kafiireen, we say Dar ul Islam and Dar ul Kufr, because it has nothing to do with the inhabitants but rather to do with the authority and the law and order prevalent in the state.

## **DOUBTS RAISED BY SOME PEOPLE REGARDING THE EXISTING DAR UL RIDDAH**

Some people will say, "you cannot call Saudi Arabia dar ul kufr, because all the people are Muslim."

This implies that if everyone was kafir, it will be dar ul kufr, but we know from khaybar that all the people in khaybar were kuffar except the few Muslims that were in authority over them ruling by Islam, and it was Dar ul Islam, Sa'eed ibn Musayyab said, "All the people in khaybar were jews."

Even Madinah, the majority of people were Mushrik in the beginning of the Islamic state. Dar ul Kufr is where the kufr law was dominant, even if the messenger (saw) was there, like in Makkah.

They will say, "you cannot call Saudi Arabia Dar ul kufr, because all the sha'aair ul deen (ritual acts e.g. Hajj, salat, siyaam etc) are there,"

But the messenger (saw) made the sha'aair ul deen prevalent more than anyone today, in Makkah, the whole world and the two world superpowers were shaken by the Messenger (saw) without any satellite TV or radio or other media, yet Makkah at that time was dar ul kufr.

They say, "you cannot call Saudi Arabia dar ul kufr because the Muslims have security there"

Some Muslims lived in Makkah after Hudaibiyah and had security yet Makkah did not become dar ul Islam because of that security, nor did Abyssinia become Dar ul Islam because the Muslims enjoyed security there.

These doubts however, did not change the fact that Saudi Arabia or any other country to be Dar ul Kufr.

## **SHUBUHAT OF THE JAAMIS**

In this strange time when the Muslims are lost and confused, we find the source of that confusion is not from the kuffar but from other so-called Muslims and so-called scholars who insist to protect and defend the Tawagheet instead to reject them, those who persist in their campaign to attack the sincere Mujahideen and du'aat that call for the Haq. Those bitana of Tawagheet who instead to implement Tawheed and make kufr on Taghout, are eager to give bay'ah to taghout and call them Imam A'zam. These people who have gained power and respect confuse the people the way the magicians of Fir'awn confused the people. They will raise shubuhat (doubts) in every Hukm of Allah until the Muslims do not know where to turn for reference or guidance.

They demonise the mujahideen and mujtahideen, calling them Khawaarij, calling them jahil while there is no one more Khawaarij and jahil than them. They raise doubts on the very Tawheed in Allah, doubts about the sovereignty of Allah until they leave the masses with defections in every sphere of their deen.

They are more dangerous to us than the Jews and Christians because they are the enemy within, they are not a clear and open enemy like the kuffar plain for all to see and hear. No, they are hidden and call themselves Muslims and pray beside you in the Masjid and the people call them sheikh and yet they are destroying the understanding of Islam among the ummah. At the forefront of these we find people who claim to be salafi, yet they are far from Ahl Al Sunnah Wal Jama'ah, those who follow Amaan ullah Al Jaami and Rabee' bin Hadi Al Madkhali.

They push many shubuhat among the ummah, some of which we will attempt to detail below:

## **ISLAM IS SUPERIOR AND NOTHING WILL SUPERCEDE IT**

Imam Al Dhahabi said,

“Dar ul Islam will never become Dar ul Kufr, because Islam is superior and nothing will ever supersede it.”

This is what many fake ‘salafis’ are quoting today though they do not follow Imam Dhahabi. They quote him here because it supports their misguided claims.

Imam ibn Hajar Al Haythami who is close to Ahl Al Sunnah Wal Jama'ah said

“Whatever was dar ul Islam, will never become dar ul kufr ever.”

However, Imam Al Haythami never saw what we see today, he never saw a reality like that of the kufr leaders in the muslim lands, for him to correct his mistake. He argued that it will be dar ul Islam even if it is all occupied by the kuffar.

However we are not talking about Muslim land, we are speaking about the prevalent law and order. According to what Imam ibn Hajar said, it would mean that Palestine and India will still be dar ul Islam. His understanding is based on the hadith

“Islam is superior and nothing will supersede it” [Bukhari]

This hadith is saheeh and is correct; we do not disagree over the hadith. However, if we take the argument of ibn Hajar, the hadith of Muhammad (saw) that obliges to rise against the ruler who shows kufr boah is no longer applicable. However he claims that the munabaza is to remove the ruler not because it is dar ul kufr. However we say that

“The specific evidence precedes the general evidence.”

