

# Ibn Taymiyyah, the Mongols, and People Who Do Not Abide by the Laws of Islam

*Translation and Analysis  
of Two Controversial Verdicts*



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## **Introduction**

Taqi ad-Din Ahmad ibn ‘Abdil-Halim, better known as ibn Taymiyyah, is a world-renowned Islamic scholar. Nonetheless, he and his writings are controversial. One of his controversial verdicts, or more precisely, three of his controversial verdicts, have to do with the Mongols who invaded the Levant beginning in December 1299. The invasion prompted panic and confusion in the masses, with some writing to ibn Taymiyyah on what to do. Consequently, over the span of time the Mongols threatened the Islamic world, he released three verdicts known in English literature as the three “anti-Mongol fatwas”. Therein, ibn Taymiyyah outlined the obligation to fight such a group as the Mongols, and why that is so. The controversy stems from the Mongols claiming to be Muslims at that time; in addition, they have been, and still are, employed by contemporaries to show the modern Arab regimes and other so-called Islamist groups are apostates that should be fought. Thus to check the veracity of such usage, an accurate translation of two of the verdicts will be presented and analyzed, allowing the reader to judge for themselves, as well.

On the whole, Western scholarship regarding ibn Taymiyyah, and the “anti-Mongol fatwas” in particular, are woefully ignorant. One notable exception is a paper entitled *The Mongol Invasions of Bilād al-Shām by Ghāzān Khān and Ibn Taymīyah’s Three “Anti-Mongol” Fatwas* by Denise Aigle. She paints the historical background in which the verdicts were issued and does an excellent job of analyzing them, particularly the second

of the three. What's interesting about the context of the verdicts is that not only did the Mongols claim to be Muslims at the time, but their leader, Ghazan Khan, claimed to be a champion of Islam - none of which fooled ibn Taymiyyah. She and others contend the first verdict issued in this sequence of events happens to be the last in the sequence in which they are gathered in ibn Taymiyyah's *Majmu' al-Fatawa* (all three are found one after the other in volume 28: pp. 501-9; 509-43; 544-53). What appears to this author, however, is the order of issuance is indeed the order they are found in *Majmu' al-Fatawa*, with the high likelihood of the third verdict being a summarized version of the longer second. But apart from delineating the verdicts from each other (ex. the first verdict; the second verdict; the third verdict), the dates are of little importance to the subject matter. So to keep it simple, the method used herein is to follow the order in which the three verdicts appear in *Majmu' al-Fatawa* (the first verdict being pp. 501-9, etc).

On the Arabic side of things, it is arguably due to Usamah ibn Ladin's frequent references of ibn Taymiyyah that sparked renewed interest in the West. And before him, a certain Muhammad 'Abdus-Salam Faraj, a member of the group that assassinated Anwar Sadat, peaked the interest of some Western academics with his work *The Neglected Duty*, where he quotes at length from the second "anti-Mongol" verdict. Shaykhul-Islam ibn Taymiyyah also weighs heavily in the curriculum and writings of the Islamic State, which partly relies on these "anti-Mongol fatwas" in its fight against the modern Arab regimes and so-called Islamist groups. All of this led Western, non-Muslim, scholars with their so-called moderate colleagues, such as Michot and al-Qardawi, to attempt to "reclaim" ibn Taymiyyah from the "extremists". As absurd as that sounds, it was tried. And as alluded to above, by the end of this treatise we should be able to tell who is closer to ibn Taymiyyah, at least in the regard of citing the "anti-Mongol fatwas" in today's context for religious backing and legitimacy.

The translation of the first and third verdict are found below, both of which are juridical in nature; while the second verdict, half-judicial, half-historical, is left out due to its length and the third verdict having captured its main points. Both verdicts are translations of its Arabic counterparts found in the twenty eighth volume of *Majmu' al-Fatawa*, the 1425/2004 edition, easily accessed online. The first verdict can be found on pages 501-9 and the third on pages 544-51, respectively.

May Allah bestow peace and blessings upon our prophet, Muhammad.

## The First Verdict

Translation of *Majmu' al-Fatawa*, pp. 501-9

**Q:** What do the leading jurists of the *din* say about these Mongols who came in the year 699 and perpetrated the famous killing of Muslims, enslaved some of them, plundered any Muslim they found, desecrated the sanctity of the *din*, humiliated the Muslims, disrespected and debased the mosques - in particular in and around *bayt al-maqdis* (the mosque in Jerusalem) - took the wealth of the Muslims and a large amount from the treasury (*bayt al-mal*), imprisoned Muslim men and expelled them from their homes? Despite this, they claim to adhere to the two testimonies of faith and that it is prohibited to fight against their army because of their assertion they follow the foundation of Islam and thus are pardoned for the eradication of Muslims: is it permissible or obligatory to fight them? And whichever one it is, from which aspect is it permissible or obligatory? Please advise us.



