

The Sunnah Beard

**A refutation of a
Baatil concoction**

By:

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South Africa

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Bismillaahir rahmaanir raheem

INTRODUCTION

One misguided, lost soul, Dr. Rasheed Maqdisi, the Dean of a university in Yemen, has written an article in which he abortively laboured to ‘prove’ that according to the Shaafi’ Math-hab it is permissible to shave off the whole beard even without valid Shar’i justification. The view he has peddled is absolutely baatil – baseless, devoid of Shar’i substance - and the arguments spawned to bolster the *ghutha* (*rubbish*) he has disgorged, have no validity in the Shariah.

Dr. Maqdisi has exhibited his inexpertise, in fact his *jahaalat* in the concoction he has prepared with the objective of convincing the ignorant and the unwary that the fourteen century shaving prohibition is erroneous. His research of the Shaafi’ kutub of Fiqh is extremely defective, and his understanding thereof is even more deficient. Whilst the Shaafi’ Math-hab’s prohibition of interfering with the beard is the strongest of the Four Math-habs, this miscreant Dean has struggled to extravasate permissibility for the kuffaar practice of shaving the beard on the basis of a certain difference of opinion among the Shaafi’ Fuqaha pertaining to the sphere of Fiqhi technicalities.

By the fadhl of Allah Ta’ala, in this refutation, we have dissected and demolished his *ghutha*. We express our gratitude to Allah Azza Wa Jal for having enabled these humble servants, deficient in the capital of Ilm, to eliminate the flimsy veneer of ‘proof’ with which Maqdisi has endeavoured to mislead the ignorant and the unwary. We have by Allah’s fadhl laid bare the miscreant’s stupid arguments which have confused those who have read it. Al-hamdulillah, the Haqq is adequately substantiated and guarded by this treatise of *Amr Bil Ma’roof Nahy Anil Munkar*.

Mujlisul Ulama of S.A. (Muharram 1433 –December 2011)

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JUBBUTH THAKAR

*In this discussion we have described the act of shaving the beard with the term **jubbuth thakar**. It is a pejorative epithet which we utilize in an abjuratory sense. It is an apt epithet for those who shave their beards. The illustrious Imaam Abu Abdullah Al-Haleemi who was a great authority of the Shaafi' Math-hab of the early era likened shaving of the beard to the act of **jubbuth thakar** which could be attributed to mukhannitheen (hermaphrodites) and males with such tendencies.*

*For the meaning of **jubbuth thakar** see page 100 of this treatise where Shaikh Ibnul Mulaqqin presents the ruling of Imaam Haleemi.*

SHAVING THE BEARD – A HARAAM CORRUPT VIEW

Some local Molvis professing to be followers of the Shaafi' Math-hab are attempting to eke out support for their corrupt view on the issue of the Beard, from an article composed by Dr. Amjad Rasheed Maqdisi, Dean of the Faculty of Islamic Law and Legal Methodology at Ahqaf University, Hadramawt, Yemen. We do not know if Doctor Maqdisi is a qualified Aalim of the Deen or a man of secular qualifications. However, it does appear that he is some half-baked 'scholar' who acquired a glimpse of Islamic knowledge. Whoever and whatever he may be, it is quite apparent from his article that he lacks insight of the Deen. The written texts minus the wisdom and insight which accompany textual knowledge appear to be the limit of Dr. Maqdis's knowledge and understanding. His superficial understanding of the Ahaadith and the principles of Fiqh in general, and of Shaafi' Fiqh, places him within the scope of the Qur'aanic aayat:

"This is the limit of their knowledge. Verily your Rabb knows the one who has deviated from His path, and He is aware of the one who is rightly guided."

(Surah Najam, aayat 30)

In Surah Room, men of misguidance are described in the following aayat:

"Their knowledge of this life is superficial while they are neglectful of the Akhirah."

(Surah Room, aayat 7)

In his article, Dr. Maqdisi has attempted to prove that according to the Shaafi' Math-hab, while keeping a beard is Sunnah and good, nevertheless it is not sinful to completely shave off the beard. Dr. Maqdisi has manipulated technical terms with skulduggery to arrive at his corrupt conclusion while he is blind to the fact that the *la'nat* of Allah Azza Wa Jal drips perpetually from

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the beardless face which assumes the texture of the surface of a skinned pig.

While we are Muqallideen, and staunch followers of the Hanafi Math-hab, the type of taqleed of technicalities of Shaafi' Fiqh made by Dr. Maqdisi is downright stupid 'taqleed'. He has totally failed to apply his intelligence to the issue. He fails to understand the era in which we live. He failed to understand the commands and practice of Rasulullah (sallallahu alayhi wasallam) regarding the incumbency and immense importance of the Beard. He fails to understand the emulation of the kuffaar which constrains modernists and fussiaaq to shave their beards. He fails to understand that those who shave their beards entertain an inherent disdain and aversion for the Sunnah of the Ambiya (alayhimus salaam). He has miserably failed to understand that the shavers of beards are the enemies of the Sunnah, and generally only those who mock and jeer the Sunnah shave their beards. In this grievous failure he has opened a wide doorway for half-baked molvis and sheikhs to propagate the permissibility of haraam beard- shaving without any pangs of conscience assaulting them.

