

IBADHISM
A MODERATE SECT OF ISLAM

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Issued by:

The Center of Islamic Research

Department of Admonition and Islamic Research

No. 16

INTRODUCTION

Praise be to God, the Cherisher and Sustainer of the worlds; and success is for the pious and let not there be enmity except for Prophet Muhammad, who has been sent as a blessing to all the people; and to his people and companions and to those who follow his example — to the Day of Judgement.

Now then !

The Center for Admonition and Islamic Research in the Ministry of Justice, Awqaf and Islamic Affairs is pleased to present to the distinguished readers, a new research in the series of Islamic researches, as accustomed to issue and publish, which is a translation of the book "Ibadhism — A Moderate Sect of Islam" by the Scholar Sheikh Ali Yahya Muammar — translated by Ahmed bin Hamoud AL-Maamiry with an introduction and comments by Sheikh Ahmed bin Saud AL-Siyaby.

We pray to the Almighty God to grant benefit all those who shall read it and to grant all of us success in following the Quran and the Sunnah of His Prophet Muhammad (S.A.W.)

Center for Admonition and Islamic Research

Directorate General for Islamic Affairs

THE IBADHI SECT

Ibadhism is a sect among the moderate Muslim sects and the following is a brief explanation about it:

HISTORICAL GLANCE :

The Imam (leader) of the Ibadhis, Abu Shaa Thaa Jabir bin Zaid AL-Uzdy, was born in the year 22 A.H., and died in the year 96 A.H. as many agree. In this regard, Ibadhism is the first of the moderate sects to emerge.

The followers of this sect are referred to Abdulla bin Adadh Al-Tamimy — one of the outstanding followers — a not comparable reference supported by some of the leading personalities of the Umayyad Empire during the reign of Abdul Malik bin Marwan, as it seems, because of the correspondence and long arguments which took place between Abdulla and Abdul Malik, and because of his stirring movement in criticizing the attitude of the Umayyad's rule because of its evading the system of the Orthodox Caliphs, and his frank call to the rulers of the Empire for moderation or to keep away from the Muslim affairs. Likewise his controversial and firm stand against the Khawarij (dissenters). This made him appear to the people as the leader.

The Ibadhis themselves used to call themselves people of the missionary activity, and were not known as Ibadhis until long after the death of Jabir bin Zaid, but they did not recognize this name until thereafter when it spread to all the people. They then accepted it as it became a reality to others.

The second Imam of Ibadhis was Abu Obaidah Muslim bin Abi Karimah, who took the knowledge from Jabir and others. From the students of these two Imams, the Ibadhi sect spread to many Muslim countries, and among those students appeared carriers of knowledge to the East and the West.

Writing and composition of books began earlier with the Ibadhis. Jabir wrote his voluminous book (Diwan) in which he compiled his narratives and ideas on what history books relate, but this work was lost during the Abbaside reign. Al-Rabii bin Habib wrote his volume (SAHIH) in the second century A.H., and it is still a reliable reference for Ibadhis in the

Sunna, (the sayings of the Prophet) and it ranks higher than the volume (SAHIH) of Al-Bukhary and Muslim, because it is tripartite in ascription. Abul Rahman bin Rostam wrote a translation of the Quran and also Hood bin Mukham Al-Hawari wrote a translation of the Quran. Abu Al-Yaqdhan Mohamed bin Aflah wrote many books on faculty, and Abu Ghanim Bishir bin Ghanim wrote his volume on the Traditions (Hadith) and relics. All these were written during the first and the second centuries, but there are many other books written during the period. Thereafter, books on Islamic culture have been written in each century.

If a researcher were to compile statistic of the books written by the Ibadhis and extracted their percentage in comparison with books written by followers of the other sect, he would find that the Ibadhi's ratio is the highest.

Many of these books have been lost because of political pursuit which never relaxed – at any time – from chasing and disturbing them through various means, reaching sometimes the stage of burning their books and libraries. On many occasions the hands of the fanatic scholars were behind the authority's powers stirring them to inflict grievance on those with whom they differ. Until now the books on the Ibadhi sect, some of them most important, are still unknown even to the Ibadhis themselves, let alone others and there are many reasons for that, among them are the following :

- 1- Derise to own their manuscripts and to preserve them for fear of getting lost. They have encountered bitter experience whereas many valuable books were lost.
- 2- Disturbed situation in which they lived resulting in many of them to shift from place to place fleeing for safety – the condition which could not allow them to preserve all their valuable things, particularly the bulky ones.
- 3- Sectarian obscure fanaticism from the two sides; – from some of themselves and from those with whom they differ.
- 4- Their books have not been granted opportunity as that granted to books of other sects, particularly in recent times, when Muslim states of various sects have assumed responsibility of publishing their books, and for that purpose big organizations have been established to distribute books everywhere. As for the Ibadhi book,

in addition to their being restricted, their publication is still confined to individual initiatives. Thus only a few of them, short and concise, have been published. As for the main books, which comprise tens of volumes are still found in individual libraries (those not yet lost) waiting for the hands which will sweep the dust, and I do not think that, that will be near.

The Ibadhi library consists of a big wealth of Islamic law and Arabic language knowledge, and although much and most important of which is still unpublished, the researcher engaged in thorough study and who is not disturbed by difficulties, may derive from them much useful lessons if he takes the trouble of going to where they are on the shelves of their owners.

The Ibadhis have pulled away from many of the countries to where they spread, and they are now found only in the following countries :

1- Oman : The majority of the Omani population are Ibadhis, and they formed a state independent from the Caliphate succession since the Ummayad's reign until this time. Sometimes it follows the Imamate system and sometimes the Royalist, and sometimes it divides into two states – the Imamate and the Royalist. (At the present time there is only the Royalist state).

The educational activities flourished in (Oman) and great leaders emerged therein and seventy volumes of encyclopedia of knowledge were written and are still waiting for publication.

Economic life flourished therein and powerful trading fleets were built which were traversing the Indian Ocean both on the coast of East Africa and South Asia. These commercial fleets improved and became powerful military fleets and managed to repel the western malicious attacks which sought to exploit the Eastern resources. They also stood firm and powerful in front of the Portuguese penetration and finally the British colonialism. Oman was the last to fall in the defensive lines after all the neighbouring people relaxed the resistance. The sound of the Omani bullet was still being heard till in the fifties in fighting the British. When the last Omani bullet against the British became silent, the Arab community was again awake and embarked afresh in the struggle. The British seriously began to pull their heavy feet

leaving the East; and we hope that their legacies will soon perish in each Muslim country.

2- Zanzibar : The majority of the Zanzibar population were Ibadhis and they had the Royal Government. They had good activities in spreading the Islamic culture, and some of the Sultans took to themselves the responsibility of publishing books on religion, translation, tradition (Hadith) and history. The people of Zanzibar had extensive influence in spreading Islam in East, Central and South Africa because of the good economic relations which bound them with those areas. The Sultanate of Zanzibar formed with Oman strong defensive power to protect the seaports lying on the Indian Ocean.

When the communist revolution took place in Tanganyika, it also managed to overthrow the Zanzibar government and annexing it to Tanganyika under the name of Tanzania. The Muslims and the Arabs ran away, and the sources of Islamic culture disappeared. Books were burnt and scholars were executed.

3- Libya : The majority of the people of Libya were Ibadhis, but the shrunk and only remained in the mountains of Nafusah and in Zuwarah. The Ibadhis in the western side of Libya established states in broken periods between the years 135-155 A.H. Three Imams reigned those states, and good news was received about them in straightness, respect and justice, and although the period of reign of each of them was short, they endeavoured recording correct assessment for what they could do had the period of their rule become longer.