He answered: All praise belongs to Allah. Every group that resists adhering to one of the apparent and widespread (*mutawatir*) laws of Islam amongst these people (i.e., the Mongols) or others must be fought until they abide by its laws, even if they pronounce the two testimonies of faith and adhere to some of its laws, just as Abu Bakr as-Siddiq and the Companions (may Allah be pleased with them) fought those who refused [to give] the *zakah*. The jurists after them agreed upon this after 'Umar's previous debate with Abu Bakr (may Allah be pleased with them both). Thus the Companions (may Allah be pleased with them) agreed on fighting over the rights of Islam in accordance with the Quran and Sunnah.

Likewise, the narrations of the Khawarij have been proven on the authority of the Prophet (ﷺ) from ten routes. He reported that they are the worst of creation, along with his statement: "You will belittle your prayer and fasting compared to theirs." So it is known that merely clinging to Islam while not adhering to its laws does not drop fighting; fighting is obligatory until the *din*, all of it, is for Allah and until there is no more *fitnah*. Thus whenever the *din* is for other than Allah, fighting is obligatory.

Therefore, any group that abstains from some of the obligatory prayers or the fast [of Ramadan] or the Hajj, or resists abiding by the prohibition regarding blood, wealth, alcohol, adultery, gambling, and incest, or from adherence to *jihad* against the *kuffar* or taking *jizyah* from the People of the Book, and other obligations and prohibitions of the *din* no one has any excuse to deny and leave, and where one who rejects their obligatory status disbelieves, then the resisting group (*at-taifah al-mumtani'ah*) is fought on account of it, even if it acknowledges it. And regarding this, I do not know of any disagreement amongst the scholars. Rather, the jurists only differed over the resisting group if it insists on leaving some recommended acts, such as the two *rak'at* of Fajr, the *adhan* and *iqamah*, for those who do not

view it as obligatory, etc. Do you fight the resisting group for leaving them or not? As for the obligations and prohibitions mentioned before, there is no dispute about fighting over them.

According to the best scholars, they (i.e., the Mongols and other groups that fail to abide by a law or laws of Islam) are not like the rebels (*bughat*) who break away from the leader or disobey him, such as the people of the Levant with the Commander of the Faithful, 'Ali ibn Abi Talib (may Allah be pleased with him). They disobey a particular leader or splinter away from his rule. As for those mentioned, they are outside of Islam in a similar status as those who resisted the *zakah* and the Khawarij whom 'Ali ibn Abi Talib (may Allah be pleased with him) fought. And because of this 'Ali's fight against the people of Basrah and the Levant differed from his fighting the people of Nahrwan. His relationship with the people of Basrah and the Levant was the relationship of a brother with his brother, in contrast with the Khawarij. There are established traditions from the Prophet (ﷺ) supporting the consensus of the Companions vis-à-vis the fighting of as-Siddiq [against those who resisted the *zakah*] and fighting the Khawarij, unlike the *fitnah* that occurred with the people of Basrah and the Levant. The texts prove what they prove (i.e., who was in the right), yet the Companions and their followers differed.

However, some of the leading jurists believe the rebels who should be fought are those who secede from the leader with a valid interpretation, not those who disobeyed him; while others considered both categories as rebels. In any case, there is a clear difference between rebels and the Mongols. I do not know of any disagreement over the obligation to fight those who do not adhere to the apparent and widespread (*mutawatir*) laws of Islam.

Once this principle is established, then these people being asked about, whose army includes *kuffar* from the Christians and *mushrikin*, alongside

people affiliated with Islam, and they form the majority of the army, who utter the two testimonies of faith if requested and exalt the Messenger: very few of them pray, while those who fast Ramadan far outnumber those who pray; the Muslim is valued more so than others, and the righteous Muslims are respected. They have some parts of Islam with them, and they differ in relation to it; however, what the majority of them are upon, and over which they fight, includes the abandonment of many laws of Islam, or even most of them. First, they oblige Islam but do not fight whoever leaves it. Rather, whoever fights for the Mongol state they honor and leave alone, even if he was a *kafir* enemy of Allah and His messenger. And whoever rebels against the Mongol state they deem it permissible to fight him, even if he was amongst the best of Muslims. They do not wage *jihad* against the *kuffar*, nor humble and enforce the payment of *jizyah* from the People of the Book; they do not prohibit their army from worshiping what they want, whether the sun, moon, or anything else. Rather, based on what is apparent, the Muslim in their view is the just and righteous or someone who does voluntary deeds amongst the Muslims, and the *kafir*, according to them, is the same as the *fasiq* amongst the Muslims or someone who leaves voluntary deeds.

Likewise, their commoners do not prohibit the blood and wealth of the Muslims except if the ruler prohibits it from them, that is: they do not adhere to leaving it. But if he forbids them from it or other things they obey him because he is the ruler, not for the sake of the *din*. The majority of them do not adhere to the performance of the obligations: not the prayers, nor the *zakah*, nor the Hajj, et al. They do not commit to ruling amongst themselves by the ruling of Allah. Instead, they judge according to their laws that agree with Islam at times and oppose it at other times. The only one who adhered to the laws of Islam was Shezberoun, who displayed from the laws of Islam what was common amongst the people. As for these, they entered it and did not abide by its laws.