Allah (swt) says about the women who are widowed while pregnant, her iddah is until she delivers the baby. This is a specific ruling for her, whereas generally the mourning period is normally 4 months and 10 days for the widow. This specific ruling precedes the general ruling. Imam ibn Hajar overlooked this principle and took the general evidence over all else, according to his understanding, even Spain will continue to be Dar ul Islam. On this matter, ibn Hajar was incorrect in his ijtihaad.

## MARIDIN

Another doubt raised by the fake salafis is the example of where kuffar are in power while the state was still Dar ul Islam, where they took over but not completely. For example when the Tatars entered Al Sham, they took over and they said to the people that they will not change the rules from Islam, he allowed the same governors and judges to be in place. This is the situation similar to Maridin. They let the Muslims continue to implement their Islam, but their leader Genghis Khan with their people ruled alongside that, their own law Al Yaasiq.

Some fuqaha said that that is still Dar ul Islam. That is reported by some of the great scholars at that time, they said that the power was in the hands of the kuffar but sovereignty was still for Allah.

Genghis Khan was not able to change the law only because the Muslims would resist and they still had some power and strength, so his interests were not to change any of governors or judges or even the heads of the armies, they were in a situation that they were both between each other and both were avoiding confrontation with each other, the Muslims had strength to fight but not to defeat the Tatars. Ibn Kathir said,

“Despite the fact that the kuffar could not take full control because the Muslims still had some power, ... this dar is dar ul Islam even if the sultan was kafir, this is like when the khalifah becomes apostate.” [Bidayah wal Nihayah v14 ch1]

If the khalifah becomes apostate, it does not necessarily mean that the dar becomes dar ul kufr, we rise against the khalifah because of his kufr boah. However the fake ‘salafis’ use this to cause confusion about calling the Muslim lands dar ul Kufr and in particular Saudi Arabia.

We can conclude that if the Islamic rules continue to be dominant, even though the kuffar take control of the land and the Muslims have been given permission to rule by Islam – then that is called Dar ul Kufr.

But If the kuffar enter Dar ul Islam and the Muslims still have power to implement Islam and the kuffar do not dare to confront them, that is Dar ul Islam even if the Muslims are unable to confront the

kuffar either.

But there are no countries today that is in this situation, Saudi Arabia is Dar ul Kufr because the kufr law is dominant, because of their arbitration to taghout and its implementation of the judgement of the taghout, it became dar ul kufr by giving themselves the attribute of Allah to legislate, to permit what Allah forbade and forbidding what He (swt) permits, by allying with the kuffar against Muslims and many other kufriyaat.

When Andalus was first occupied by the crusaders, it is reported that Imam Ja'far wrote a naseeha to the people of Islam p101-102, in it he said,

“The condition of the agreement of the surrender of the Muslims to the kuffar, after the Muslims have suffered a siege and great difficulties, and the people of Andalus have entered to the lands to rule under certain conditions, they are about 55 conditions, to give the security to the young and elderly and the women, ... to keep the shari'ah and the rule of Shari'ah and the masajid, ... when they agreed to that, Allah destroyed them.”

That was dar ul kufr, because the pillar of dar ul Islam is that the authority must be in the hands of the Muslims, when that was missing from Andalus, that is when we lost it to the kuffar and dar ul Islam in Andalus became Dar ul Kufr.

They refer to the issue of Maridin, and the saying of ibn Taymiyyah that it was ‘dar ul muraqqabah’. However we understand that Maridin was not fully taken over by the kuffar, the Muslims still had some control.

## **THE OPINION OF AL ‘AZARIQAH**

The ‘azariqah, the sect of the Khawaarij are those who believe that the people in dar ul kufr are all kuffar, if they themselves are living in dar ul kufr, they will leave at maghrib time and camp outside, returning in the morning to raid, kill and steal from those who they claim are kuffar. This is refuted by the ayah,

“O you who believe, when you go to jihad verify, do not say to the one who says to you, ‘Assalamu ‘Alaikum’ that ‘you are not mu'min’, are you seeking only the money?” [EMQ 4: 94]

So you cannot call everybody kafir, the Muslims in the Muslim land are not considered to be kafir just because they are in dar ul kufr.

The Tawagheet abuse this opinion of the Khawaarij and attribute it to all people who claim that Saudi Arabia is Dar ul kufr, attributing to them that they are calling all the Muslims in that land to be kuffar. The prophet (saw) said,

“Your blood and your wealth and your honour have sanctity like the sanctity of this month, in this most sacred day in the most sacred city...”

