210595 - Her husband denounced her as a disbeliever because she will not denounce people as disbelievers

the question

I am married with five children. After twenty years of marriage, my husband made accusations against me with regard to my religious commitment. He said: you must denounce the disbeliever as such after he shows his disbelief. I said: I will not denounce anyone as a disbeliever until after I have proof and there are no impediments to doing so; I have to know what is intended by his actions or words. He said: You are a Murji'ah (one who does not believe that there is a connection between faith and deeds); you say that the action is disbelief but the one who does it is not a disbeliever. He does not make any allowances for anyone who may be ignorant, and he thinks that all the people nowadays are disbelievers, because they do not denounce Taghoot (rulers who do not implement sharee'ah) as disbelievers. But I say: Anyone who outwardly appears to be Muslim is a Muslim, and his true state is for Allah to judge. But my husband says that I must denounce my parents as disbelievers. If anyone comes to propose marriage to my daughter, my husband discusses this idea to him and if he does not accept it, he turns him away.

What is the solution? He has denied all my rights. I said to him: In my view you are a Muslim, and I treat you as a Muslim husband, because I fear Allah, but if you deem me to be a disbeliever, then that is your decision. How should I deal with him?

Please advise me on the basis of your knowledge. Please note that I live in Europe, and I do not have any family or any other country to which I may go.

Detailed answer

Praise be to Allah.

There is a great lesson for us and for all those who read your question, which is so that we may

see how specious arguments may lead a person to damage his worldly and religious affairs, divert him from the right path, cause him to deny the rights that others have over him, and cause him to lose the closest of people to him, namely his wife and children. All of that is because of ignorance, which is the worst enemy of man.

We will start with the personal aspects of your question, which is the fact that your husband's belief that you are a disbeliever does not in fact have any effect on the marriage contract, so long as he has not uttered the word of divorce. That is because his notion of regarding you as a disbeliever, which he has come to believe strongly, is flawed and does not count for anything. No scholar ever said such a thing and no shar'i ruling can be based on it.

The reason for your husband's confusion is his mistaken understanding of the principle that "whoever does not regard a disbeliever as such is himself a disbeliever," which was quoted by Shaykh Muhammad ibn 'Abd al-Wahhaab (may Allah have mercy on him) in Nawaaqid al-Islam, where he said: … The one who does not denounce the mushrikeen (polytheists) as disbelievers, or who has doubts as to whether they are disbelievers, or who regards their view as sound, is himself a disbeliever.

This principle is speaking about two groups of people:

The first group is those who are originally disbelievers and polytheists, such as the idol worshippers, Jews, Christians and those whom Allah has called disbelievers in the Holy Qur'an, such as Pharaoh and Abu Lahab. With regard to these people, whoever does not regard them as disbelievers is himself a disbeliever.

The second group is those who definitively fall into apostasy, according to scholarly consensus, with regard to matters that are part of Islam that no Muslim has any excuse for not knowing, such as one who denies the resurrection, or rejects a verse of the Book of Allah, and other kinds of blatant apostasy about which there can be no confusion and there is no difference of opinion concerning them. These people too must be denounced as disbelievers. Anyone who becomes aware of such people and their situation, and proof is established for him with regard to the issue

by the scholars and fuqaha', but he insists that they are not disbelievers, is himself a disbeliever.

This is a matter on which the scholars were unanimously agreed, as was narrated by al-Qaadi 'Iyaad (may Allah have mercy on him), who said:

There is scholarly consensus on the fact that the one who does not regard any of the Jews and Christians, or anyone who abandons the religion of the Muslims, as disbelievers, or who refrains or hesitates to describe them as disbelievers, is himself a disbeliever.

End quote from ash-Shifa (2/281)

Shaykh al-Islam mentioned some of the baatini (esoteric) sects which are definitively proven to be disbelievers, as he said:

The views of these groups are worse than the views of the Christians, and contain contradictions similar to those in the views of the Christians. Therefore sometimes they speak of divine incarnation, and sometimes of the oneness of all that exists. So it is a view that is self-contradictory. Therefore they confuse the one who does not understand it, and all of this is disbelief, inside and out, according to the consensus of every Muslim. Whoever doubts that these people are disbelievers after coming to know their views and coming to know the religion of Islam, is himself a disbeliever, like the one who doubts that the Jews, Christians and polytheists are disbelievers.