Fighting this type of people is compulsory according to the consensus of the Muslims; and those who know the *din* of Islam and the truth of their affairs would not doubt that. For indeed, the state they are in and the *din* of Islam can never be joined together. If the Kurds, Bedouins and others of the countryside who do not abide by the law of Allah must be fought, even if their harm does not touch the people of the cities, then how about these people? Yes, one must follow the legal path in his fight: from calling them to adhere to the laws of Islam if the call to [abide by] the laws did not reach them, just as the belligerent *kafir* is first invited to the two testimonies of faith if the call did not reach him.

If the one who fights them does so from the perfect angle, and it is the goal, vis-à-vis pleasing Allah, raising His word, establishing His *din*, and obeying His messenger [then that is best. But if not, they should still be fought] even if there are oppressors amongst them and those with corrupt intentions, fighting for leadership or to infringe against them in some matters. The corruption of not fighting them is more harmful to the *din* than fighting them in that manner. Likewise, it is necessary to fight them to ward off the greater of the two evils by committing the lesser one. Indeed, this is one of the principles of Islam that should be observed. For this reason, amongst the principles of Ahlus-Sunnah wal-Jama'ah is fighting alongside every Muslim, whether he be righteous or an open sinner. For verily, Allah will support this *din* with corrupt men and people lacking ethics, as the Prophet (ﷺ) informed us about. If fighting cannot be fulfilled except alongside corrupt leaders or alongside an army who are mostly immoral, two things must take place: either the abandonment of fighting with them, which necessitates the conquest of others who are a larger harm in respect to the *din* and *dunya*, or fighting with the corrupt leader, thereby repelling others and establishing most of Islam's laws, even if it's not possible to establish all of them. This is what is required in this instance and

everything similar to it. In fact, much of the battles and conquests that took place after the Rightly-Guided Successors (*al-khulafa ar-rashidin*) did not occur except in this way.

It's proven on the authority of the Prophet (ﷺ) that he said: "Good will remain tied to the forehead of horses till the Day of Resurrection." This authentic *hadith* further proves the meaning of what Abu Dawud narrated in his book: "Fighting will continue from the time Allah sent me until the last of my community fights the Dajjal. It will not be invalidated by the oppression of the oppressor nor by the justness of the just." And what was expounded upon from his statement: "There will not cease to be a group of my community triumphant on the truth; they will not be harmed by those who oppose them till the Day of Resurrection." In addition to the other texts that Ahlus-Sunnah wal-Jama'ah, amongst all the groups, agreed to act upon vis-à-vis waging *jihad* against those who deserve to be fought alongside the righteous and corrupt leaders - in contrast to the Rafidah and Khawarij who left the *sunnah* and community.

This, even though he (ﷺ) is reported to have said: "Verily, after me will come leaders: whoever endorses their deceit and supports them in their oppression is not from me nor I from them, and they will not meet me at the Pond (*al-hawd*). But whoever does not endorse their lies and does not support them in their oppression, then he is from me and I am from him, and he will meet me at the Pond."

If a person comprehends what the Prophet (ﷺ) commanded of *jihad* carried out with the leaders till the Day of Judgment, and what he forbade in terms of aiding them in their oppression, he would know the moderate way, the pure *din* of Islam, is waging *jihad* against those who are deserving, such as those people being asked about, alongside every leader and group closest to Islam, if waging *jihad* against them is only possible in such a manner, being careful to avoid helping them in any disobedience to Allah.



Rather, he obeys them in what is obedience to Allah and does not obey them in disobedience to Allah, as there is no obedience to creation in disobedience to the Creator.

This is the path of the best of this community, past and present. And it is obligatory for every duty-bearer (*mukallaf*). It is the middle path between the path of the Haruriyyah and their likes who, due to a lack of knowledge, follow the path of corrupt piety, and between the path of the Murjiah and their likes who follow the path of complete obedience to the leaders, even if they are not righteous.

We ask Allah to help us and our Muslim brothers in what He loves and is pleased with from statements and actions. And Allah knows best.

May the peace and blessings of Allah descend upon our prophet, his family, and his companions.

## Analyzing the First Verdict

This is the most common of three verdicts and in all likelihood, as mentioned previously, the first issued after the Mongol aggression in the Levant. It is important to note ibn Taymiyyah was not asked: is it permissible to fight the Mongols? The permissible status was a given. Instead, he was asked whether it is simply allowed or compulsory; said another way: is it sinful to *not* fight them? The general themes in his reply consist of: (1) stressing the obligation to fight such a group as the Mongols; (2) defining the resisting group (*taifah mumtani'ah*), and how the Mongols fall into that category; (3) outlining the difference between rebels (*bughat*) and the *taifah mumtani'ah*; (4) the mention of a principle amongst Ahlus-Sunnah regarding *jihad* and fighting alongside leaders.