That month was the month of Hajj, the day the day of Arafah, and the city Makkah, and these three (blood, wealth and honour) are called the sanctity of the Muslims, if anyone comes to attack or to take it from you without your permission, you will fight to defend it. Allah's sanctity is his sovereignty, his commands, his names and attributes, when people violate the sanctity of Allah by legislating besides him, why do the people not rise to defend it? Our Aqeedah does not save us from ignoring this violation, we must speak out against the Tawagheet, our deen is in our hearts, sayings and actions not just in our hearts, and we cannot make irja'. The prophet (saw) also said,

“The blood of a Muslim is not halal except in three, if he commits adultery, a life for a life (the murderer of another Muslim) and the one who negates his deen (the Murtad) and leaves the jama’ah (i.e. jama’at ul Muslimeen).”

Jama’at ul Muslimeen is when there is khalifah with bay’ah implementing the shari’ah, a jama’ah who intends to do so in the future, that is called jama’ah Islamiyyah. We should not confuse the Imam of the believers and the amir of a jama’ah. Imamatul deen is Muhammad (saw), imamatul salah is the leader of the salah, the Imam of the Muslims is the khalifah who looks after the affairs of the ummah and is responsible for them all.

The prophet (saw) made it clear that it is forbidden to take the blood, wealth or honour of another Muslim, his saying that it is forbidden ‘amongst you’ means that the relationship regarding the sanctity is not the same between the Muslims and the kuffar. Abdullah ibn Umar narrated:

“A Muslims will always be free in the fold of Islam, unless he attacks the blood that Islam forbids. One of the greatest crises (traps) that could be faced by anyone is spilling the blood, which has sanctity without a permit.” [Bukhari]

So we know that the blood of the Muslim for another Muslim is haram, Maimun bin Siya asked Anas bin Maalik,

“O Abu Hamza, what forbids the blood of a servant and his wealth?” he said, “the one who testifies that laa ilaaha illallah and faces our Qiblah and prays our salah and eats our slaughtered meat he is a Muslim.” [Bukhari]

This means that the one who is Muslim believing and declaring the shahadah in full, (even though Anas bin Maalik did not mention the second part of the shahadah here, it does not mean that it is not included) has secured his life and wealth from being harmed, after that it is forbidden to take it from him. Qadi Iyaad in Kitab ul shifa’ said,

“To violate the blood of those Muwahideen who pray, that is a grave danger, and to make a mistake and leave 1000 kuffar is better than to make a mistake and violating even one cup (he mentioned the cup used in hujama) of (dirty) blood of a single Muslim.” [Kitab ul Shifa’ v2 p277]

The only ones, who claim that the people in dar ul kufr are kafir, are the Khawaarij or the one who is trying to fool the Muslims and turn them against the du’aat.

Al Riddah Al Mughalaza (the greatest apostasy) is like the leaders who rule by kufr and fight against the Muslims, even if he repents he will be killed. This has important implication as we will kill him and take his life and his property.

Al Riddah Ghair Mughalaza is the lesser apostasy, if he repents, his life and wealth will become haram for the Muslims, e.g. the one who denies the salah. Ibn Qudama Al Maqdisi said,

“The wealth of the Murtad will not go just because he became an apostate, provided it is not the big apostasy, if he repents he will have his property returned to him, if he dies without to repent, his property will not be returned to him, his family will not inherit nor grieve (i.e. have any iddah) after him.” [Al Mughni V9 p20]

The Tawagheet have released statements against people like Sheikh Abu Qatada, and Sheikh Abu Muhammad Al Maqdisi that he claims that the people of Saudi Arabia are kafir because he says that it is Dar ul Kufr, they use this to call him and others like him Khawaarij. However Sheikh Abu Qatada

(Omar Mahmoud) wrote clearly in his book, Al Jihad wal Ijtihad, p48.

“When we say that the domain is dar ul kufr or dar ul Riddah, that does not mean at all that we are judging the people living there, we do not say what some Khawaarij say who say that if the leaders become kafir all the people become kafir, may Allah protect us from this misguidance.”

Abu Muhammad Al Maqdisi spoke about one of the mistakes of the takfeer of the exaggerating people, that

“They believe that the original stance of people is kufr, and when we say that a dar is dar ul kufr, it is not at all mean as some people think that all the people are kafir.” [30 warning against the ghulaat p107]

The Tawagheet try to attribute this opinion to the ulema and the du'aat and to Sayyid Qutb, By Allah, to lie is not the attribute of Ahl Al Sunnah wal Jama'ah, nor an attribute of ahl al Qiblah, but we never saw people lie like those Jaamis and Madkhalis nor like those raafidhah and Habashis.

So what exactly is this opinion of the Khawaarij? Abu Hasan Al Ash'ari spoke about the Baihasiyyah and the 'Awfiyyah – sects of the Khawaarij who believed that if the imam becomes apostate, then the general people become kafir with him, whether present or absent. It is claimed by them that because the people of Musailamah Kazzab became kafir when he claimed to be a nabi, then in the same way the people of a dar will become kafir if the imam becomes kafir.