The Libyan Ibadhis had clear educational activities, particularly during the period between the third and the tenth centuries. Many scholars and leaders became famous and they left behind many valuable publication. Also their schools amply provided with educational system became famous. They were provided with boarding sections for the foreign students under the supervision of excellent educators. They were also concerned to educate women and built special schools for them provided with boarding section for foreigners and entrusted to able female educators. Learned women graduated from these schools and their ideas and sayings in the Sharia

have been registered. Some of them used to participate in debates with great scholars and great achievements for some of them have been recorded. Some of them had firm stand in serious matters in political and social affairs.

The Libyan Ibadhis had notable economic activities and exchanged trade with some African countries, such as Chad, The Sudan and others, which was the cause of introducing Islam to some of such countries or expanding its spread therein, and strengthening its adherents.

4- Tunis : The majority of the people of Tunis were Ibadhis but they faded away and the only remaining ones are found in the island of Jaribah.

The Ibadhis in that area had flourishing educational activities, and educational societies for writing books were formed. The first society had seven scholars and it was formed at the advent of the fifth century A.H. This society contributed in writing the religious encyclopedia comprising twenty five volumes; and it was given the title of "Diwan of the Elders". This Diwan is considered one of the important references of the Ibadhi jurisprudence. It is still preserved in private libraries, and perhaps some of its volumes were found in the Egyptian library. Thereafter the Diwan Al-Azaba was written and ten scholars participated. As for individuals who wrote books, they are many, and the concern of the people of this region in the history of Ibadhis was greater than the others. They also had commercial activities extending to all areas particularly to Mali – an incident which helped in spreading Islam and introducing it to the people there.

On the late period, especially during the French colonialism, the people of Jaribah dominated the trade in Tunis, and they were preventive blockade against the Jewish penetration in the Tunisian economy, an incident which infuriated the Jews and their allies among the colonialists. But that was not the source of their defeat. It was rather the source of resistance and challenge. Their experience, their swiftness in devising new methods, their patience and sacrifice ensured their success, and the Tunisian economy remained in the hands of the Tunisians until the nightmare of colonialism pulled out

and the Jewish cloud scattered and non remained in Tunis except Tunisians free and honourale.

5- Algeria : The majority of Algerian people were Ibadhis. They established a state between the years 160-296 A.H. and six leaders (Imams) ruled it in succession. The state was known as Rostamic Empire. Its influence covered, in addition to a majority of Algeria, southern Tunis and the western region of Libya. Perhaps the concise explanation of that state may be the narration of professor Yahya Bughaziz in his book on the history of Algeria pp.92 when said : "The system of government in this state was consultative and its leaders adopted the rulings of the Quran and the Tradition, and striving to improve the affairs. The Arabic culture spread in a notable way and trade, agricultural and development activities became widespread. The town of Tayharat, which was renovated and expanded, became the meeting place of the trade caravans and groups of students".

The state witnessed much development and prosperity. Justice prevailed and security was ensured. Also freedom was guaranteed and education was made nation-wide in that mosques and schools were built. Markets were expanded and business prospered greatly. Economic and political agreements were concluded with southern countries. Prosperity extended to all the people and all lived in happiness. The state was firm against vice and all that affluence brings in bad conduct and decay of behavior.

The leaders acquired much education and piety and most of them worked in teaching and some of them in writing books.

After the downfall of the Rostamic Empire, the Ibadhis resorted to the oasis, and they had in some of these oasis prosperous life. Thereafter they suffered hard conditions, some of them were caused by people and some by nature. Thus, they pulled away to Warjalaan and Wadi Miyzaab where they preserved a system of culture rarely found in other oasis. They also maintained a semi-independence. They agreed with the leaders of the Ottoman Empire not to enter their towns against payment of limited taxes which they used to take themselves to the Empire, and no tax collectors should go to them. When French

came and conquered the Islamic West, the Ibadhis managed to conclude an agreement with them on protection not occupation. They agreed with the French authorities to pay the same taxes which they used to pay to the Turks; and they themselves to take the taxes to the nearest station of the French authority, on condition that the French should not enter their towns and should not interfere in their affairs. The agreement of protection remained until the break of the Algerian Revolution in spite of the French violating some of the points of the agreement. When the revolution came, all Algeria united under the banner of holy war, and all the people came forward to fight colonialism in all its forms. The struggle was crowned with success and all sections of the country came under one authority. The system which the Algerians themselves chose by which to build their prosperous future on firm grounds based on its glorious past.

The areas settled by the Ibadhis in Algeria were yearning for tireless educational activities, and in some of the oases the educational system was arranged and became known as the Azaba system. It was later on improved and became a cultural, administrative and social system; and some of the contents of the system are still being applied. As for legal and political matters, the governments have taken over after independence. The Azaba system is considered an educational document of its time when it was formed in the fifth century A.H. It is sufficient that was concerned with uniforming the dress and avoiding show of personal differences between the students. It also tended the disabled and made boarding sections for foreign students under proper educational supervision. It also arranged students' trips for educational training, guidance and appraisal. The reader should not understand that this system reached the status of what the present-day systems have reached, but it is sufficient to know that it adopted much of the educational affairs and its problems in those days and made their solutions not differing much from the solutions made today by psychologists and educationists.

6- It is said about being available followers of Ibadh in some African and East European countries, but there is no evidence yet about this.

THE IBADHIS ARE NOT KHAWARIJ

The ideological writers have oppressed them (the Ibadhis) when they considered them the Khawarij – whereas they are the farthest people from the Khawarij. They have connected them with a number of atrocious and objectionable qualities with which they have no connection, and they have divided them into many sects and assigned an Imam for each sect. they then related to each Imam a number of narrations sufficient to remove him from Islam. There is no foundation to such narration and to those Imams. Neither to their writings with regard to the Ibadhis and they free themselves from those who say this.

Among those sects are the sects of Hafsiyah, Harithiyah, Yazidiyah and their sub-sects; and there is no truth in all this.

Among those unacknowledged writing which they relate to the Ibadhis with atrocious intention are the following :

- 1- There is no boundary between polytheism and faith except recognition of God alone, he who recognize God alone and does not recognize other than God, like Prophet or Paradise or Hell will be infidel free from polytheism.
- 2- God will send a prophet from the non-Arabs and will send him a book from the heavens which will contain one sentence.
- 3- Whoever testifies prophethood of Muhammad among the people of the book (Christians and Jews) and does not follow his religion and does not apply his laws, will be a believer.

An observer of writings on ideologies will find much of these atrocities. The Ibadhis consider those who say this or their likeness as polytheists because they refute God and deny what has been necessarily taught on religion.

It seems that the writers have looked into what has been related to Khawarij – rightly or wrongly – and attributed them to Ibadhis – in their consideration, as they claim, that they (the Ibadhis) are among them (the Khawarij) – without consideration or clarification. The following are examples of that:

- 1- They reject consensus.

- 2- They reject stoning.
- 3- They deny the torment of the grave.

The Ibadhis do not reject consensus but consider it the third source among the sources of the Islamic law. They also do not reject stoning, but they say that it was affirmed by the Sunnah in words and action, and is not abrogated by the Quran. They affirm the torment of the grave and the questioning by the two angels according to many traditions confirming the issue.