Ibn Taymiyyah opens his answer by establishing a legal rule. This rule states it is compulsory to fight “every group that resists adhering to one of the apparent and widespread laws of Islam... even if they pronounce the two testimonies of faith.” Highlight *every*, because with that it is evident his verdict applies outside the Mongol context if the shoe fits, contradicting those who contend otherwise. He emphasizes this with his statement: “amongst these people (i.e., the Mongols) or others,” and again a few lines later: “any group.” His proof behind this principle is the agreement of the Sahabah to fight those who refused to give the *zakah* and the narrations concerning the obligation to fight the Khawarij, both in accordance to the injunction in the Quran: “Fight them until there is no more *fitnah* and the *din* is completely for Allah” (8:39), a verse he doesn’t mention in this verdict, but does in the third.

To help clarify what this type of group looks like he gives practical examples: abstaining from the establishment of the prayer or any of the pillars of Islam; failure to abstain from agreed upon prohibitions like usury and alcohol; failure to adhere to agreed upon obligations like *jihad* against the *kuffar* and enforcing the *jizyah*, are just a few examples of what makes a group a *taifah mumtani’ah* and compulsory to fight. “Regarding this,” ibn Taymiyyah says of the obligation to fight the *taifah mumtani’ah*, “I do not know of any disagreement amongst the scholars.” And throughout his answer he emphasizes that the obligatory status to fight such a group is agreed upon, stating at one point: “Fighting this type of people is compulsory according to the consensus of the Muslims; and those who know the *din* of Islam and the truth of their affairs would not doubt this.”

Next he clarifies this type of group is not fought like how rebels are fought; instead they are fought as the Khawarij and those who refused to give the *zakah* were fought. In Islamic law, rebels are defined as “a group of Muslims that rebel against a legitimate leader due to a valid interpretation.

They do not become kuffar merely for rebelling because they did not rebel except with a valid interpretation; they are not even deemed sinful according to some scholars” (ibn ‘Uqla). The designation is important due to the jurisprudence related to both: rebels are only fought if they begin fighting after efforts to reconcile have been employed; their dead are washed and buried with the Muslims; their fighters who flee in the course of battle are not pursued; their wounded are not killed; and their women and children are not enslaved. The opposite applies for the *taifah mumtani’ah*.

Many opined, erroneously, that ibn Taymiyyah viewed the Mongols as Khawarij due to him likening the way they are fought to the Khawarij. This has caused confusion vis-à-vis ibn Taymiyyah’s ruling on the Mongols because of the difference of opinion found amongst the Salaf regarding the Khawarij: are they apostates or not? The Sahabah did not consider the Khawarij to be apostates, while they did consider those who refused to give the *zakah* as apostates. Ibn Taymiyyah speaks about this and both groups in the longer of the three verdicts. There he gives the Khawarij ‘Ali fought a distinct category, saying,

The speech of ‘Ali and others regarding the Khawarij indicates they are not kuffar apostates from the foundation of Islam. And this is reported from the leading scholars such as Ahmad and other than him. But their ruling is not like the ruling of the people of the Camel and Siffin. Rather, they are a third category. This is the most correct of the three opinions regarding them.

Thus the Khawarij ‘Ali fought have their own category. The category the Mongols fall under is the category of those who resist abiding by a law of Allah like the payment of *zakah* and, as he will mention in the coming

verdict, the prohibition of usury. To make this clear, that is, are the Mongols Muslims or not? he says about them: “the state they are in and the *din* of Islam can never be joined together,” indicating they are apostates. The fact that he likens them to the Khawarij is only to draw attention to the obligation to fight such a group. Because if the Khawarij were fought, even though their prayer and fasting trumped the prayer and fasting of the Sahabah, then what of those, like the Mongols, who are much worse than them? The obligation to fight them is greater.

Alluding to the fact fighting alongside the Mamluks, even if some of them are fighting for power amongst themselves, is the lesser of the two harms in the face of not fighting the Mongols, ibn Taymiyyah highlights a principle of Ahlus-Sunnah: fighting alongside Muslim leaders even if they are corrupt. Thus for Shaykhul-Islam ibn Taymiyyah, refraining from fighting apostates is a greater evil (*mafsadah*) than fighting with corrupt leaders, in contrast to popular opinion today. He highlights fighting will continue until the Day of Judgment and that there will always remain a group from the community of Muhammad (ﷺ) fighting for the truth.

“This,” Shaykhul-Islam ibn Taymiyyah says in closing and is worth reflecting over, “is the path of the best of this community, past and present. And it is obligatory for every duty-bearer (*mukallaf*). It is the middle path between the path of the Haruriyyah and their likes who, due to a lack of knowledge, follow the path of corrupt piety, and between the path of the Murjiah and their likes who follow the path of complete obedience to the leaders, even if they are not righteous.”