This however is not the case, Musailamah claimed to be a nabi, his people believed in him and that is why they were kuffar not because Musailamah became kafir. Khalid bin Waleed considered mujaa'a to be kafir because he did not speak out against Musailamah though he was strong and claimed not to believe in Musailamah. His kufr was that he did not reject Musailamah as taghout.

The same way that Aswad Al Ansi claimed to be a nabi and the people declared belief in him and so became kafir, except for those who claimed that they only made tuqiya but did not believe in him. [ibn Kathir Bidayah Wal Nihaayah v6]

Anyone who followed Aswad became kafir, and anyone who only made tuqiya and did not believe in him was not kafir, Aswad Al Ansi was a leader of Yemen for four months before he became apostate, The prophet (saw) sent people and they killed Aswad Al Ansi and he (saw) consented for those people who said that they were under duress and made tuqiyah, even though they did not leave that dar ul Riddah (Sana'a), and among them was a great muhaddith. So we understand that people who are living in Dar ul Riddah do not automatically become apostate with the Imam, even in the case of Aswad Al Ansi, there were people living there who did not become kafir with the consent of the messenger Muhammad (saw) and those who became murtadeen apostasised only because they believed in Aswad Al Ansi as a prophet after Muhammad (saw).

## **DAR UL KUFR**

### **DAR UL KUFR HAS DIVISIONS**

Dar ul kufr is three types,

A. Dar ul Kufr Asslie Originally dar ul kufr

Those countries that were never Dar ul Islam, e.g. UK, USA, Japan etc

## B. Dar ul Kufr Taari Previously was Dar ul Islam

Taari – means it is an emergency situation, it is temporarily under the hands of the kuffar, Land which was once under the Islamic state and was then occupied by the kuffar, e.g. Philippines, Spain, India etc

## C. Dar ul Riddah Domain of Apostasy

This is part of the second division but is different, this also used to be Dar ul Islam but was never taken over by the kuffar, and rather the leader became kafir Murtad. E.g. ALL the Muslim lands, Saudi Arabia, Egypt, Palestine etc today. The only solution for this dar is munabaza bil saif, to remove him by the sword.

## **IN RELATION TO DAR UL ISLAM**

Dar ul kufr in relation to Dar ul Islam, has only two realities:

### A. Dar ul Harb Land of war

This is the state that the Islamic state is fighting war with and is engaged in Jihad with that state to conquer it. It is when the Islamic state rejects to have covenant with the state, or the state refuses to have covenant with us.

There is a difference between the land of jihad and dar ul harb, dar ul harb is only in Dar ul Kufr Asslie, but the occupied lands are the land of fighting but not Dar ul Harb.

### B. Dar ul A'hed (or Dar ul Suluh) Land of covenant

This is the state that has treaty with the Islamic state, and we would have agreements with them to debate and call for Islam, to give them da'wah to eventually change the law and order to Islam.

There is covenant of security between Dar ul kufr asslie and Dar ul Islam, we do not have covenant with Dar ul Kufr taari, or Dar ul Riddah, only with Dar ul kufr asslie. This is for a maximum of 10 years, Imam Shafi'i said, "if the Muslims are weak, we can negotiate for up to 10 years cease fire, but if the Muslims are strong we can negotiate up to 4 months."

## **DAR UL HARB HUKMAN**

We can refer to these divisions of Dar ul Kufr Asslie by two other names, both are known as dar ul harb, one is dar ul harb when there is a covenant between them and Dar ul Islam, this is Dar ul Harb Hukman – by the ruling but there is no fighting because there is covenant. The land where there is fighting as well is called Dar ul Harb Hukman Wa Fi'lan.

## **DAR UL HARB HUKMAN**

Dar ul Ah'ed is still Dar ul Harb, because the covenant is always temporary and will be conquered in the future if they have not already given up the land to the Islamic state. But this is dar ul harb hukman but not fi'lan, because you cannot actually fight them there because you are bound by the covenant.

Dar ul A'hed has evidences, the treaty between the Messenger (saw) and Dar ul Kufr at that time Quraish was called the sulh ul Hudaibiyah, the treaty was made for 10 years but was betrayed by the Quraish and so it became dar ul harb hukman wa fi'lan and was conquered.

