

Types Of Kufr (disbelief) and kuffaar (disbelievers)2-

In this respect the messenger (peace be upon him) said:
"Whoever killed a person having a treaty with the Muslims, shall not smell the smell of Paradise though its smell is perceived from a distance of forty years."(18)

Al-Hafiz Ibn Hajar said: "...what is meant by: " a person having a treaty with the Muslims" is: whoever has a covenant with the Muslims; whether it was a jizyah (19) covenant, a truce by the Imam or an asylum by any Muslim..." (20)

These treaties and covenants have certain conditions and nullifiers which are mentioned in the fiqh books; such as: "Ahkamu Ahluth-thimmah" of Ibn Al-qayyim (may Allah have mercy upon him).

The Fourth And Final Type: Al-Muhaariboon (warriors):

They are the disbelievers who declared their disbelief other than the people of thimmah and the people of covenant or asylum. Killing these people is permissible, yet this must be done according to the legal and known rules which shall be mentioned in the issue of jihad-God willing- . Children, women and elders men who do not engage in the fighting activities are excluded from killing as they do not have choice.

(1) Protected people who adhered to their old faith. The people, with whom a compact or covenant has been made, and particularly the kitaabiz, (the people of the book) (I. e. Jews and Christians, who pay Jizyah. An individual of this class-namely, a free non-Muslim subject of a Muslim state, who pays jizyah, and in return the Muslims are responsible for his security, personal freedom, and religious toleration-is called thimmi.

(2) It was stated by Ar-raghib Al-asbahaanee in "Mufradatu Ghareebil Qur'an" (p 93), and refer to "Tafseer Al-qurtubee" (4457,verse 29,11th issue-dar Al-hadeeth).

(3) "Ash-sharh Al-Mumti' Alaa zaadul-Mustaqni'" (2451, dar Ibn Al-haitham).

(4) "Tahreeru Alfaathut-tanbeeh" (p.325, Al-qalam).

(5) "Ahkaam Ahl Ath-thimmah" (2874-dar Ibn Hazm).

(6) "As-sarim Al-maslool" (p.94, dar Ibn Hazm).

(7) Narrated by Al-Bukharee (3179) and Muslim (1370).

(8) Because the one who is entitled to grant an asylum must be a Muslim, adult, sane...etc as preceded.

(9) "Al-Umm" (2844-Darul-Ma'rifah).

(10) It is mentioned by the author of "Al-Insaaf" (4147-lhya' ut-turaath). The second part was mentioned by Ibn Al-Mundher in "Al-Awsat".

(11) "As-saarim Al-maslool" (p.292-Dar Ibn Hazm).

(12) "Al-Mughnee" (10548-Al-Fikr).

(13) Bukharee (1583) and Muslim (1333).

(14) Bukharee (3518) and Muslim (2584). The reason for keeping those hypocrites was that the Prophet (peace be upon him) did not want to alienate the people from Islam as people could rumor that Muhammad was killing his companions (as mentioned in the hadeeth). Therefore explosions and blind killing is a great alienator from Islam, as disbelievers may think that the religion of Islam agrees with these behaviors and that its message and goal is bloodshed.

(15) As mentioned in (al-an'aam: 108) "And insult not those whom they (disbelievers) worship

besides Allâh, lest they insult Allâh wrongfully without knowledge..."

(16) "Al-Ashbaah wan-nadhaa'ir" (46612) of As-Subkeel.

(17) I say: Likewise if the Imam was a disbeliever, as some people claim.

(18) Narrated by Bukharee in his "saheeh" (3166).

(19) Translator's note: Jizyah is a tax specified in the Koran (9:29) to be paid by non-Muslim males living under Muslim political control.

(20) "Fat-hul-baaree" (12321, explanation of hadeeth no, 6914, Al-Ilmiyyah).