It is no wonder various scholars applied this verdict to modern realities. Not due to a failure to understand the context, but for precisely the opposite: understanding the context in which they were issued. The similarity between the Mongols in ibn Taymiyyah’s time and the regimes in the Muslim world today are striking: they refrain from implementing some

or most laws of Islam; they do not wage *jihad* against the *kuffar*, instead allying and fighting with them against Muslims; they do not enforce the *jizyah* on the People of the Book within their states, nor force apostates to repent, instead making the Muslim and *kafir* equal in status. All these points and others ibn Taymiyyah mentioned found with the Mongols, whom he stressed it is necessary to fight to remove their evil, are found with modern regimes.

## The Third Verdict

Translation of *Majmu' al-Fatawa*, pp. 544-51

**Q:** He (may Allah have mercy on and be pleased with him) was asked about soldiers who refrain from fighting the Mongols, claiming that amongst them are [Muslims] who have been forced to go out [and fight], and if one of them flees [from battle], should he be pursued or not?

**H**e answered: All praise belongs to Allah, the Lord of creation. Fighting the Mongols who came to Sham is compulsory according to the Book and Sunnah. Allah says in the Quran: "Fight them until there is no more sedition (*fitnah*) and the *din* is completely for Allah" (8:39). "The *din*" here means obedience (*ta'ah*). Thus if some of the *din* is for Allah while some is given to other than Allah, fighting is obligatory until the *din* is completely for Allah. This is why Allah (ﷻ) said: "O believers! Fear Allah, and give up outstanding usury (*riba*) if you are believers. If you do not, then beware of a war with Allah and His messenger!" (2:278-9). This verse was concerning the people of Ta'if when they entered Islam and committing themselves to prayer and fasting, but refrained from leaving usury. Allah clarified they are



warring against Him and His messenger if they do not stop dealing in usury. Usury was the last thing forbidden by Allah, and it is money taken with the consent of its owner. So if it is compulsory to wage *jihad* against those people hostile to Allah and His messenger, then what of those who abandon many laws of Islam, or most of them, like the Mongols?

Muslim scholars have agreed that if the resisting group (*at-taifah al-mumtani'ah*) abstains from some of the apparent and widely accepted duties of Islam, then it must be fought. If they pronounce the two testimonies of faith yet abstain from prayer, *zakah*, fasting the month of Ramadan, the Hajj to the Ancient House, or from ruling between themselves by the Book and Sunnah, or from the prohibition of immorality (*fawahish*), alcohol, incest, or they permit taking life and wealth without right, usury, gambling, or [abstains] from *jihad* against the *kuffar*, or enforcing the *jizyah* on the People of the Book, and so on from the laws of Allah, then verily, they are fought over it until the *din* is completely for Allah.

It's established in the two books of authentic narrations that when 'Umar debated Abu Bakr over those who resisted [giving] the *zakah*, Abu Bakr said to him: "How can I not fight those who abandon the rights Allah and His messenger enjoined, even if he embraced Islam, such as *zakah*? Indeed, *zakah* is its (i.e., wealth) right. By Allah, if they prevent me from a rope that they used to give to the Messenger of Allah (ﷺ) I will fight them for withholding it."

"By Allah," 'Umar said, "as soon as I saw that Allah had opened the chest of Abu Bakr to fight, I knew it was right."

And it is established in the authentic book of narrations from multiple routes that the Prophet (ﷺ) mentioned the Khawarij and said: "You will belittle your prayer, fasting, and recitation compared to theirs. They recite the Quran yet it does not go beyond their throats. They will pass through Islam as an arrow passes through prey. Kill them whenever you meet them,

for indeed, in killing them is a reward with Allah on the Day of Resurrection. If I were to meet them, I would kill them as 'Ad was killed."

The Salaf and leading scholars agreed to fight them. The first to fight them was the Commander of the Faithful, 'Ali ibn Abi Talib (may Allah be pleased with him), and the Muslims continued fighting [them] in the days of the Umayyad and 'Abbasid caliphates alongside the leaders, even if they were oppressive; al-Hajjaj and his deputies were [even] among those who fought them. All the leading scholars of the Muslims order to fight them.

However, the Mongols and their likes are greater in terms of deviations from the law of Islam than those who resisted [paying] the *zakah*, the Khawarij, and from the people of Ta'if, those who abstained from abandoning usury. So whoever doubts vis-à-vis fighting them is the most ignorant of people of the *din* of Islam. When it is compulsory to fight them, they should be fought even if there are those under compulsion amongst them by the agreement of the Muslims.

"O Messenger of Allah! I was forced to come!" al-'Abbas said when captured on the Day of Badr.

"Your outward appearance was against us," the Prophet (ﷺ) replied. "As for what lies inside, it is for Allah [to judge]."