When Dar ul Islam is declared the entire world becomes Dar ul Harb, and after that you create covenants with the kuffar; this form of covenant MUST be a temporary cease fire and must have a limited time period, and we stick to our word, because Allah (swt) made it binding on us, and made us people of our word. Allah (swt) said, "and fight in order there to be no shirk, in order for the deen to be all for Allah (swt)" [EMQ Muhammad 47: 35]

If the jihad is stopped by a permanent treaty, this ayah is not fulfilled, because the fighting must continue forever until all the deen is for Allah (swt) – i.e. Islam. Furthermore, if you do not continue the foreign policy of Islam, you will not fulfil the duty of the Messenger (saw) to spread his da'wah all over the earth. In the time of 'Isa (as) when he comes will tell all the Christians that he is Abdullah, then those who follow him will become Ahl Al Imaan, and the rest will go with the jews who are waiting for the antichrist – Isa ibn Dawood, Al Maseeh Al Dajjal, at that time there will be no-one in Dar ul Islam except Muslims, and there will be only one dar.

we can have cease fire with the occupiers of the Muslim lands, however not with people who do not want to have a cease fire, if he accepts that he is an occupier and has no right to stay, and accepts to have a cease fire to pick up their mess and leave, then you can have a cease fire for up to 4 months if we are stronger than them. Israel does not meet these conditions nor even respect any right of the Muslims in the region. Some fuqaha do not believe in cease fire with any occupier. However, any occupier like Israel that is established in the region can never have ceasefire.

## **DAR UL HARB HUKMAN WAL FI'LAN**

This is Dar ul Harb that has no covenant between it and the Islamic state, it is the land of war and we fight in it.

## **TYPES OF DAR UL KUFR IN RELATION TO THE SECURITY OF MUSLIMS**

This can be either:

### **A. Dar ul Amin**

Abyssinia was an example of Dar ul amin, (we do not use dar ul amaan, because that is Dar ul Islam), in Abyssinia the Muslims were secure and safe when they went there, where there is covenant of security.

### **B. Dar ul Fitnah**

This is the domain where there is no security, when there is fighting everywhere, civil war etc. This can be applied to Makkah before Islam had power, and could apply to the western countries if they start to attack and arrest Muslims.

Dar ul fitnah is where there is no security for the Muslims for their life. This is where there is no covenant, there is no sanctity for the life and wealth of anyone, and they are halal for the Muslims.

Lebanon during the war was dar ul fitnah, Afghanistan was dar ul fitnah before the Taliban took power, Indonesia, Nigeria are dar ul fitnah, these countries have places where the majority are

Christians and the Muslims face persecution there, for them it is dar ul fitnah.

## **TRANSFORMATION OF DAR UL ISLAM & DAR UL KUFR**

What makes Dar ul Islam become dar ul kufr? and what makes dar ul kufr become dar ul islam the way Yathrib became dar ul Islam? The way Makkah became dar ul Islam after fateh Makkah, like when Abyssinia transferred from darul kufr to dar ul islam.

When we speak about the domain of Islam or kufr, we are speaking about the law and order and about who has the authority and power. This domain is always subjective to whoever takes the power and authority and whatever law and order is prevalent. It is not rigid such that it will stay as it is forever.

Andalus was a further example of a changing from dar ul kufr to dar ul islam and then back to dar ul kufr.

## **CAN DAR UL ISLAM BECOME DAR UL KUFR?**

This is a very serious matter and based on this matter will be many other views. The question rises among the ummah: Can the domain of Islam ever become dar ul kufr? What has been said about it by the fuqaha? What about the Principle “al islamu ya’lu wa laa yu’la alaih”? because of this principle some fuqaha reject the idea that Dar ul Islam can become dar ul kufr.

There are four scenarios of Dar ul Islam transforming to Dar ul Kufr:

If the kuffar occupy the domain of Islam and implement their kufr law. E.g. Andalus

If the people of that land become apostate and kufr bouah rises E.g. Musailamah Kazzab

When a group of people have power and they rule a certain Muslim land by force by their kufr law i.e. Dar ul Riddah E.g. the Muslim world today.

If ahl al zimmah rise from within the Islamic state and take power by force and implement their kufr e.g. Hind, Lebanon.

“If Ahl al Zimmah betray the covenant and take control of their homeland it becomes Dar ul Harb with agreement.” [Fattawa Al Hind V2 p205]

Some fuqaha have different views with regards to the transformation of Dar ul Islam to Dar ul Kufr.

According to the jumhur of the scholars of Ahl Al Sunnah wal Jama’ah and the Hanafi Scholars, Imam Abu Hanifah and all of his students:

“Dar ul Islam will become Dar ul Kufr if the ahkaam of the kuffar becomes dominant.”

The three conditions of Dar ul Islam becoming Dar ul Kufr according to Abu Hanifah are as follows:

(i) to be kufr law dominant

(ii) to be no treaty with a bordering country

(iii) if no Muslims remain there at all.

The fuqaha of the Ahnaf differ whether any one of those conditions will make Dar ul Islam transform to Dar ul Kufr, or if it must be all of them together.