If for a moment we should accept that there does exist latitude in the Shaafi' Math-hab for shaving the beard as the kuffaar and the enemies of the Sunnah do, then too, an Aalim of the Deen who has intelligence, insight and foresight would not venture to pave a pathway of Jahannum for Muslims who today have abandoned almost every aspect of the Sunnah. Like insane baboons Muslims are today aping every accursed style, practice and custom of the kuffaar. How can an Aalim of the Deen who is supposed to be a guide leading Muslims towards Taqwa and Divine Proximity, ever vindicate a practice which is the salient feature of the western kuffaar who are today the arch-enemies of Islam and the Ummah?

Dean Maqdisi, failing to apply his mind, has confirmed for ignorant Muslims the 'correctness' of *Tashabbuh bil Kuffaar* (emulating the kuffaar). The thrust of his article is to minimize the vital importance of the Beard. In his conception of the Sunnah it is

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fine to shave the Beard and abandon the Sunnah of Rasulullah (sallallahu alayhi wasallam), the Sunnah of all the Ambiya, the Sunnah of all the Sahaabah and the Sunnah of the entire Ummah. It is only since the latter half of the immoral 20th century that Muslims began imitating the western kuffaar in the foul practice of shaving the Beard, which is the consequence, the calamity and misfortune of the ulama-e-soo' of which there is a huge glut in our era. Let us now examine the arguments of Dean Maqdisi.

MAQDISI'S ARGUMENTS

At the very outset of his discourse Dean Maqdisi acknowledges:

"It is important at the outset to know (a) keeping a full-length beard is a sunna that is established from both the practice and command of the Prophet (Allah bless him and give him peace), that (b) keeping a beard is a distinctive mark of Muslim men, especially the scholars and the righteous among them, and (c) there is scholarly agreement that to completely shave off the beard without any excuse is blameworthy.

All of the above is all based on the following rigorously authenticated hadiths of the Prophet Muhammad (Allah bless him and give him peace) that command us to grow full beards in order to be different from the Magians and the polytheists."

Despite this unequivocal acknowledgement that keeping the Beard is the Sunnah and Command of Rasulullah (sallallahu alayhi wasallam), and that it is a distinctive mark (*shaeerah*) of Muslim males, Dean Maqdisi concludes that it is permissible to shave the Beard even without valid reason. We discern satanic manipulation in his brains, hence the glaring conflict between the primary basis and the baatil conclusion.

Rasulullah (sallallahu alayhi wasallam) was sent by Allah Ta'ala to impose the Shariah on the Ummah – to give practical expression to the Commands of Allah Ta'ala which are encapsulated in the

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Sunnah of Nabi (sallallahu alayhi wasallam). It is treacherously contumacious to negate or minimize the Divine Commands with the skulduggery of manipulating juristic technicalities to produce an effect which is in diametric conflict with the objective of *Risaalat*.

Any reasoning which subjugates and exposes the Divine Commands and the Salient Characteristics (*Shi-aar*) of Islam to the vagaries of the wildly fluctuating behests of *Nafs-e-Ammaarah* can only be the influence of shaitaani manipulation on the cognitive faculty of the ‘scholar’ who proffers a case for the elimination of one of the most important practices of the Sunnah, viz. the keeping of the Beard. The Commands of the Shariah are for implementation, not for elimination. But the objective of Dean Maqdisi’s wandering and meandering in the mine-field of fiqhi (juristical) technicalities is the opposite of the Divine Objective for which Allah Azza Wa Jal had sent the Ambiya (alayhimus salaam). While the acknowledged consensus of the entire Ummah is the practical implementation of Rasulullah’s commands, Dean Maqdisi’s lop-sided logic structured on the basis of his myopic comprehension of juristical technicalities is designed for the eradication of the Divine Commands.

It is the incumbent obligation of the Aalim of the Deen who is supposed to be Rasulullah’s representative, to ensure subordination of juridical technicalities to the ethos and spirit of the Divine Commands. Possession of the treasure of Ilm-e-Deen is to give practical effect to the objective of *Risaalat*. However, the trajectory of Maqdisi’s reasoning is the opposite of the Divine Command. The ‘permissibility’ of shaving the beard which Maqdisi has developed on the extremely flimsy, in fact baseless structure of technical abstracts, is a pure flight of his fancy – the product of western indoctrination which culminate in satanic liberalism. The Dean’s mis-manipulation of juristic technicalities to negate the objective of the Divine Commands is a clear example of *Dhaal Mubeen (Manifest Deviation)*.