The scholars agreed that if the army of *kuffar* uses Muslim prisoners of war as human shields and the Muslims fear harm if they do not fight, then they should be fought even if that leads to the killing of the Muslim human shields. But if the Muslims don't fear harm, then there are two famous views of the scholars vis-à-vis the permissibility of fighting if it leads to the killing of those Muslims. In any case, if those Muslims are killed, they are considered martyrs (*shuhada*), and the obligatory *jihad* is not left for the sake of someone who, if killed, is a martyr. Indeed, if the Muslims fight the *kuffar*, whoever is killed amongst the Muslims is a martyr, and whoever is

killed for the benefit of Islam while not deserving to be killed, he is also a martyr.

It is established from the Prophet (ﷺ) in the two books of authentic narrations (i.e., *Sahih al-Bukhari* and *Sahih Muslim*) that he said: “An army from the people will attack this house (i.e., the Ka’bah), but when it reaches the desert all of them will be swallowed by the earth.”

It was said: “O Messenger of Allah! And if some of them are forced?”

“They will be resurrected based on their intentions,” he said.

So if the punishment Allah inflicted on the attacking army hit those under compulsion and those not, then what of the punishment Allah inflicts them with through the hands of the believers, as Allah (ﷻ) said: “Say, “Are you waiting for anything to befall us except one of the two best things: [victory or martyrdom]? But we are awaiting Allah to afflict you with a torment either from Him or at our hands” (9:52).

We do not know who is under compulsion, and we do not have the ability to differentiate. So if we kill them by Allah’s command, we would be rewarded and excused, and they would be raised based on their intentions. Thus whoever was forced with no ability to resist, he will be resurrected on the Day of Resurrection based on his intentions. If he is killed for the sake of establishing the *din*, that would not be greater than the killing of the Muslim soldier. But if one of them escapes and runs away, some people make the fight against them equal to fighting rebels with a [valid] interpretation.

[A question is,] if it was a resisting group, is it permissible to pursue the one who flees, kill their captives, and finish off their wounded? The scholars have two famous views. Some said it should not be done because the caller of ‘Ali ibn Abi Talib called out on the Day of the Camel: “Do not follow one who flees, nor finish off the wounded, nor kill the captive.” Others said it can be done because there was no resisting group on the Day of the Camel, and the purpose of the fighting was to repel them. So when

they were repelled, there was no need for that, like the case of repelling an armed robber; and it was reported that on the Day of the Camel and Siffin their situation was different from that. So whoever considers them (i.e., the Mongols) amongst those with a valid interpretation, applies these two views to them. However, what's correct is that they are not amongst the rebels with a valid interpretation because their interpretation has no basis. Rather, they are amongst the category of the rogue Khawarij, those who resisted the *zakah*, the people of Ta'if, the Khurramites, and their likes, who fought based on what they left from the laws of Islam.

This issue has confused many jurists. Those who wrote on "fighting the rebels" made the fight against those who resisted the *zakah*, the fight against the Khawarij, 'Ali's fight against the people of Basrah, and his fighting against Mu'awiyah and his followers, all part of the command to fight the rebels; and they subdivided the matters based on that, according to those who held that view. However, they were mistaken. Rather, what is correct is what the leading scholars of *hadith* and the *sunnah* and the people of the Prophet's City are upon, such as al-Awza'i, ath-Thawri, Malik, Ahmad ibn Hanbal, et al., in differentiating between this and that.

'Ali's fighting the Khawarij is established by clear texts from the Prophet (ﷺ), with the agreement of the Muslims. As for the fighting on the Day of the Camel, etc., the Companions did not agree. In fact, some of the greatest Companions shunned it, such as Sa'd ibn Abi Waqqas, Muhammad ibn Maslamah, Usamah ibn Zayd, 'Abdullah ibn 'Umar, et al., and there was no one after 'Ali ibn Abi Talib in the armies better than Sa'd ibn Abi Waqqas. The authentic narrations from the Prophet (ﷺ) stipulate that it was necessary to reconcile between the two groups, not fight against each other, as proven in *Sahih al-Bukhari* when he gave a talk to the people and said: "This son of mine is a leader that Allah will allow to reconcile between two noble groups of believers." Thus Allah reconciled the people of Iraq and the

people of Sham with al-Hasan. The Prophet (ﷺ) considered the reconciliation through him one of the merits of al-Hasan, with the fact al-Hasan relinquished the matter and handed the affair to Mu'awiyah. So if fighting was commanded without leaving the *khilafah* and reconciling with Mu'awiyah, the Prophet (ﷺ) would not praise abandoning what was ordered and doing what he did not command, nor would he have commended him for leaving what was better and doing what was lesser. Thus it is known the action of al-Hasan was what was beloved to Allah and His messenger; and it was not fighting.

It is established in *Sahih [al-Bukhari]* that the Prophet (ﷺ) placed al-Hasan and Usamah on his lap saying: "O Allah! I love them, so love them and whoever loves them."<sup>1</sup> The effect of the love of Allah's messenger (ﷺ) was evident when they hated to fight in the *fitnah*. Indeed, Usamah abstained from fighting either of the two groups; likewise with al-Hasan who constantly advised 'Ali not to fight. And when the matter came to him, he did what he advised his father to do, may Allah be pleased with them all.