Imam Kasaani (hanafi) said:

“They differ about Dar ul Islam about how it becomes Dar ul Kufr, Imam Abu Hanifah said, “dar ul islam will never become dar ul kufr except by three conditions, (i) if the kufr law is dominant (ii) if there is a border with Dar ul Kufr without any treaty (iii) if the Muslimeen and the Dhimmi are under the original security (i.e. kuffar take authority).” [Badaa’I’ Al Samaa’I’ v7 p131]

“Kufr law to prevail” does not mean for all the kufr laws to be dominant, it is if any single law of kufr becomes prevalent.

“If there is a border with Dar ul Kufr without any treaty” is because it is not acceptable for Dar ul Islam to have a frontier with Dar ul Kufr except to have a treaty or to have conquest of that land.

“If the Muslimeen and the Dhimmi are under the original security” is regarding to the security being in the hands of the Muslims or the kuffar.

Imam Muhammad Al Shaybaani said,

“Dar ul Islam becomes Dar ul kufr for Abu Hanifah by three conditions, (i) if the kufr law is dominant (ii) if there is a border with Dar ul Kufr without any treaty (iii) if the Muslimeen and the Dhimmi are under the original security; however we differ with our Imam, if the kufr prevails it becomes Dar ul Kufr.” [Fattawa Al Hindiyyah p232]

Imam Sirkhasee mentioned the same in Al Mabsous v10 p114

The Students of Abu Hanifah believed it is enough for the kufr law to become dominant for the state to become Dar ul Kufr. Qadi Abu Yusuf and Imam Shaybaani said,

“We say dar ul Islam and dar ul kufr, we do not say Dar ul Muslimeen nor dar ul kafiireen, we associate the dar to the sovereignty not to the people, ...”

In the UK, people cannot claim that their allegiance to the queen is of authority only and not sovereignty because the Prime Minister is in authority in the UK and the queen claims sovereignty, and any allegiance of sovereignty to other than Allah is kufr Akbar and will take you out of the fold of Islam.

Imam Abu Yusuf said,

“Dar ul Islam becomes Dar ul Kufr if the kufr law becomes dominant.” [Badaa’I’ Al Samaa’I’ v7 p131]

## **CONSTANTINOPLE**

Moreover, Constantinople was opened by the Muslims that is known. But is that conquering the same conquering that was prophesied by the Prophet (saw)? It is not so, Muhammad Al Fateh opened it, that is true but the Constantinople is of two parts, half is in the sea and half on the land.

There are Ahadith that there are certain other signs that must accompany the conquering of Constantinople but these did not occur with Muhammad Al Fateh. We will rise again in the future and conquer Constantinople as in the hadith, the way we will fulfill his (saw) other unfulfilled prophecies

like the conquest of the White house.

In 857H, Muhammad Al Fateh opened Constantinople and it became Islambul, he removed the romans who occupied it at the time, however it is now again under kufr law, the prophet (saw) informed us that we will conquer Istanbul and it will remain in our hands until the dajjal comes.

The prophesised conquest was linked to five signs that were not present in the conquest of Muhammad Al Fateh. It is narrated from Abu Huraira that the prophet (saw) said,

“The hour will never come until the Muslims enter a’mar and dabiq (two places in Al Sham and Aleppo), the army will rise from Madinah and they will be the best people at that time, when they clash they (the kuffar of a’mar and dabiq) will say to the Muslims, ‘stand aside, and let us fight those who took our property ....’ The Muslims will say, “we will never leave you, fight them and you will kill them.” They will fight and kill a third of them and Allah will never forgive any one of them, and then another third from whom Allah will accept some of them shaheed, and the best of the shaheed in the eyes of Allah will be will the last third, they will conquer them and never be defeated, they will conquer Constantinople and while they are dividing the ghanima they hang their swords on the tree and the shaytan will say ‘jesus has risen among your people“ and they will go there and he will be the false messiah. When they go to Al Sham, he will rise and when they prepare the lines to fight the adhan will rise and the real Jesus will come down and lead the salah. When the Dajjal sees him he will melt like the salt and if he did not leave him he would have melted until Allah destroyed him, but Allah will let Isa kill him ...” [Muslim]

Abu Huraira narrated that the prophet (saw) said,

“I heard of a city that half of it is in the land and half in the sea” they said, “that is true, O Messenger of Allah” he (saw) said, “the hour will not come until 70,000 of the children of Ishaq will come and conquer it, they will never conquer with swords, they will shout ‘laa ilaaha illallah’ and ‘Allahu Akbar’ and half of the city will be conquered.” [Muslim]

Imam Thawr ibn Ahmed said,

“The half taken by them is the half that is in the sea, they will say ‘laa ilaaha illallah wallahu Akbar’ and they will go to the other half and conquer it without fighting.”