End quote from Majmoo' al-Fataawa (2/368)

With regard to issues concerning which there is controversy as to whether they constitute disbelief, or where the matter is not clear to ordinary people (non-scholars), or issues that are not quite clear, or concerning which it is assumed that there is consensus but it is not definitive, or concerning which there is a difference of opinion as to whether the ruling on apostasy may be applied to a particular individual – with regard to all these issues, it is not permissible to regard as a disbeliever one who does not have a clear view on this issue, or who has a different view, because in principle the issue of takfeer in these cases is subject to ijtihaad and different views. So

it is more appropriate that the one who has a different view on takfeer in such cases is to be excused. How could it be said of such a person that he is to be deemed a disbeliever, or even be regarded as a follower of innovation or misguided? These issues do not come under the heading of "the one who does not regard a disbeliever as such is himself a disbeliever" at all, according to what was explained above. Rather the clear, well-established principle is that certainty cannot be undermined by doubt. Based on the former, sound principle, anyone who claims to be Muslim and shows it (in words and deeds), and is content with Islam, is to be regarded as a Muslim, and no one is to be deemed an apostate unless it is proven in a definitive manner, not on the basis of mere doubts or misinterpretation (of his actions).

At the time of Shaykh 'Abd al-Lateef ibn 'Abd ar-Rahmaan ibn Hasan – one of the leaders of the Najdi da'wah and one of the grandsons of Shaykh Muhammad ibn 'Abd al-Wahhaab – some extremists went too far in takfeer (denouncing people as disbelievers) because of their misunderstanding of this principle. So he wrote to them, denouncing them and saying:

"In the year sixty-four, I came to know about two deviant men of your ilk in al-Ahsa'. They kept away from Jumu'ah and jamaa'ah (prayers in congregation) and regarded the Muslims in that land as disbelievers. Their argument was like yours; they said: The people of al-Ahsa' sit with Ibn Fayrooz and mix with him and people like him who do not regard taaghoot (rulers who do not implement sharee'ah) as disbelievers, but nobody regards as a disbeliever his grandfather, who rejected the call of Shaykh Muhammad, and he did not accept it and he opposed it.

"They said: Anyone who does not clearly state that he is a disbeliever is himself a disbeliever in Allah, because he did not reject taaghoot (rulers who do not implement sharee'ah), and whoever sits with him is like him. On the basis of these two false and misguided notions they established the rulings that are applicable in the case of blatant apostasy, to the extent that they stopped returning greetings of salaam. The matter was referred to me, so I summoned them, warned them and spoke harshly to them. First of all they claimed to be following the 'aqeedah (beliefs) of Shaykh Muhammad ibn 'Abd al-Wahhaab, and to have copies of his essays, so I discussed their specious arguments and defeated their misguided notions with whatever I was able to in my

meeting with them.

“I told them that the Shaykh had nothing to do with this belief and view, and that no one should be regarded as a disbeliever except on the basis of what all the Muslims are agreed that the one who does it is a disbeliever, such as major shirk (ascription of partners to Allah), or rejection of the revelations and Messengers of Allah, or of any of them, after proof has been established and has definitively reached them, such as denouncing as disbelievers those who worship the righteous or call upon them alongside Allah, or treat them as rivals to Him with regard to His rights over His creation of worship and devotion.

“This is what the scholars and believers, and all schools of thought, are unanimously agreed upon. They gave special attention to this issue (takfeer or denouncing people as disbelievers) when they discussed the rulings thereon and what constitutes apostasy and is regarded as such, and they discussed the issue of shirk. Ibn Hajar paid special attention to this issue in a book entitled al-I‘laam bi Qawaati‘ al-Islam. “The two Persian men mentioned expressed repentance and regret, and claimed that the truth had become clear to them both, then they left for the coast. But they went back to the same view, and we heard that they regarded the leading scholars of the Muslims as disbelievers because they send letters to the Egyptian kings. Moreover, they regard as a disbeliever anyone who mixes with any Muslim religious leader who wrote to them (the Egyptian kings). We seek refuge with Allah from misguidance after having been guided.