It's also established from him (ﷺ) in *Sahih [Muslim]* that he said: "A rogue group will appear when there is dissension amongst the Muslims. The closer of two groups to the truth will fight it." This rogue group was the Khawarij, and 'Ali fought them. This is confirmed by the rest of the narrations which command to fight the Khawarij, and it is clear that fighting them is what Allah and His messenger love and that those who fought with 'Ali were closer to the truth than Mu'awiyah and his followers. Even though they were closer to the truth, the Prophet (ﷺ) did not command fighting one of the two groups as he did with the Khawarij. Rather, he praised reconciliation between them.

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<sup>1</sup> This is actually the wording found with at-Tirmidhi; al-Bukhari has the same wording minus the ending "and whoever loves them".



It's proven from the Prophet (ﷺ) that fighting in times of strife is disliked and cautioned from it. Amongst those authentic narrations is his statement: "There will come strife where the sitting is better than the standing and the standing better than the walking and the walking better than the running." And he said: "A time will come where the best wealth of a Muslim will be sheep which he takes to the top of mountains and valleys, fleeing with his *din* from the strife." Strife is like the wars between Muslim leaders and groups, although each group adheres to the laws of Islam, as what happened with the people of the Camel and Siffin: they only fought due to confusion and matters that arose. As for fighting the Khawarij, the resisters of *zakah*, and the people of Ta'if who did not forbid usury, they are fought until they enter into the established laws from the Prophet (ﷺ).

Thus if they are a resisting group, there is no doubt it is permissible to kill their captives, pursue those who flee, and finish off their wounded. If these people are residing in their lands as they are, the Muslims should go to their lands to fight them until the *din* is completely for Allah. Indeed, these Mongols do not fight over the *din* of Islam; they fight people until they enter into their obedience. So whoever obeys them is left alone, even if he was a *mushrik*, Christian, or Jew; and whoever does not, they take as an enemy, even if he were amongst the prophets and righteous.

Allah commanded the Muslims to fight His enemies, the *kuffar*, and to ally with His believing servants. And thus it is obligatory for the Muslims amongst the armies of Sham, Egypt, Yemen, and the Maghrib, all of them, to cooperate in fighting the *kuffar* and not to fight each other merely for leadership and whims. So the least these Mongols can do is fight the *kuffar* amongst them and refrain from fighting the Muslims and to cooperate while fighting the *kuffar*.

No one fights alongside them (i.e., the Mongols) without compulsion except a *fasiq*, or an innovator, or a *zindiq*, such as the heretic Qaramitah,

the Rafidah, and the Jahmiyyah amongst the Pantheists; and their blind followers amongst those who affiliate to knowledge and *din* are worse than them. Indeed, the Mongols are ignorant, blind following whoever they think well of. And because of their misguidance, they follow the misguidance that lies against Allah and His messenger, substituting the *din* of Allah, not forbidding what Allah and His messenger forbade, and not adhering to the *din* of truth. And if I were to describe everything I know about them, the discussion would be prolonged.

In sum, their path (*madhhab*) and the *din* of Islam cannot be combined. And if they displayed the upright *din* of Islam, the one He sent His messenger with, they would have been guided and obeyed: like the victorious group (*at-taifah al-mansurah*). It's established from the Prophet (ﷺ) that he said: "There will always be a group amongst my community triumphant upon truth; they will not be harmed by those who oppose them nor by those who betray them till the establishment of the Hour." And it's established from him in *Sahih* [*Muslim*] that he said: "The people of the *maghrib* will always continue to be triumphant."... The Prophet (ﷺ) said this while in the Prophetic City, so what lies west to it is the *maghrib*, such as Sham and Egypt, and what lies east to it is the *mashriq*, such as the Jazirah and 'Iraq. Thus the Salaf would call the people of Sham: the people of the *maghrib*, and they would call the people of Iraq: the people of the east (*mashriq*).

What I mentioned in this of narrations and legal evidence is elaborated on elsewhere. And Allah knows best.

## Analyzing the Third Verdict

As mentioned previously, this is likely to have come after the first verdict. It also appears that it is either a summarized version of the longest of the three “anti-Mongol” verdicts, that being the second, as in the latter he expounds on the same points herein. Herein, the question revolves around the Mamluk soldiers who were taken captive and forced to fight. Moreover, the question surrounds what to do in the event the Mongol army flees from battle: should they be pursued or allowed to flee? If they are simply Muslim rebels, they would not be pursued; but if they are considered outside the fold of Islam, they would not be given that privilege.