Constantinople is an example of Dar ul Kufr transforming into Dar ul Islam and is now again Dar ul Kufr and the hadith of Muhammad (saw) prophecises that we will conquer it again.

Imam Nawawi said,

“With the first takbeer, half of Constantinople will be conquered, that part is that of the sea and then they will say ‘laa ilaaha illallah’ and they will open it all and enter to gather the ghanima, as they are gathering the ghanima people will come and say that isa has risen.” [Imam Nawawi in Sharh Muslim v18 p43-44]

The only difference among the fuqaha is that some say that those who rise will be sons of Ishaq (as) and others say sons of Ismaeel (as).

Imam Tirmizi said,

“Conquering Constantinople is with the big sign of the hour, Constantinople is the city of the romans that the Muslims will conquer while the dajjal is rising.”

Part of Constantinople was conquered in the time of Mu'awiyah and the other in the time of Muhammad Al Fateh, but that is not the prophecised conquest, it is a conquest like any other. Ibn Kathir said,

“indeed it has been conquered in the time of Mu'awiyah, he sent among them many sahabi, among them was Abu Ayyub Al Ansari, however they did not conquer it, ... in the time of Abdul Malik bin Marwan, he agreed not to enter but to implement the law of Islam and to build masjid there.”

Ibn Taymiyyah said,

“The Muslims conquered Constantinople twice, first in the time of Mu'awiyah with Abu Ayub al Ansari and after that battle Abu Ayyub was buried.” [Majmou' Al Fattawa v18]

Abdullah ibn Umar narrated that

“The Messenger said, “the first army that conquers Constantinople will be forgiven.”

That is the conquest by Mu'awiyah (ra) and among that army was Yazeed ibn Mu'awiyah, so how dare some people insult Yazeed when Allah has forgiven that army?

The second conquest of Constantinople was the one of Abdul Malik ibn Marwan who appointed his son Maslamah and sent an expedition for Constantinople, they did not enter but agreed to build the aghia Sophia Masjid (now a museum) and to rule over it by Islam. After that Muhammad Al Fateh opened it completely.

Moreoever, Ibn Taymiyyah reported in Majmou' Al Fattawa v35 p138, said,

“There has been many times when the kuffar have entered Egypt and occupied it, ...”

The best example of this is the Ubaidis, at that time they did not even let people quote hadith and they rewarded those who cursed the sahabah. They came to power and implemented kufr law, Salahuddin took back Egypt taking it back into Dar ul Islam after it had been transformed to Dar ul Kufr from Dar ul Islam.

Another example of Dar ul Islam to become Dar ul Kufr is the Muslim countries today, there is only dispute over Saudi Arabia because people are so attached to Makkah and Madina, the two sacred masjid. This is the argument of the fake 'salafis', who claim that to call Makkah dar ul kufr is an insult to the house of Allah.

We agree that the kuffar have entered into the Muslim lands and occupied and destroyed the Islamic State, that all the rest of the muslim land has become dar ul kufr, but it is about time that people accept what is the haq, that Saudi Arabia and every other Muslim country in the world today is Dar ul Kufr and the leaders of all of those countries are kuffar murtaddeen.

## **DAR UL MURAQQABA**

Ibn Taymiyyah answered a question in Al Fattawa v3 p533 about a city called Maridin, (in south-east Turkey closest to Syria), it was a place that was under Islamic rule, but after that became mixed between the shari'ah and their own laws of Yasiq, "is maridin dar ul Islam or not? Are they obliged to make hijrah to Dar ul Islam or not? If it is obligatory to make hijrah, and he helps the enemy against the Muslims, is he sinful or allied with the kuffar?" he said,

"after, Alhamdulillah, the blood and wealth of the Muslims is haram wherever they are, in maridin or outside maridin, and to help those who rebel against the shari'ah is haram, whether they are kharij, whether people of maridin or not, if you help them it is haram, the one who is resident in Maridin and is unable to fulfil the obligations of his deen, he is obliged to make hijrah, if he is not able to fulfil his deen, it becomes recommended if he has no capability, and their help to the enemy is haram upon them and they should stop that (I.e. not tawallie) whether by keeping absence from their factories, and if there is no way for him except hijrah, hijrah becomes fard 'ayn upon him, to call them Munafiq is haram, to call them fasiq is only for those who fit that description, ... to call Maridin Dar ul Islam or Dar ul Kufr is mixed between two, it has the meaning of dar ul Islam and the meaning of dar ul kufr, it is not fully like Dar ul Silm, because it's army is Muslim and not like Dar ul Harb whose people are kuffar, it is another division, will treat the Muslims by what he is eligible, and we will fight against those who rebel against he shari'ah according to what he is eligible."

