

Shaykh 'Ali bin Hasan al-Halabi al-Athari

(*hafidhahullaah*)

ON THE SERIOUS LIE SPREAD BY HAMAS THAT HE GAVE A FATWA SANCTIONING THE ASSASSINATION OF THE LEADER OF HAMAS, ISMAEEL HAANIYAH¹

¹ **Editor's Note:** Dated: 10 Safar 1429 AH/17 February 2008 CE. This was originally translated on the website of the Jordanian Salafi journal *al-Asaalah* here: <http://www.asaala.net/home.php> we have edited the original translation somewhat based on referral to the original Arabic article here: <http://www.asaala.com/viewWord.php?wordID=2>

This claim was spread by many of the *Ikhwanis* in the Middle East on their websites based on the fact that on the Palestinian TV Channel, *al-Aqsa*, which is the channel of the Interior Ministry of Hamas in Gaza, a 16 year old youth called "Muhammad Kahayl" claimed that Shaykh 'Ali Hasan gave him a fatwa via the telephone (!?) authorising the assassination of Ismaa'eel Haaniyah due to Hamas being *Khawaarij* for going against Aboo Maazin Mahmood 'Abbaas!!? See here: <http://www.youtube.com/watch?v=oCRzGDpy5Co&feature=related> here: <http://www.youtube.com/watch?v=77UDfgJ18> and here: <http://www.paltimes.net/arabic/?action=detile&detileid=13333>

First of all, it is obvious that this is nothing but another vile Machiavellian tactic employed by the enemies of the *da'wah Salafiyyah* in Palestine (i.e. the Hamas-ikhwanis!) in order to spread false propaganda against the *da'wah Salafiyyah* in Shaam. This issue just demonstrates the extent to which they will go in order to discredit the Salafis and their Shaykhs, indicating that what the Salafis have been saying throughout the years about the *ikhwani* methodology of propaganda and political expediency is absolutely accurate.

Secondly, it is well known that *Hamas* resort to cheap and simplistic propaganda in order to gain across their ideas that only they are right all the time, they also do this along with bully-boy gangster-type tactics in order to create confusion, fear and doubt within the society.

Thirdly, those who criticise the *ikhwani Hamas* methodology the most are from Ahl us-Sunnah, the Salafis, and as a result are hated and opposed vehemently. If this does not involve propaganda against the Salafis, as we will see in this article, it will even involve violence and beatings. So it is quite ironic that *Hamas* have the nerve to claim that the Salafi scholars sanction assassinations of them!

Fourthly, Shaykh 'Ali Hasan, does not answer his phone to anyone and this has been his way with the phone for the last 10 years! Let alone answer the phone to a 16 year old unknown boy from Palestine who asks him questions related to jihad, killing and Palestine!!?

Lastly and most importantly, it is not from the *manhaj* of Shaykh 'Ali al-Halabi al-Athari to rebel against whoever comes into power, as whatever authority comes into power are to be considered as the "leader who has become dominant" (*al-haakim al-mutaghallib*). Shaykh 'Ali Hasan al-Halabi (*hafidhahullaah*) stated in a lesson with some brothers from London at the *Imaam Albaanee Centre* ('Ammaan, Jordan) in March 2006 CE:

"Here we must stop at this word "**mutaghallib (the one who overpowers and becomes dominant)**" for a while. In the next session it will be made apparent to us that the paths for a ruler acquiring power are numerous and from the paths are in the case of a ruler who becomes dominant and overpowers others (*al-Mutaghallib*). It is when a person opposes the Divine Legislation and revolts against the Muslim leader and thus becomes dominant, and this has happened in Islamic history and the

All praise is due to Allah, Who said in His Noble Qur'an:

وَمَا جَعَلْنَا لِبَشَرٍ مِّنْ دُونِ اللَّهِ مَتَابَعَةً ۚ إِنَّكَ لَآتِيهِم بِبَيِّنَاتٍ مِّنْهُ ۚ وَكَذَّبُوا بِهَا فِي كِبَارٍ ۚ تَاللَّهِ لَآتِيَنَّكُم بِبَيِّنَاتٍ مِّنْهُ وَلَآتِيَنَّكُم بِبَيِّنَاتٍ مِّنْهُ وَلَآتِيَنَّكُم بِبَيِّنَاتٍ مِّنْهُ

“And We have made some of you as a trial for others: will you have patience? And your Lord is Ever All-Seer (of everything)”.