The writers have followed the Ibadhis even in matters pertaining to war; and endeavoured to disgrace them as much as they could. The following are examples of that:

- 1- They legitimize spoils of the Muslim property in weapons and horses and illegalize the rest.
- 2- They forbid the blood of their transgressors in secret but legitimize it in public.
- 3- Allowing repentance to their opponents in matters concerning revelation and interpretation. If they repent they spare them, if they do not repent, they kill them; no matter if that difference could be ignored or not.
- 4- If one commits adultery or steals property he is given a limit if he repents, but if he does not repent he is killed.

The Ibadhis do not legalise the spoils of any kind in the property of Muslims; neither weapons nor other things; neither in war nor in peace. They allow repentance to one whom they see has committed an innovation in religion or the biggest of the crimes – if he repents he becomes one of them, and if he insists on his opinion they give him the general Muslims rights and it is not proper to kill him at all, unless if he exceeds the bounds of innovation to apostasy. In that case the rulings of apostate will be applicable to him. In this case the Ibadhis agree with other moderate Muslim sects. They do not allow the blood of their opponents, neither secretly nor publicly, because all the Muslims have shed their blood, preserved their property and protected their women and children in the name of unity of God, and nothing is allowed except in the case of defecting from unity of God.

The Ibadhis say that one who steals is punished by amputation, then he is left free. He who commits adultery, if married, will be stoned, if unmarried, will be flogged; and will be set free; except in case of accepting witness. God has made a certain limit for punishment of execution for certain crimes, and nobody else has the right to overrule this punishment.

The writers are thus mistaken for their reference to the Ibadhis, and there are many falling in the same line.

In the same way as the writers of ideologies have oppressed the Ibadhis, the historians have, in that they have considered them a section of the Khawarij, and have connected them with all that the Umayyads and the Shiites propaganda have done – justly and unjustly, correctly or wrongly – to connect the Ibadhis with the Khawarij. They have done so in all matters relating to Khawarij with regard to violence, ruthlessness of character, nomadic futility, unusual nature and misapprehension, inspite of the fact that the Ibadhis never indulged in any of the ruthless activities throughout their history except in matters of defence. Even when they were able to change systems of rule, they did so through convocation and conviction, and they achieved what they needed without using the sword or killing souls. The system of the government was changed three times in Libya without any violence. The Imam whom they assign would call the former Imam and would give him option between remaining in the country with all his rights and obligations like any other Muslim and choosing to leave to any place he likes peacefully with his property and with whom he likes among his family. In the same way they built the Rostamic Empire. And since the last Imam was removed in Libya in 154 A.H., they did not attempt to overthrow the succeeding governments.

Since the downfall of the Rostamic Empire in 196 A.H. in Algeria, they never attempted to overthrow the governments which came thereafter and they never resorted to any violence. Notwithstanding all this, the historians do not spare them but they refer to them as people who use violence and atrocity and lovers of wars. They, together with writers of ideology repeat their famous expression which no book fails to record: (The Ibadhis believe in removing the tyrannious Imam by any means they can, the sword other means). One recent historian adds: (The swords will

not be sheathed and fighting will not stop in the Muslim world as long as they remain and they have supporters).

Perhaps the Ibadhis aversion to shed blood and their fleeing from discord encouraged their opposers against them, and they strengthened their attacks and followed them continuously and made lawful what others could not make against them, and that was the cause of diminishing their number and their remaining in limited places.

THEIR FUNDAMENTALS IN POLICY

The Ibadhis depend on convocation and conviction, and never resort to violence except in defence. Hence they did not participate in any activities of violence undertaken by the Khawarij, the Shiites, the Tawabis, Ibni' Asha'at and others against the Umayyat Empire, in spite of their strong opposition to the rulers of Umayyat Empire and their criticism of their system which deviated the Quran and the Tradition.

The Khawarij leaders attempted to persuade Abdulla bin Abadhi to defect with them, but he refused and informed them that he does not fight people from whom the call for prayers comes from their minarets and the Quran from their mosques.

The first violence the Ibadhis were involved — which was defensive — was in Yemen and was led by Abdullah bin Yahya Al-Kindy, the claimant for justice. Ibni Abi AL-Hadid said in his explanation of Nahj AL-Balagh volume 5, page 106 as follows:

["He saw in Yemen a vivid tyranny and serious oppression and ugly conduct in people, and he told its people: we are not justified to stay for what we see, and we cannot persevere. He wrote to the Ibadhis in Basra and elsewhere consulting them about leaving. They wrote to him saying "If you are able not to stay for one day, then do it]. The reasons for such an action and its results are known in detail in history and cultural books. Perhaps that was the first and the last violent action undertaken by the Ibadhis against their opponents, and they exceeded the bounds of self-defence.

We may, thus, summarise their most important fundamentals in policy in the following points:

- 1- Having the Imamate is obligatory as ordinance of God for command and interdiction – and practicing justice and taking the dues from their source and placing them in their rightful places, and fighting the enemy; and their references from the Quran and Sunnah.
- 2- Heading the Muslim state (Caliphate) is not restricted to Quraish or the Arabs, but on merit. When merits are equal then the Quraish or the Arabs have the priority.
- 3- It is not lawful to fight the righteous Imam.
- 4- Fighting the unjust Imam is not an obligation as the Khawarij believe; neither is it forbidden as the Al-Ashairah and those with them say; but it is permitted but favouring approval to fight if it is believed that there is success; and it is preferred to remain under the tyrannical rule if it is feared that fighting will not succeed or feared that it may affect the Muslims or weaken their power over their enemies in any place in the Muslim countries.

When the Ibadhis talk about the unjust Imams they do not mean their opposers alone, as references of writers of ideology and history suggest. They mean the unjust Imams who have deviated from God's law regardless as to whether they are Ibadhis or followers of other sects. The tyranny has no ideology.

- 5- The Imam is chosen through consultation and with majority approval by influential people.
- 6- The Imam is responsible for the activities of his governors, and it is preferred that he consults the influential people among the people of each region in assigning governors and abdicating them.
- 7- It is not permitted for the Muslim community to remain without Imam o Sultan.
- 8- The unjust ruler will first be requested to practice justice, if he does not respond, he will be told to leave the Muslims affairs; if he does not respond, it is permitted to fight him and remove him by force even if that will result in his death, if that will not lead to bigger riot.

- 9- The unjust Sultan will be secluded together with his aids, from the Muslims whether he be an Ibadhi or otherwise. His camp will be considered a camp of injustice.
- 10- The country of the Ibadhi opposers is a Muslim country even if their Sultan is rebellious.
- 11- It is not permitted to assault a Muslim state lying on its borders except in retaliation to enmity.
- 12- It is permitted to increase the number of Imamates in the Muslim community if the area is expanded and the distance therein becomes far, or if the enemy separates its sections and it becomes difficult to rule it with one system, or if that becomes a cause of its downfall and separation of its forces and destruction of the people's interests.
- 13- In ruling the country there are four phases in the Ibadhi point of view as follows:
 - A- The country is Muslim, the camp of the Sultan is Muslim; that is when the country is Muslim and its people Muslims and the authority is Muslim working according to Quran.
 - B- The country is Muslim, the Sultan's camp is Muslim but rebellious and unjust. That is when the country is Muslim and its people Muslims and the authority Muslim but it does not follow the Muslim system in ruling whether from the Ibadhi or their opposers.
 - C- The country is Muslim, the camp is infidel and idolatory; that is when the country is Muslim and the people Muslims and the authority is colonial power, infidel whether among the people of the book or not.
 - D- The country is infidel and the authority is infidel; that is when the country belongs to the infidels, occupied by the infidel community and ruled by the infidel authority.