Maridin, was taken by the kuffar, their army was not people, their people were mixed between Muslims and kuffar, so therefore Maridin was Dar ul Harb, which was the opinion of those ulema that opposed ibn Taymiyyah and is the strongest opinion without doubt.

But this fatwa of ibn Taymiyyah caused a lot of problems after him, and his ijtihaad in this fatwa was wrong, there is evidence against what he said, and his opinion is not supported by evidence and conflicts with other fattawa of ibn Taymiyyah. This is why there is doubt in attributing this saying to ibn Taymiyyah.

There is ijma' of the ulema of the salaf, and Imam Shafi'i said,

"The dar are two, there is no third,"

Imam Abu Hanifah said,

"the dar is two dar, dar ul Islam and Dar ul Kufr, there is no other." And "there is ijma among all the ulema"

The salafiyyatul khalaf say that they follow Al Da'wah Najdiyyah, the scholars of Najd, Al Durrar Al Saniyyah fil Ajma' Al Najdiyyah, Imam Qahtani Al Najdi said,

"the country which people judge it as kufr, ibn Muflih said in Adab Al Shar'iyyah v1 p190, "any dar that the dominant is laws related to the Muslims is dar ul Islam, and where the kufr law is dominant it is Dar ul Kufr, and there is no other dar," and Sheikh Taqi uddeen ibn Ahmed (ibn Taymiyyah) was asked about Maridin, he said, "Dar ul Muraqqaba, it is not dar ul Islam nor Dar ul Harb..." what is correct here is what the majority of ulema said, and imam Ahmed and his student, and the mistake was of ibn Taymiyyah, the ulema before him said, "there is only two dar, no third."

Sulayman ibn Sahmaan believed that the mistake was because Maridin was not dominated by kufr, but was in the middle of fighting and was only partially occupied.

Furthermore, ibn Taymiyyah later when he met them, he gave fattawa to kill them as apostate even if they are praying.

[Muwalaat wal mu'adaat v2 p522]

If we want to refer to qawol Al Salaf, the best is to refer to the Sahabah, we do not need to refer to anyone else, the fatwa of ibn Taymiyyah was a fatwa specific to that crisis situation not a general hukm that we want to take hukm from it, we take the hukm from the Qur'an and Sunnah with the understanding of the Sahabah.

His fatwa was his opinion at a particular time about a particular situation that we do not understand or know about, but we take hukm Shari'i from the Qur'an and Sunnah. Furthermore, ibn Taymiyyah has another fatwa, that casts doubt over the authenticity of this reference, on Egypt at the time of ubaidiyeen, who used to call themselves Al Kaatimi Khilafah, they became known as dar ul riddah, because they were zindeeq Murtad despite having, fasting, salah, judges for 250 years" [Al Fattawa V13 p178]

The jumhur of the ulema agreed that the majority of people were Muslims and the minority of ubaidis were in power. Despite the fact that the ubaidis took over without permission, nobody called it Dar ul Islam nor Dar ul Muraqqaba, they (including ibn Taymiyyah) called it Dar ul Riddah. [Ibn Kathir in Al Bidayah wal Nihayah]

Salahuddin Ayyubi fought against the Ubaidis and Faatimis before going to Palestine, he united the Ummah first before fighting the Crusaders, and after 90 years of occupation, he threw them out of Palestine though the Muslims were fewer in number than the crusaders.

Ibn Taymiyyah said, "the army of the Ubaidis were everywhere, However Salahuddin entered with his army and conquered it, and he declared the shari'ah there, and from that day the only people who was dominant , ..they were dar ul riddah because of their zandaqah, bid'ah, and because their rules were dominant in Egypt, and the nur of Islam was extinguished until the ulemah called it dar ul riddah, and because they had someone like musailamah kazzab. "

They claimed that the governor was infallible and spoke to Fatima (ra).

Sheikh Muhammad ibn Abdul Wahhab said,

"If we are going to count how many people that the ulemah of Islam called them kafir though they claimed to be Muslims, and they called them apostate, there were many and we would not finished the list, and they called them to fight them, and the best example was the kings of Ubaid, they claimed to be from ahl al bait, they used to pray jumu'ah, and have masjids and judges and the ulemah have consensus to call them kafir and apostate and to fight them and their state is dar ul harb, even if the people of Egypt say they hated them and were under duress." ibn muflih was the one who said, "Any dar that the dominant is laws related to the Muslims is dar ul Islam, and where the kufr law is dominant it is Dar ul Kufr, and there is no other dar," [Majmou' Al Shakhsiyyah p222]

Maridin was worse that as it did not have any Islamic rules at all, it was without doubt Dar ul Kufr, it cannot have been Dar ul Muraqqabah, unless he was just describing the people not the ruling of the state.