



The following is an approximate translation of a statement released by Hay'at al-Shām al-Islāmiyyah, the Islamic Sham Association. It is an independent body that carries out various relief and educational work which also includes a fatwa and research department to issue fatwas concerning Syrian affairs. Its members include a number of Syrian scholars and activists.

The official announcement from the Hay'at al-Shām al-Islāmiyyah of Syrian scholars on the 'Caliphate' of al-Baghdadi

All praises are due to Allāh the Lord of the worlds and there exists no enmity except towards the oppressors. May peace and blessings be upon Mohammad *salla Allāhu 'alayh wasalam* who came with clear truth and may peace and blessings be upon his family, his companions and all of those who follow him until the last day.

Trials and tribulations continue to arrive in succession, afflicting the Muslims until the Muslim Ummah is purified just as the fire removes impurities from Iron. The most recent of these trials is the declaration of a 'Khilāfah' or an Islamic Caliphate, announced by al-Baghdadi's group. This follows the countless wounds afflicted on the people of Syria; killing, Takfīr (accusations of disbelief), intended hindrance of their revolution and Jihād and breaking apart their unity.

We never thought that such a hollow and void claim would require a public statement in

response, but al-Baghdadi's group have mastered the art of public deception through magnifying their organisation in both status and number and by hijacking the victories of others. This has been exacerbated by the media, portraying the entire revolution as one led by 'ISIS' in a general attempt to discredit the sincere Mujāhidīn.

These events need to be learnt the full consciousness of every individual, and bring forth new responsibilities on scholars and analysts wherever they may be. Remaining silent or looking for excuses is no longer an option, but rather it is now incumbent upon everyone to speak the truth like never before.

The invalidity of this 'Caliphate' can be seen from a number of angles:

- 1- The declaration of the 'Caliphate' was by a dissident group that practices Takfir and sheds blood as religion in and of itself. This methodology is totally perverted from the example of the Prophet salla Allāhu 'alayh wasalam who taught the Ummah true leadership and how to establish a noble and upright Khilāfah (Khilāfah Rāshida), exemplified by his companions.
- 2- The absence of the (necessary) elements that compose a 'state', both legally and by what is understood through custom. Even if they truly had authority in the land and prevalence they would have appeared in person, thus they are closer to being a gang than a state.
3. The unilateral declaration of Khilāfah without the consultation of scholars or the Muslims in general, due to al-Baghdadi's group's belief that they are exclusively the people of Shura while others are apostates or members of 'Sahwas'. Such unilateral action totally disregards and undermines the authority of the whole Muslim nation. 'Umar radiy Allāhu 'anhu said: "Whoever gives the pledge of allegiance to a man without the consultation of the Muslims should not be given the pledge of allegiance, nor should the one who he gave it to out of deception, lest they will both be killed." [1] Ibn Hajar may Allāh mercy on him said in *Fathul-Bāri*: "this means, whoever does this, has deceived himself and his companion, subjecting both to the possibility of being killed."
4. The forcing of people to give al-Baghdadi the pledge of allegiance while it has not been given to them in the first place. They said that "due to the declaration of the Khilāfah it has become incumbent upon all Muslims to swear allegiance to it and to give victory to Ibrahim..." and that "he has become the leader and Khalīfah of Muslims everywhere"! They added, "whoever wants to cause division should be shot in the head, whoever it may be without dignity."
5. The appointment of a completely unknown 'Khalīfah' (apart from his name), not recognised by any scholar nor the masses of his own group let alone the majority of all Muslims, completely disregarding the conditions set out by the scholars that form a leader. This is a form of ridicule towards the Ummah, and is similar to the behaviour of dictatorships.

6. The overturning of al-Baghdadi's original commitment of allegiance to his leader Ayman al-Zawahiri. Previously al-Baghdadi had said: "We owe it to God that you are our governor and upon us is to listen and obey as long as we live." Al-Zawahiri had long issued an instruction to abolish ISIS in Syria. Will treachery, betrayal and failed promises be the first thing the "Khalīfah" of the Muslims gets up to?

The following are some of the countless evils, calamities and tribulations brought about on the Muslims by this illegal declaration:

1. Announcing a Caliphate in this manner demolishes the real purpose of the Caliphate which is to preserve the sanctity of Islām and govern the land by it. It furthermore distorts the image of Islām by showing that its system revolves around killing, criminality and savouring the cutting off of heads and hands.
2. Considering that the whole Ummah has committed an offence by not pledging allegiance to the unknown 'Caliph', therefore permitting that it is fought and that its blood is shed if it refuses to subdue itself. Allegiance can only be for someone who is followed by the majority of people and by whom the matters of the general public are rectified. This is what is intended by the Hadith: "Whoever dies without having given bay'ah (a pledge of allegiance) has died in a state of ignorance." [2] This bay'ah cannot be imposed by a group that does not recognise the Ummah to start with, nor does it recognise its past or present scholars.
3. Weakening the Muslims and scaling back their victories in Iraq and Syria, creating dissension between them and preoccupying them from fighting their main sectarian enemy.
4. Disabling efforts in Da'wah, education, Jihād and aid carried out by the groups and battalions that do not fall under its banner.
5. Strengthening the enemies of Islām in Muslim countries and giving them the excuse to appropriate Muslim countries all over again. The policy of these people is to support this "Caliphate" model by facilitating its expansion, easing the delivery of weapons to it and helping it to surround territories held by other fighters. Their expansion will then be used as an excuse to demolish and split apart Sunni regions, before turning against the rest of the Muslims under the guise of fighting terror and extremism.