THE FUNDAMENTALS OF IBADHIS IDEOLOGY

The general source in the Ibadhi ideology is the complete elimination of anthropomorphic elements from the conception of deity' and all that may suppose comparison among the Quranic revelation or prophetic traditions should be interpreted to suit the position and should lead to comparison.

- 1- Faith is built from three unavoidable pillars. These are belief, affirmation and action.
- 2- God's qualities are personal; they are not more than that and not standing on self and no change therein.
- 3- God is true in His promise and His threats.
- 4- Perpetuity in the Paradise or the Hell is eternal.
- 5- Tawheed means you have to bear witness that there is no god but Allah alone and has no partner and that Muhammad is His servant and Messenger, and what he has brought is true – Refuting any part of the three parts is blasphemy.
- 6- Refuting established facts of religion is blasphemy.
- 7- The Quran is God's words revealed in succession, and denying part of it is blasphemy.
- 8- The scale is not sensory but the just segregator of the activities of creation.
- 9- The path is no sensory way on top of Hell, it is the Islamic way and God's religion which He has sanctioned for his servants. He has described it that it is sharper than the sword and more accurate than a hair (if correct). Meaning difficulty of adhering to Islam and following its straight path in the heart of waves of unruly temptations, and craving desires and slapping charms in the ocean of life.
- 10- A person is free to choose his work, not compelled and not a creator of his actions.
- 11- Ability with action is not before him or after him.
- 12- Obedience and innocence from crimes are two duties (in our opinion there is some good – we heard therefrom good and we said there is good in it, and we adopted it; and in our opinion, there is bad, we heard therefrom bad – we said there is bad, and we avoided it).
- 13- Repentance is the foundation of forgiveness and no big crimes are forgiven without repentance – as for the small mistakes, they are forgiven by avoiding the big crimes; and by doing the good things. (the good things blot cut the bad ones).
- 14- People are of two kinds – believers, and non-believers or happy and miserable, and there is no third kind (no grade between the two grades).

- 15- He who is happy in the hereafter never becomes miserable, and who is miserable never becomes happy; and happiness and misery never meet in one person.
- 16- Hypocrisy is a grade between blasphemy and faith, and the hypocrites and Muslims in the laws of this world, and with the unbelievers in the hereafter (God will punish the hypocrites, men and women, and the unbelievers – men and women – and God will forgive the believers – men and women – and God is much – forgiving, merciful.)
- 17- When the word 'infidelity' is used for one who professes the unity of God, what is meant is ungratefulness and not blasphemy – taken from (abusing the Muslim is sinful and killing him is blasphemy) and (and do not return after me ungrateful some of you beheading other's necks) and (the bribery is blasphemy in the law).
- 18- Commanding for the good and forbidding the vice are dual duties.
- 19- The Prophet's mediation (P.B.U.H.) is proven, and it is in two parts – the big mediation on the Day of Judgment for beginning the reckoning and entering of the believers in paradise, which is the blessed place for which our Prophet Muhammad (P.B.U.H.) has been authorized, & the small mediation which is only for the believers provided with additional grades.
- 20- God's evidence is established with the creation of prophets and the books.
- 21- The good is what the law has made it good and the ugly is what the law has made it ugly.

THE IBADHI FUNDAMENTALS IN LEGISLATION

The sources of law for the Ibadhis are: The Quran, the Sunnah, the Consensus, the analogy and inference. Under the inference comes association of the companions of the prophet, application of discretion in a legal decision and the transmitted benefits. There may be mentioned the word 'opinion' on consensus, analogy and inference, and it be said when discussing sources of legislation that they are the Quran, the Sunnah and the opinion. Hence, some of those who wrote about the Ibadhis made a mistake in thinking that they (Ibadhis) refuse

the consensus. The following is the opinion of Ibadhis with regard to the question of the fundamentals:

- 1- The law of our predecessors is our law if it has not been abrogated, and if it has been stipulated to us by God, the Almighty, or His Apostle (P.B.U.H.) in the form of legislation.
 - 2- The declared consensus is a positive proof and silent consensus is a hypothetical proof.
 - 3- Unsupported narration benefits action but does not benefit knowledge and therefore it is not claimed in ideology.
 - 4- The action of the people of Madina or their consensus is not an authority over others.
 - 5- The opinion of the companion is not an authority to others.
 - 6- If there is no agreement between the word and the action of the Prophet, his word will be taken to prevail because it is essentially directed to us while his action may be personal.
 - 7- If the duty without which nothing can be accomplished, then that is the duty.
 - 8- There is no choice for people in the rule evidenced in the Quran, and in this the incident of the arbitration comes in.
 - 9- The Ibadhis have three remarks regarding justice of the companions:
 - A- All the companions are just except those the Quran has made them sinful, such as Al-Waleed bin Aqaba and Thaalabah bn Habib.
 - B- All the companions are just, and all their narrations are accepted except in those connected with sedition among those who plunged into sedition.
 - C- The companions, like other people, are those who distinguished themselves with justice; and those whose popularities are unknown, will be sought for.
- Al-Saalmy has said in "Talaat Al-Shams:
As for the companion, it was said just
And it was said like another, and
He is just till sedition
Thereafter, like another, he will be tried.
- 10- The actions associated with the Prophet in some worships for reasons of demonstration or which he did once but never repeated, or those not established that he continued with, are not

considered to be Sunnah by the Ibadhis; but they consider them as happenings which may occur due to a reason in certain conditions only. In following the example of the Prophet, therefore, they do not consider the following as Sunnah:

- Qunuut in prayers, rising hands when uttering Takbeer; moving the finger during Tashahud; saying Ameen after reciting Al-Fatiha during prayers, adding "Salaat khayrun mina alnoum" in the morning call for prayers.

11- When two diligent (mujtahid) differ in positive matters, one of them will be correct and another will be mistaken and sinful; when they differ in suppositions — that is in subsidiary matters the Ibadhis of the West together with the Imam of the East, Ibin Barka see that one of them is correct and has two rewards, and the other is mistaken and has one reward for his diligence. As for the Ibadhis of the East together with the Imam of the West, Abu Yaaqub AlWarjelani', they see both diligent are correct; and in the juristic notification, the general rules are observed, such as:

- Any place one enters by permission is good for prayers even without permission.
- It is not allowed for usurper to stay in a house he has usurped.
- The traveler reduces (prayers) as long as he intends on travelling.
- Any action which does not nullify prayers forgetfully nullifies it intentionally if it is not for correcting it.
- Originally the cemetery is for all if its specific owner is unknown.
- All that is not prayed by is not prayed for.
- Testimony of two equals necessitates action and not education.
- The exception in the oath benefits in the future and not in the past.
- Iddat necessitates privacy and complete dower.
- The boy follows one who embraces Islam from his parents.
- All that has been declared unlawful to sell it or to eat its value.
- Matters are according to their intents.
- Certainty is not nullified by suspicion.
- Originality relieves one's conscience.

- Evidence is for one who summons and oath is for one who denies.
- Evidence is a transitive proof and confirmation is a weak proof.
- Tax with guarantee, and tax and guarantee do not come together.
- No harm and no causing harm and the harm disappears. Necessities divulge the restrictions and the need is necessity.
- Prevention of scandalous deeds precedes attraction of interests.
- Hardship attracts facilitation.
- Confirming with proof is tantamount to confirming with eye-witness.
- Legal permissibility rejects guarantee, and any testament not evidenced is returned to the nearest (of kin)
- All that is inherited its spoils are unlawful, and all property looted its inheritance is unlawful.