Shaykhul-Islam ibn Taymiyyah answers by relating the legal rule vis-à-vis groups that resist aspects of Islamic law: that they must be fought until they comply with the laws of Islam. In addition to the two examples mentioned in the first verdict, he mentions a third historic group that fits within this mold: the people of Ta'if who did not adhere to forbiddance of usury. According to ibn Taymiyyah, fighting such groups is compulsory according to the consensus of Muslim scholars. On top of that, the Mongols are much worse and resist more than one law of Islam; so the obligation to fight them is greater, and only someone ignorant has any doubts about that, says ibn Taymiyyah. If that is so, what of the scholar who legitimizes this type of group and wars against those who carry out the obligation of fighting them? “Their blind followers amongst those who affiliate to knowledge and *din* are worse than them,” that is, worse than the Mongols themselves, as they should know and act better, ibn Taymiyyah relates later in his answer.

Having established this legal principle, ibn Taymiyyah addresses the crux of the matter: those Mamluk soldiers forced to fight alongside the Mongols. He states the obligation to fight is not suspended due to the

possible presence of forced soldiers in the opponent's camp, citing the incident of al-'Abbas in the battle of Badr and that this position is according to consensus. To further prove this, he mentions the issue of human shields (*tatarrus*) and how the scholars agreed the enemy is still fought even with the presence of Muslims used as human shields. *Tatarrus* made it into the vocabulary of Western scholars' writings when Abu Yahya, a leading scholar for al-Qa'idah in the time of Usamah ibn Ladin, released an essay regarding the subject. In sum, those forced to fight and those used as human shields, if killed during the rage of battle, are considered martyrs, and the obligatory fight is not nullified due simply to the possible death of people considered martyrs if killed. What this shows is the establishment of Islamic laws, or the lack of the establishment of Islamic laws, warrants the shedding of blood and that the sanctity of the *din* is given precedence over the sanctity of the self. And so, ibn Taymiyyah relates, since there is no ability to investigate who is forced and who is not, judgement should be based on what is apparent and the fight should continue until the *din* is solely for Allah.

Like in the previous verdict, ibn Taymiyyah makes it a point to clarify the difference between *bughat* and the *taifah mumtani'ah*. And the reason he stresses the difference is because the issue had become confusing to people, including many scholars. As ibn Taymiyyah said above:

This issue has confused many jurists. Those who wrote on "fighting the rebels" made the fight against those who resisted the *zakah*, the fight against the Khawarij, 'Ali's fight against the people of Basrah, and his fighting against Mu'awiyah and his followers, all part of the command to fight the rebels... However, they were mistaken. Rather, what is correct is what the leading scholars of *hadith* and the *sunnah* and the people of the Prophet's City are upon, such as

al-Awza'i, ath-Thawri, Malik, Ahmad ibn Hanbal, et al., in differentiating between this and that.

“Thus if they are a resisting group, there is no doubt it is permissible to kill their captives, pursue those who flee, and finish off their wounded,” he says after mentioning some proof for the differentiation. He even states the Muslims should initiate the fight against them in their lands “until the *din* is completely for Allah.” And this is all because the *taifah mumtani'ah*, and therefore the Mongols, are treated as belligerents (*muharibun*), not rebels. Ibn Taymiyyah reprimands the Mongols sharply for not fighting for the sake of the *din* of Allah, but for power instead, similar to modern regimes who fight over their community's interests and not over the *din* of Allah.

“In sum,” ibn Taymiyyah concludes, “their path (*madhhab*) and the *din* of Islam cannot be combined,” clarifying once more he considered the Mongols as disbelievers. Closing in a similar manner as the first, he reminds there will remain a group from the community of Muhammad (ﷺ) fighting for the truth, and that those who fight groups like the Mongols are the most deserving of that honorific title: the victorious group (*taifah mansurah*).

## Conclusions

1. Any group that does not abide by an obvious ruling of Islam, not solely a pillar of Islam like *zakah*, should be fought until the *din* is completely for Allah, by consensus of Muslim scholars.
2. It is not a condition that the resisting group reject the obligation or prohibition of whatever clear ruling/s they fail to abide by.
3. There is a stark difference between a resisting group and Muslim rebels.



4. The resisting group is considered an apostate group, in contrast to Muslims rebels.
5. Shaykhul-Islam ibn Taymiyyah considered not fighting apostate groups a greater evil than fighting with corrupt leaders. Said another way: given the options of fighting with a corrupt leader or not fighting, fighting with a corrupt leader is the lesser of two evils.
6. The cause that warranted fighting the Mongols, which is resistance to abide by clear Islamic laws and rulings, is present in the modern Arab regimes and so-called Islamist groups in the Islamic world.
7. There will always be a Muslim group fighting for the truth, and those who fight groups that resist abiding by aspects of Islamic law are the most deserving to have the narrations of the Prophet (ﷺ) concerning the *taifah mansurah* apply to them.
8. Fighting apostate groups with any Muslim leader is from the methodology of Ahlus-Sunnah wal-Jama'ah.
9. Amongst the characteristics of the Murjiah is uncritical obedience to rulers, even if they are corrupt.

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