It becomes an obligation upon everyone to stand in the face of this major violation, the first of whom should be the people of knowledge and deep insight who must take initiative in the following matters:

1. Clarifying the concept of an Islamic Caliphate and that it cannot come about except in accordance with the set, patterned Laws of Allāh concerning the nature of victory and the emergence and establishment of states. It is not merely an allegation that can be adopted by

anyone without the presence of its means or components. Outward names and proceedings are not conditions to establishing the Religion of Allāh in a state. It is furthermore impermissible for people to rush to establishing rule without its necessary constituents or to claim that leadership is exclusively to them or to their group. Historically, many liars and imposters have claimed to be prophets, Caliphs and the Mahdi.

2. Confirming the illegality of this declaration due to the aforementioned and because those who have declared it are dissident Khawārij who have divided the Ummah. It is impermissible to submit to their will and only permitted to a conquering leader who strives to protect the Muslims. This group moreover possess no authority and surrendering to them will only spill more blood. It is attributed to some of their leaders that they said regarding the noble Mujāhidīn: "Our drink is their blood and our entertainment is the removal of their limbs."

3. Clarifying the strategic damage this declaration puts the Ummah at due to the aforementioned.

4. Educating people about the actions of the Khawārij historically, their role in weakening the best of the previous generations, their hindering of Islamic expeditions, their fighting against Muslims and their abandonment of non-Muslim enemies in addition to their treachery towards their own kind.

5. Explaining the role of the Khawārij today, exemplified in al-Baghdadi's 'state' starting with their denunciation of scholars, the headship of their ignorant and in the most deviant people penetrating their ranks including some Shi'ites who have become part of their leadership. Their battles on some fronts and their war against thieves and outlaws do not legitimise them, just as the abundant Salāh and Qur'ān did not legitimise the earlier Khawārij.

Secondly, the responsibility is upon the Mujāhidīn and leaders of the revolution who have earned the trust of the people. The deliverance, after Allāh, is reliant on them, and their duty is as follows:

1. To stick firmly to the scholars, striving to constantly seek their counsel and that of experts across many disciplines. The aim should be to form a common vision and to form an action plan that deals with this calamity and its implications.

2. To give foremost priority to agreement and unity, expending all means to meet this objective and to pledge allegiance to Islām above any group or faction, dealing with others on the basis of truth and patience.

3. To be determined and resolute in removing this malicious group from Muslim lands with no hesitation to do so. Nonetheless, to balance between fighting them and fighting the main enemy, subject to circumstances. Never should something 'apparent' fool the fighting factions and never

should the effect of (unsound) ideology be neglected.

The third group is the Muslim youth whom we advise for the sake of Allāh with what follows:

1. To be patient with regards to what is happening and to ask scholars and people of knowledge about the confusing matters. Muslim youth should know that there is not a single scholar in the ranks of al-Baghdadi that the Muslim Ummah testifies to (the knowledge of). Ibn Abbās radiy Allāhu ‘anhu said to the ancestors of these people from the Khawārij, exposing their ignorance: “I came to you from amongst the companions of the Messenger of Allāh salla Allāhu ‘alayh wasalam, the Muhājirīn and the Ansār, to tell you what they say. Upon them the Qur’ān was revealed. They are more knowledgeable concerning the revelation than you and amongst you there is not a single one of them.”[3]
2. To avoid being dragged towards emotions or behind the glorification (of this group) by the media. It is now clearer than ever that ISIS uses lies and fraud while copying the Shi’ites in their Taqiyya, concealing the truth of their matters.
3. To rest assured that the Caliphate declared by ISIS is invalid since they are far away from the prophetic methodology in both form and substance. ISIS is an oppressive group, one that has transgressed from the Path of Allāh. Allāh gives the Khilāfah to those who believe and do righteous deeds. Not to those who kill the Muslims and leave others.
4. To revere the people of knowledge, to defend them and not to accuse them of being envious to al-Baghdadi’s faction, competitors of it, against the establishment of a Caliphate or subdued by dictators. All of this is slander.
5. To maintain the instructions of Allāh concerning lives, and to be patient before any resulting harm, repelling falsehood and being wary of the whispers of the Shaytān in confining the commandments of Allāh to be all about dying for His sake as opposed to living for His sake. Martyrdom is through Divine selection by Allāh, not a decision that can be taken by the individual.

Finally, our advice to all of the Muslims who compose the Ummah and are its pillars, is as follows:

1. To expose the reality of this group and its danger upon the Ummah to the layman, as much as one is able.
 2. To be careful where your charity is going. You are responsible for this and the genuine charities are well known.
 3. Your children are your responsibility “and each and every one of you is responsible for his flock.”[4] Look after them and ensure that they do not join this heretical group, thus becoming a tool in the hands of criminals which will be used to fight the Muslims.
- All praise and thanks are due to Allāh alone.

<http://www.islam21c.com/politics/the-caliphate-of-al-baghdadi-announcement-from-syrian-scholars/>

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Notes:

[1] Bukhāri

[2] Sahīh al-Jāmi' – al-Albāni

[3] Al-Hakim

[4] Bukhāri

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