The likeness of these are many and have been mentioned in books of fundamentals and jurisprudence.

IBADHI FUNDAMENTALS IN SOCIAL RELATIONS

The social relation amongst the Ibadhis themselves and between them and others are covered by an impressive speech made by Abi Hamza Al-Mukhtar bin Awf as follows: (people are from us and we are from the people, except polytheist worshipping idols, or infidel among the people of the book, or a tyrant king ruling through oppression") This may be summarized in two paragraphs, Thus: First paragraph: The relations between the individuals and the state.

- If the state observes the Ibadhi ideology, then its dealings with those under its authority among the opposers will be in the following manner:
 - 1- It invites them in a friendly manner to get rid of their differences (by which they have gone astray). If they respond, they are part of the state and the state is part of them. If they refuse, then it will leave them till God's judgment comes to pass with regard to payment of dues and obeying the right of rulers.

If they respond, they will be left as they are, and they will have the right to benefit from the rights and judgements similar to the rest of the citizens who follow its ideology.

- 2- All of them will enjoy justice similar to others.
- 3- They have their rights from the booty and the spoils and charity in its various forms.
- 4- The state is responsible for removing injustice for them similar to the rest of the Muslims.
- 5- They have the right of protection for themselves, their property and their people.
- 6- If they participate with the state in the raid, they will get their arrows similar to the others.
- 7- They have the right to occupy all positions and activities in the state according to their abilities and qualifications similar to the others.
- 8- Those who will abstain among them from their duties will be penalized with what will inhibit them and bring them back to the straight path.
- 9- Whoever exhibits sedition and incites it and exceeds the bounds to the extent of working for it, it is permitted to fight him and shedding his blood is lawful.
- 10- If they recognize the sovereignty of the state and then seclude themselves in their own towns and impose their own laws, they will be left alone (as long as they adopt the way of the judges) if that will not be resistance to any prevailing tribunal or tradition.
- 11- Someone will be selected to prevail over them, and he will observe the rights for them and from them; and his word will be respected as long as he rules according to all the judges.
- 12- From them will be collected all the rights due and will be given to their poor and they needy among them.
- 13- If the state accuses them for rebellion it will make them unanswerable.
- 14- Do not leave them to exhibit what is forbidden among the people if that is also forbidden by them.
- If the state observes an ideology other than the Ibadhi, then the Ibadhis who are under its authority will be treated as follows:

- 1- They will participate with the state in all raids, holy war, and fighting the idolators in offensive and defensive.
- 2- They will work with state to defend the country even if the transgressors are Muslim states, in case the leadership is not legal and just.
- 3- They have to prevail over all matters if there is no assistance therefrom in abolishing wrong and exposing rebellion.
- 4- If anyone among them perceives power in himself, and it is not feared that he will exploit, he may prevail over judicial and administrative matters or any other matters on condition that he does not commit what is forbidden.
- 5- They will have to take charge of all matters which the state has no rights, such as mosques, schools, health and the like.
- 6- If one of them is authorized to fulfil any work in which there is a limitation among God's limitations, he has to do it if he is sure that it is right.
- 7- It is not allowed to obey the ruler in rebellion, because there is no obeying the created in rebellion to the creator.
- 8- All rules are applicable to them and they have the rights to all the rights issued pursuant to juristical statement which are currently applied in the state's ideology even if it differs with their own ideology.
- 9- What has been established as a right in laws issued according to the state's ideology will not be dropped even if the state changes.
- 10- Consideration will be on justice and adherence to Islamic regulations and not according to the ideology, in the question of cooperating with state.

Most conditions and reservations abovementioned, come when the state is rebellious; if the state is just and observing any ideology, then the citizens have to work with it in all fields without reservations even if they differ with it in ideology.

Second paragraph: Relation between individuals. We may summaries relations between individuals as follows:

- 1- Rights of the parents, relatives, orphans, poor, wayfarers, companion and neighbor are obligatory, whether they are righteous or insolent, agreeing or differing.
- 2- Trusteeship has to be returned to their owners whether they agree or differ.
- 3- Fulfillment of promise is obligatory for all.
- 4- Whoever requests for neighborhood has to be granted whether in agreement or in difference.
- 5- If one retreats from fighting and retires with his sword he has the right from them for peace and protection.
- 6- Marriage and inheritance, mosques, leadership in prayers, praying for the Muslim dead bodies, washing and dressing them, burying them, slaughtering of animals, the graveyards – all these are rights and utilities shared by all Muslims regardless of their ideologies even if they differ in sections or in some of the fundamentals.
- 7- Whoever his blood is made lawful among the Muslims no matter whether it be for a bound among the bounds of God or oppression on the state of sedition between Muslim states – it is unlawful to loot his property or insult his women and killing his children or prevent inheritance from him.
- 8- It is unlawful to assassinate the oppose or kill the opponent.
- 9- It is unlawful for one to slander another among the Muslims while he knows his innocence.
- 10- The pudendum of the female married according the God's book and Prophet's Sunnah is unlawful until her husband divorces her or he dies and she completes the divorce or the death Edda.
- 11- There is no migration after the opening (of Mecca) and it is not permitted to leave the house of the opponents for the house of friends in the belief of migration.
- 12- Love of God (Al-Wilayat) is the right of every believer fulfilling God's religion.
- 13- Innocence (hating for God) is the duty of every believer against every enemy of God among idolators, infidels and persistant on rebellion.
- 14- Love of those who preceded us is testified by witness of rightful Muslims, and so is case with regard to innocence.
- 15- Love and innocence to those specified is obligatory.

- 16- He who commits a big crime is not an idolator and it is not lawful to deal with him like an idolator; but he is a Muslim and has the rights of Muslims but is not pardoned if he continues and does not repent.
- 17- Their opponents in ideology are not infidels but they are Muslims having the rights and duties similar to those who observe the ideology except in asking for a pardon which is specifically applicable to one who is obedient to the ideology.
- 18- Personal matters such as marriage and divorce, nursing (children) and support will be managed between them and their opponents according to the ideological fundamentals and requirements of kindness in what will pertain to kindness.
- 19- It is unlawful to bring together (in marriage) woman and her aunt or a woman and her maternal aunt.
- 20- Adulterers – man and woman – who are married their limitation is stoning – and this has been established by the Sunnah and it is not recorded in the Quran.
- 21- He who commits adultery with a woman, she will be unlawful to him for ever.

SECTS WHICH DEFECTED FROM THE IBADHI

The Ibadhi sect is not an invention in the Muslim sects. Differences used to occur between its scholars; and they used to discuss them until they convinced each other. Each one of them would stick to his opinion, and a scholar would differ with his predecessor, and there would result many ideas on the same question. It is difficult for the researcher to specify the first difference in the first question between the Ibadhis, in the same way as it is with regard to each sect. he may, however, assert that the differences within the sect occurred since the early periods; Jabir was opposed on matters executed without his pronouncement. In the same manner Abu Hanifa, Malik and others were opposed on matters executed without their formal legal opinions.

The inference from the history and books of the Ibadhis is that the important and serious differences among the Ibadhis happened during the era of Abi Obaidah. Three of his colleagues – Atiyyah, Hamza and Ghailan – said by fatalism, and he could not convince them. The Ibadhis

secluded them and got rid of them and relations were cut between them. They joined other sects. This difference was personal in that they were people following a particular ideology. Then it occurred to them that they should shift to a sect agreeing with their ideas.