“We have heard similar things about you, and that you indulge in discussing similar matters that no one should discuss except scholars of great knowledge and those who are endowed with deep understanding of the revelation of Allah, those who have been granted wisdom and knowledge.

“As for denouncing people as disbelievers on the basis of these matters that you thought might render Muslims as disbelievers, this is the way of the deviant Khaarijis who rebelled against the caliph ‘Ali ibn Abi Taalib and the Sahaabah who were with him.”

End quote from ad-Durar al-Saniyyah fi’l-Ajwibah an-Najdiyyah (1/466)

The Standing Committee were asked a question in which it was said:

In our country there is the phenomenon of widespread grave worship, and at the same time there are people who defend those who do that and say that they are still Muslims and may be excused because of their ignorance, so there is nothing wrong with them marrying our daughters, and we can pray behind them, and they have all the rights that one Muslim has over another.

In their reply they said:

… It is not permissible for the people of Tawheed, who believe that grave worshippers are disbelievers, to regard as disbelievers their fellow believers in Tawheed who do not regard them (the grave-worshippers) as disbelievers unless proof is established against them, because their refraining from denouncing them as disbelievers is based on what they think of as a good reason, which is that they believe that it is essential to establish proof against those grave-worshippers before denouncing them as disbelievers. This is in contrast to those concerning whom there is no reason to doubt that they are disbelievers, such as the Jews, Christians, communists and their ilk. In the latter case, there is no reason to doubt that they are disbelievers, or to doubt that the one who does not regard them as disbelievers is himself a disbeliever. And Allah is the One Who grants success; we ask Him, may He be glorified, to set straight the affairs of the Muslims and to bless them with understanding of their religion, and to grant us and them refuge from the evils of our own selves and from our bad deeds, and from speaking about Allah, may He be glorified, and about His Messenger (blessings and peace of Allah be upon him) without knowledge, for He is able to do that.

And Allah is the source of strength. May Allah send blessings and peace upon our Prophet Muhammad and his family and companions.

Standing Committee for Academic Research and Issuing Fatwas

President: ‘Abd al-‘Azeez ibn ‘Abdullah ibn Baaz

Vice President: ‘Abd ar-Razzaaq ‘Afeefi.

End quote from Fataawa al-Lajnah ad-Daa’imah (2/150-151)

Dr. Naasir al-‘Aql (may Allah preserve him) said – when he was asked whether there was any difference between the idea that “Whoever does not regard a disbeliever as such is himself a disbeliever” and the idea that “whoever does not regard the polytheists as disbelievers is himself a disbeliever” – he said:

There is undoubtedly a difference, because most of those who speak of the one who does not regard the disbeliever as such are referring to one who is a disbeliever according to their own judgement, whilst others may differ with them concerning their judgement.

As for those who do not regard the polytheist as a disbeliever, this is an issue that is undoubtedly clear, because the polytheists are undoubtedly disbelievers, as are the hypocrites whose hypocrisy Allah made known, although we cannot know who exactly is a hypocrite. This also applies to the Jews and Christians, and everyone who does not bear witness that there is no god but Allah and that Muhammad is the Messenger of Allah – he is a disbeliever and whoever does not describe him as such is in principle also a disbeliever, but this matter requires the regular procedure to establish what exactly he is saying and what he knows, and whether he is ignorant or not, and so on.

End quote from Sharh at-Tahhaawiyyah by Naasir al-‘Aql (67/15).

To sum up, we advise you to be patient with your husband, continue to advise him and treat him kindly, and refer him to people of knowledge and understanding, in the hope that he will give up this attitude of going to extremes in the issue of takfeer, and to give you your rights that Allah has ordained for you, and to protect himself from the danger of going to extremes and overstepping the limits.

For more information, please see no. 85102

And Allah knows best.