{*al-Furqaan* (25): 20}

And may the blessings and peace be upon His Noble Prophet, who said—in the authentic hadith: “Whoever says something about a Muslim which is not true, then Allah will let him dwell in the pus of the denizens of the Hell-fire until he frees himself from what he said (but he will not).”

To proceed:

I have been phoned and mailed by a number of my caring brothers and friends who asked about what has been ascribed to me, by those who I do not know, that occurred in a Hamas press conference. In their press conference an alleged fatwa was spread by some satellite channels without any verification, and which I have neither seen nor heard of. It included fabrications on me, but not a fatwa from me, regarding my making it permissible to assassinate the brother Ismaa'eel Haaniyah (the leader of Hamas)! Allah knows that this is a mere lie and a manifest fabrication.

In order to clarify things and show the truth, I say that:

First: the Salafi Da'wah is a scholarly, Sharee'ah-related one based on *Tasfiyah* (purifying) and *Tarbiyah* (i.e. nurturing a generation on the basis of the authenticated narrations of the Religion)

scholars noted that this opposes the Divine Legislation. However, the one who revolted against the Muslim ruler has established and settled security and command now and is able to control the Muslim lands as he obviously is a Muslim yet has opposed the consensus of the Muslims by revolting in the first place yet has seized the reins of power from the first bearers of it. The scholars have reached agreement that the leader who overpowers the reins of authority from another leader is to be obeyed and this is Divinely Legislated. Why? Because it is feared that revolting against this one again will only cause a worse tribulation. For that reason, the greatest intents of the Divine Legislation is that preventing the harms takes precedence over enforcing the benefit.”

in the light of the Book and the Sunnah, and it aims at maintaining the nation's faith and security.

Second: It is against the method of this blessed Da'wah to be involved in the field of contemporary politics, let alone to be involved in fatwas of incitement and revolution, or actions of retaliation and anarchy.

Third: The crystal clear method of our blessed Da'wah totally rejects the principle of legitimizing assassinations and treacherous killing in the first place, even if this is regarding a disbeliever who has safety and security within Muslim countries, so then how about issuing a fatwa sanctioning the assassination of a Muslim, any Muslim, in his own land?

Fourth: We always repeat that major issues require major scholars, and we notice as well as others that we often avoid issuing fatwas with regard to divorce and inheritance due to their great significance in people's reality. Thus, how could we issue fatwas regarding what comes immediately after setting up partners with Allah, i.e. killing a Muslim, any Muslim?

Fifth: We know, as even the far and lowly know, that the dispute taking place between the Palestinian Authority and Hamas over the blessed land of Palestine is a great tribulation and disunity that benefits no one but the awaiting invaders. All know, before and after, that the catastrophic effects of this bitter reality which includes internal fighting and killing among the Palestinian people in the name of being concerned with them- this bitter reality never at any time waited for a fatwa that legitimizes such catastrophic crimes by any institution or person, **not to mention a person who is neither a mufti nor a judge, like myself!**²

Thus, let those brothers who are fighting each other fear Allah, the Exalted, regarding their people and nation, let them also fear Allah with regard to themselves and their companions. Let them all care for the greater public interest more than small partisan interests and this will never be achieved except through co-operation and preservation in an all-inclusive way.

Sixth: All the people, including the learned and the ignorant, know that our clear legal fataawa during times when fitnah (tribulation) intensifies, is to stay away from it, be careful from it, and to stay at home in order to avoid it as the Prophet (peace be upon him) said: *"Establishing the worship during the times of Harj (i.e. fitnah, killing, mischief, and the like) is as*

² **Editor's Note:** So from the humility of our Shaykh, Ali Hasan al-Halabi al-Athari, is that he regards himself as neither a Mufti nor an Islamic judge (Qadi)! Compare this with the likes of those who boldly claim that they hold these positions, for example in London the ignoramus Anjem Choudary has claimed that he is an "Islamic judge of a Shari'ah court in the UK"!!! See: http://www.salafimanhaj.com/pdf/SalafiManhaj_Choudhary.pdf