Then a group of his students differed with him. These were Sahal bin Saleh, Abu Al-Maaruf Shuaib bin Maaruf, Abdulla bin Abdul Aziz and Abu Al-Muarij bin Mohammed Al-Sadoosi – They differed on a matter but he managed to convince them to refrain from their ideas and to repent. But after his death they returned to their opinions and clung to them. The summary of their opinions is:

- 1- It is unlawful to say Friday prayers behind the tyrannious Imam.
- 2- Muslims who interprate what may suspect allegory are polytheists.
- 3- The woman who has been fooled around outside the two places will not be infidel (that is a adulterer).

That difference which occurred during the era of Abi Obaidah, and that which occurred after him during the era of Al-Rabii did not result in forming a sect or sects defecting from Ibadhis agreeing with them in general fundamentals, to justify that they are sects from the Ibadhi. Neither is it an independent sect coming within Muslim sects in general. All that can be said is that some colleagues of Abi Obaidah differed in an important fundamental – which is destiny – and they left the Ibadhis and joined other sects which talk about fatalism among the followers of a theological school which introduced speculative dogmatism into Islam known as Al-Mu'tazila. The front is individual, that is a person or persons change their ideology, then a number of his students differed with the Ibadhi in some matters. Al-Rabii bin Habeeb – the cornerstone of Ibadhis after Abi Obaidah – removed them from the courts of the people of appeal; and they were treated with a kind of futility and harshness. However, they did not leave the circle of the people of appeal and did not get followers – except Shuaib whose reason will come later – and an account of what they differed in was taken, and their words other than that were taken and their narrations on tradition and impression were adopted. Thus, they differed in individual differences in limited matters which reflected on themselves and they remained the followers of the Ibadhi sect.

Historians and authors of Ibadhi ideology have not mentioned them among the defected sects because their differences were personal. But in spite of that they mention the names of six sects which defected from the Ibadhis. These are not the sects among the ones referred to by the non-Ibadhi authors as being Ibadhis – and this indicates that such authors know nothing about the reality of the Ibadhis or their sects. We do hereby summarise the picture of these sects:

1- Al-Nakar :

The formation of this sect is purely political. Then it took some sayings in the fundamentals and sub-sections and it became a distinguished sect similar to other Muslim sects, it has no relation with the Ibadhis in the pretext that its founders were Ibadhis. The leader of this sect is called abu Qadama Yazid bin Fandein – he denied the Imamate of Abdul Wahab Al-Rastamy after supporting him on two grounds – thus:

- 1- It is not proper to prefer the leader when there is the best, and in the community there is the best than Abdul Wahab.
 - 2- Abdul Wahab was given a condition that he must have a consultative council, and he should not pass a judgement on any matter without referring it to the council; this condition was not met with, and thus his Imamate was void; and he was joined by Shuaib bin Al-Maaruf who we have seriously mentioned, and the stage of talking was exceeded to violence and they attacked the capital unexpectedly, and the Imam was a way. The capital, however, resisted them and Ibin Fandein was himself killed, and Shuaib fled to Libya where he confined with his propagation and then added to the two principles such questions which he and his colleagues differed with their teacher Abu Obaida. His front became active until another personality from the East joined them who had a number of curious writings. This was Abdulla bin Yazeed Al-Fizary. He added his writings to them and Al-Nakar became a principle depending on a volume of writings the most dangerous of which are the following :
- 1- God's sovereignty and hostility change according to conditions.
 - 2- No argument will prevail until all Muslims agree.
 - 3- God's names are created.

Their principles exceeded twenty points.

2 – Al-Hasiniyah

Its leader was Abu Ziyad Ahmed bin Al-Hussein Al-Atrabulsy who lived in the third century. His writings are mingled with the writings of another group called Al-Ameiriya headed by I saa bin Ameir. It appears that their origin was one, and then they separated and one of them was attributed to the Ibadhis and another to the Al-Muutazilah. This group had had activities of Al-Nakar and possibly they supported each other in fighting the Ibadhis. The authors of writings of this group have mentioned some ten writings most serious of which being the following:-

- 1- He who denounces other than God from Prophet, Quran, promises, paradise and hell is not a polytheist.
- 2- The interpreters who make mistakes among the people's divisions are polytheists.
- 3- Muhammad's ignorance (P.B.U.H.) is vast.

3 – Al-Sakakiyah

The leaders is Abdulla Al-Sakaak Al-Lawati. His father was a good person and he sent him to a teacher from whom he memorized the Quran. He then studied education and acquired from him a variety subjects. He took composition for profession and accumulated a lot of wealth. This tempted him on seeking appearance and he disputed with the Muslims on Matters for which they broke ties with him and judged him and his followers with polytheism. His most serious writing were the following:-

- 1- He denied the Sunnah, consensus and analogy.
- 2- The call for prayers and Friday prayers are innovations.
- 3- Prayers is not lawful except to one who knows its interpretation from the Quran.

4- Al-Nafathiya

The leader is Faraj bin Nasser Al Nafathy. He was a scholar and widely-read ; and clever. He studied from some of the Imams of the Rostamic Empire in Taahart. He was entrusted with the sovereignty of

Jabal Nafusah, and when an opportunity occurred to him, – according to his belief – the rule was taken from him and given to one of his less intelligent colleagues and less educated and capable – as he sees it. He became averse to Imam Aflah and began to criticize his conduct and personality until he angered him.

The Imam sent to him an envoy instructing him to stop his comments and to repent or else he would get a penalty. He fled to the East and became kind and friendly until he reached the court of the Abbaside state. He did not get anything among what he wanted. He returned and stopped his criticisms against the Imam and his conduct. His important ideas are as follows:

- 1- The son of a real brother is more justified for inheritance than a paternal brother.
- 2- The compelled by hunger does not sell his property. If he sells it because of that and then he who witnessed his damage should rescue him.
- 3- He denied the sermon of Friday and called it an innovation.

5 – Al-Farthiyah

Its leader was Abu Suleiman bin Yaaqub bin Aflah, a wide- read scholar. He liked to appear in the period prosperous with scholars. He gave rulings (Fatwas) on many questions with statements not made by any Ibadhi. The scholars of his time loathed him and his own father treated him harshly. His important ideas are as follows:

- 1- I purifying what is inside the stomach of animals allowed to be eaten, and also the food cooked with it.
- 2- Make unlawful eating of embryo.
- 3- Make unlawful the blood of veins even after washing the slaughter house.
- 4- Impurity of the sweat of one in a state of major ritual impurity and those in the monthly period.

6 – Al-Kalafiyah

Its leader is Khalef bin Al-Samh bin Abi Al-Khitab Al-Maafiry. His leader was the governor of Abdel-Wahab Al-Rustamy in the Western part of Libya. When he died groups of people hurried to him (Khalef) and asked him to take the place of his father without reference to the headquarters of the state. He agreed and began to act, and when news reached the Imam he refused this administration and ordered him to abdicate; and he appointed another governor. Khalef got furious and did not respond to the instruction of the Imam and declared the independence of Libya from Algeria. Many people supported him and his activities continued for a long period till he was defeated by the central authority of the state and ended his administration. This sect has no opinion or principle except their ruling justifying separation of Libya from Algeria.

These are all the groups which defected from the Ibadhis as far as we know. In considering their different positions the following points are clear to us:-

- 1- Al-Nakar is a group among the Muslims groups. Its real leader was Shuaib bin Al-Maaruf who has made the group a religious sect with its principles and its motto. Even if it defected from the Ibadhi owing to political activities, it became an independent sect justifying consideration as being among the general Muslim sects.
- 2- Al-Husainyah and Al-Sakakiyah defected from Islam by their denial of Sunnah and consensus or their denial of the obligation to believe in the prophets and the messengers and the angels and the paradise and the hell. Also the obligation to recognize our master Muhammad (P.B.U.H.). These two groups, notwithstanding the fact that their leaders grew in the families belonging to the Ibadhis, they nevertheless defected and digressed. We do not know the political reason for their defection. It is, however, observed that, they as well as Al-Nakar, that embraced some curious writing which carried greater weight among the Muslim factions. What the seekers of leadership or lovers of appearance sat about themselves or against each other is that it is those who refuse to remain in their societies. They look for anything which they take as a pretext to refuse. On this ground Shuaib, Abu Zayad and Al-Sakak picked up what had come their way and formed their sects which emerged

like a storm and then disappeared and nothing remained except its opponents.

- 3- Al-Nafathiyat and Al-Farthiyah are religious sects or two oppressive groups. They are rather groups of people who took the statements of one of the Ibadhi scholars on questions of subsidiary importance the likeness of which are many in each sect — that action on such statements has ceased on the death of their owners and such questions remained written only in the books.
- 4- As for Al-Khalafiya, it is not a religious sect, and much that is said about it is that it is rebellious group against the Rostamic Imamate under the leadership of a political leader and not a religious leader. This group ended with the end of its activities. All such groupings which are said to have defected from the Ibadhi have disappeared and nothing remains except what has been recorded in the books of others; the Ibadhis remain with their books and their scholars fill the distinct domain among the moderate Muslim sects.

I wish the reader to understand that during summarization of the Ibadhi writings in all the areas which are referred to it, I have ignored the odd writings which have resulted from shortcomings in the opinion of its supporter which is rigid not seeing far from his feet, or statement of his representative given out of anger infuriated by transgression, or a wide claim emerging from an excited person caused by transgression. Thus I have refused such statements and queer attitudes from the Ibadhis, although they are still mentioned at right places in the historical events or in the fields of discussion as evidences on an event which claimed life once upon a time. They are good suppositions not exceeding personal opinions representing ideas of those who made them only. And on the extreme cases, they do not exceed the activities of the influenced or retaliation which have gone with their causes and then history folded them — and their similarities are many in each sect.

THE POSITION OF IBASHIS IN THE ISLAMIC SECTS

Historically, the Ibadhis sect emerged earlier than the other sects. The method by which it emerged does not differ with the method by

which other sects appear. That is an Imam, among the Muslim Imams (as for Ibadhis it was one of the chief followers) having a number of students, around him studying, and then scatter as teachers particularly those who have distinguished themselves as scholars.

They take the stand of their teacher adopting the same method in conduct and teaching imparting his opinions and ideas. Then the process is carried out to other generations and each generation receives from the previous one what it has preserved in traditions and ideas. These acquire respect reaching the stage of reverence with the passing time. This position increases and grows as time goes by.

This is an approximate picture of how all the sects appeared. The leaders, however came at different times; some were among the first generation among the followers, and some were of second grade and some were some far more behind, such as Ibn Taymiyah and Muhammed bin Abdul Wahab.

As for the Ibadhis, they used to attend the court of Jabir bin Zaid. They were a number of clever students, some of them learning from Jabir and others from other teachers such as Qatadah, Ayoub, Ibni Diynar, Hayan Al-Aaraj and Abi Al-Mundhir Tamim bin Huwais. Some used to learn from Jabir more than from others or, say, they specialized in his teachings. These were Abi Obaida Muslim, Dhamam. Abi Nooh Al-Dihan, Al-Rabii bin Habib and Abdulla bin Abadh. Among them were those who were devoted to general affairs during and after the lessons. Some were engaged in political affairs and casting them to the Umayyad Empire in dialogue without using the sword, such as Abdulla bin Abadhi (1) and some stayed to teach and taking the place of Imam, such as Abi Obaidah and Abi Nooh Saleh Al-Dihan. They played the same role and became concerned with it. And since this movement was in the prime of building the Ummayyad's Empire and the states' swords were violently laid on all the Imams for fear of their rising in opposition against it, Jabir continued his teachings, and like his colleagues Al-Hassan and Said and others among the followers was not satisfied with the situation, and usually they used to criticize. The authorities were watching them and their students with caution, alertness and tightness, and tightened the grip

around their throats, and made all attempts to prevent their criticisms from reaching the masses. That was planned at the beginning and they referred to them as extremists and considered them as being among the Khawarij.

- (1) Many historians and authors of articles think that Abdulla emerged during the days of Marwan bin Mohamed and that he was killed in the battle of Tabalah. This is historical fault because Abdulah bin Abadh to whom the Ibadhi sect is referred died during the last days of Abdul Malik. He is older than Jabir in age and he follows him in ideology and opinion. The Ibadhi is referred to him because he appeared more in the political field in the Ummayyad Empire, and the name of the sect comes from the state.

The accusation for Khawarij is tantamount to the present-day agent or traitor. It is an accusation which has no curbing force easily directed to one intended to get rid of or to revenge or to stop his activities and to exploit when necessary.

Thus, neither Jabir bin Zaid nor Imam Malik bin Ans (1) escaped from the plot. The target behind spreading these accusations was to notify them that they were under observation and that justification of any situation adopted by the authorities with them is available in the minds of the people and does not require practical confirmation from the government sources.

- (1) In the book Al-Kamil by Abi Abbas Al-Mubrid – volume two pp.159, the following is quoted:
"It is said that Al-Mundhir bin Al-Jarud used to perceive the opinion of Khawarij, and so was Yazid bin Abi Muslim – servant of Al-Hajjaj bin Yousuf. Also the author of Diwan Al-Iraq Saleh bin Abdul Rahman perceived it, as also a number of scholars refer to it, among them Akramah servant of Ibni Abbas. It was also said of Malik bin Ans Al-Madiny that he used to mention Othman and Ali and Talha and Zubair and say: "In the name of God, they did not fight except on dusted meat and broth". As for Abu Said Al-Hassan Al-Basary, he used to deny the government and did not see their point of view.

In the explanation of Nahj Al-Balagha by Ibni Abi Al-Hadid – volume five pp.76 the following is quoted:

"Among the famous for the opinion of Khawarij with whom the word of Amir Al-Munminim - (PBUH) was certified: That they are a gang in the backbone of people and their decision. Akrama servant of Ibni Abbas and Malik bin Ans Al-Asbasy, it is said that he used to mention Ali and Othman and Talha and Zubair and said, By God, they did not fight except on dusted meat and broth. In the same reference he says: and among those this opinion is related to are Jabir bin Zaid, Omar bin Dinar and Mujahid."

If we leave this part away from research, and heading towards speculative and conduct we shall see that Ibadhi is a Muslim sect which emerged like other sects with its Imams and scholars each generation imparting knowledge to a new generation until today. It began its educational activities in the service of culture in the manner which it preferred before many others sects began. Books on Hadith and ideology have been written and before some other sects began, they found a wide area of studies on the system which Ibadhi followed.

In the following points, I am in a position to put a number of wide range of lines by which the distinguished reader may judge after reading them, and decide the position of Ibadhi among the Muslim sects.

1. The Ibadhi see that the fundamental source for the religion of Islam in its ideologies, its devotional services, its dealings and its behaviours is the Holy Quran and whoever denies anything therein: a chapter or verse or letter is a polytheist or apostate.
2. The second source is the correct Sunnah. This is on stages among them definite benefitting knowledge and requiring action. Denying it is tantamount to denying the Quran. What is generally understood in the Sunnah or the elaborate is weaker than the successive and stronger than singly told, and requires action. They differed as to whether the argument is definite or hypothetical – there are two opinions. Singly-told, if the Sunnah is hypothetical and requires action and sender and even if it is weaker than singly-told, it requires action if it is from the companion or the follower.
3. The third source is the consensus when the conditions known by fundamentalists, and deviating from it is sinful and its appropriateness is definitive. It is perceived that consensus occurred in two parts, verbally and silently and it is possible to occur in each period and be transferred to people on considered conditions.
4. The fourth source is analogy based on known in the books of fundamentals.
5. The fifth source is inference in its various kinds, and they are concerned with the transmitted benefits with special consideration, and may be the Ibadhis – with regard to consideration of transmitted benefits – come second after the sect of Malik.

The Articles of Faith:

The Ibadhis believe that a person will not be a Muslim until he confirms the three sentences, affirming that there is no god but Allah alone and He has no partner, and that Muhammad is His servant and messenger, and that what he has brought is right and is from God and what these three sentences refer to in details.

The source of their faith in the Creator is the complete impartiality – no creature; and what has come in the Quran or Sunnah prejudicing comparison is interpreted to benefit the meaning and does not lead to comparison. And they strictly avoid from explaining God in what may prejudice comparison and they confirm to Him the 99 names of God and high qualities as He himself has confirmed for Himself.

The Ordain:

The Ibadhis say that faith is not complete until a Muslim believes in that the Ordain, good and bad, is from God, and that a person's activities originate from God, and acquisition is from people. They avoid the forced opinion and also the opinion of those who say that a person creates his activities.

Committing the big offences:

The Ibadhis adopt the opinion of Al-Hassan Al-Basary, Jabir bin Zaid and others with regard to perpetration of big crimes that they do not charge him with polytheism as it is said about the Khawarij – they say such a person is a hypocrite, and it is not possible for him in the state of his disobedience and his insistence on crimes, to enter the Paradise if he does not repent. Perhaps the serious controversy which ensued between the Ibadhis and the Khawarij was about this question since it was aroused by Nafii bin Al-Azraq according to what the references of history put it.

The Jurisprudence:

The position of the Ibadhis in this topic was probably in the difference existing between the people who interpret the Quran according to its literal meaning (Zahiritic) and the Hanabil on the one hand and the Hanafiya on the other, and in spite of the fact that the Ibadhi sect initiated in Iraq it did not comply with the opinion adopted by the

Hanafiya and Al-Muutazilah. It is sufficient to explain this point in order that the distinguished reader may know that the Ibadhi Jurisprudence depends, with regard to evidence, after the Quran, in the field of Sunnah, on the succession or the generally understood, or the elaborate, and on the singly reported and on those reported by the companions and their successors. If the tradition contradicts with analogy, the tradition prevails even if it is singly-told or sent to the previous society, and the singly-told tradition is not repelled if it is bounced by conclusive evidence. They speak in detail and long arguments known in the books about the fundamentals of Jurisprudence, using analogy, association and the transmitted benefits.

The Behaviour:

The Ibadhis observe all kinds of behaviours and characters ordered by Islam, and those manifest are:

- 1- Ordering what is good and forbidding what is evil is a duty within the limits expounded by the imminent tradition.
- 2- Love of God by Muslims for the sake of their obedience, and hating the outlaws and infidels because of their disobedience is a duty of each Muslim and that this love should reach all the friends of God at all times and in all places. It should be intended to those who proved their loyalty to God by name or quality among those of the past and be dealt with the present generation among those known on this basis, and it is a duty to keep away from the infidels and the outlaws at all times and in all places. It should be intended to keep away from those known by names or qualities and to deal with the present ones among those known on this basis. As for those one knows them in his time but did not know their status in obedience and disobedience, it is up to him to stand with them without giving them authority or avoiding them until he knows them with assurance because obedience and innocence cannot be enforced unless with assurance, such as personal knowledge or evidence of two indiscriminate witnesses; and cannot be nullified except with certainty.
- 3- They see that all the Muslims are equal in the rights and the obligations except for one thing – that is praying for the blessing of the paradise, and what is attached thereto, as that is the sole right of

the obedient – the Muslim who fulfils his religion and who deserves the obedience because of his submissiveness. As for prayers for the advantages of the world and for what changes a person from advantages of the world to the blessings of the hereafter such as the utterance of a person: you will know that he is bent off from straightness, God has bestowed on you sincere repentance, or guided you or granted you health and strength or promoted you in position – all these are lawful rights for everyone among the Muslims – pious or disloyal.

- 4- If the ruling appliances are tyrannical and do not adhere to the legal Islamic laws, it is permitted for Muslims to remain under such a rule or to leave it. If they remain, they have to obey the rules other than disobeying God. If the rule enforces its laws according to sect differing with them, then such laws pertain to them as well in matters pertaining to rights and duties, as long as such laws correspond with Islamic sect.

The nearest example for this is that the Ibadhis prefer the paternal side in affectionate than the maternal one; thus they see that a paternal grandmother is more appropriate in affectionate than a maternal one whereas most other sects see the opposite. So, if the rule observes laws which pertain to a sect giving the maternal side, the Ibadhis under such a rule have to implement that law and there is no objection.

Also the Ibadhis see that the grand-father prevents brothers from inheritance, whereas some other sects see that he has to share the inheritance with them. If the rule observes the sect believing in the latter opinion, the Ibadhis have to accept that and implement it and there is no objection to it.

I believe that these broad outlines are sufficient to explain the position of the Ibadhis among the Muslim sects. It has not gone to extreme in the question of legal evidence to consider every point important however weak be the reason, neither did it go to the extreme on the other side to repel tradition with analogy.

They have not been extremists on the question of consensus to consider agreement as limited to the sect or limited to the place – such as particular homeland or the two Holy places or Medina, as an excuse,

neither have they sided with the other side and deny the argument of consensus or its place, or proving it or its occurrence. They have surrendered its occurrence with its two parts, verbally and silently during the time of the companions as well as the possibility of its Occurrence at any time up to the day of Judgement. The idea that a limited consensus within the limits of a particular sect or country is an argument based on assumption on those adopting it and it has no power of consensus; and it is required to ignore the name of agreement and not the name of consensus.

They have not been extremists on the question of analogy and prevent to consider it a legal proof if its conditions are fulfilled, neither have they been extremists with regard to the other side to repel its text.

They have accepted inference through association and the transmitted benefits and did not become extremists on the question of ideology to bend on one side and fall in the comparison nor to the other side to fall in denying what God has established for Himself or what His Messenger has established for Him.

They have not gone to the extreme on the question of destiny and to incline to the side of negative to say that a person is forced on his activities and he is similar to a dead-body in the hands of one washing it, or to incline to the positive side to claim that a person creates his actions. They have not been extremists on the question of one who commits great sins and agree with those who judge him as idolator and they have not taken the stand of the hopeful who open the doors of paradise for the rebellions as if it is an hotel which they own its keys on principle of (sins do not harm where there is faith).

Now that the reader has known the fundamentals on which the Ibadhi sect has been built or the directions to which they head for and the manners which they follow, he is in a position to decide for the Ibadhis either a wide or a narrow sphere between the Muslim sects; and to remove from himself that gloomy and ugly picture which various conditions — political, fanatical and misapprehension have cooperated in fashioning it.

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12-8-1979.