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Despite his totally *baatil* conclusion of the permissibility of shaving the Beard without even a valid Shar'i reason, Maqdisi is constrained to concede as follows:

“The majority of scholars have understood the above-mentioned hadiths – all of which command Muslims to grow full beards – in their immediately obvious sense, coming to the conclusion that it is unlawful to completely shave the beard. This position has been transmitted from the Imam of our school, Imam Shaf'i (may Allah be pleased with him and have mercy on him), and a number of Shaf'i scholars – both early and late – have adopted it as their preferred position. Among the early Shaf'is who held this position are the two great Imams, Qaffal al-Shasi and Abu Abdullah al-Halimi. Among the late Shaf'is who held this position are the two Imams, Ibn al-Rifa'ah and Shihab al-Adhra'i.”

The lack of insight and foresight of Dean Maqdisi is indeed monumental. Here he concedes that according to Imaam Shaafi' (rahmatullah alayh), the Imaam of his Math-hab, as well as the other two great and illustrious Shaafi' authorities among the Mutaqaddimeen Shaafi' Fuqaha unequivocally stating the *hurmat* (being *haraam* –total prohibition) of shaving the Beard. The ruling of the most senior Mujtahid Imaam of the Shaafi' Math-hab, viz., Imaam Shaafi' (rahmatullah alayh) corroborated by the most senior Shaafi' Fuqaha of the Mutaqaddimeen era – a ruling which is 100% in consonance with Rasulullah's Command – is not adequate to satisfy the intellectual palate of Maqdisi. It is indeed difficult to fathom the mentality which operates in reverse gear to produce a diametrically opposite view which violently clashes with the Command of Allah Ta'ala unequivocally stated by Rasulullah (sallallahu alayhi wasallam), with the explicit ruling of Imaam Shaafi' and the illustrious Shaafi' Fuqaha of the Mutaqaddimeen epoch.

The aforementioned clear-cut and emphatic ruling of Imaam Shaafi' and the most senior Shaafi' Fuqaha of that era which was comparatively the closest to the age of *Risaalat*, is in fact the

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official position of Islam. Sight should not be lost from the fact that for six centuries, from the inception of Islam, the ruling on shaving the Beard was *Haraam*. It is the official position of Rasulullah (sallallahu alayhi wasallam), of the Sahaabah, of the Taabieen and of the Tab-e-Taabieen. In fact, it is the *official* and *authoritative* position of the Shaafi' Math-hab and of the other three Math-habs. When Imaam Nawawi appeared on the scene during the 7th century of the Hijri era, he adopted the view of *Karaahah*, i.e. to shave the beard is Makrooh Tahreemi, which in practical terms has the same effect as *Haraam*.

The attempt by Maqdisi and his ilk to scuttle the authoritative and official position of Islam with juristic technicalities is most despicable. In fact it is treacherous. This authoritative position, namely, shaving the beard is Haraam, is the *Final Word* on the issue of shaving the Beard. No amount of skulduggery and juggling of technicalities can effect any change to this immutable law of Islam – the prohibition of shaving the Beard.

Ibnur Raf'ah states in *Haashiyatil Kaafiyah*: “*Verily Shaafi' (radhiyallahu anhu) explicitly ruled on Tahreem (i.e. It is haraam to shave the beard).*”

Zarkashi states: “*Similarly (i.e. shaving the beard is haraam) has Haleemi said in Shu'bul Imaan, and also his Ustaaz Al-Qaffaal Ash-Shaashi (said so) in Mahaasanish Shareeah.*”

Adhra'i said: “*The correct view is the Tahreem of shaving it off without valid reason as the Qalandariyyah do.*”

Dean Maqdisi has abortively laboured to override the authoritative Ruling of Imaam Shaafi' (rahmatullah alayh) and of the other most senior Fuqaha of the Shaafi' Math-hab, and he has employed the trick of fiqhi technicalities to achieve his ignoble objective. It should be understood that there is no difference among the Shaafi' Fuqaha of all ages on the issue of the prohibition of shaving the beard. All are unanimous in literally prohibiting the shaving of the beard. And, how is it possible for any genuine Faqeeh to rule otherwise when the Command of Rasulullah

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(sallallahu alayhi wasallam) and of the Imaam of the Shaafi' Math-hab is on *Tahreem* (i.e. *Haraam*)?

It is also essential to understand that the command issued by Rasulullah (sallallahu alayhi wasallam) was bereft of the technical connotations and the differences of the technical meaning of Makrooh in terms of the Shaafi' Math-hab. The Command of Rasulullah (sallallahu alayhi wasallam) had literal and practical application, namely, it is prohibited for Muslim males to shave their beards thereby aping the way of the kuffaar. The command to lengthen the beard is explicit, categoric and uncompromising. The *Nass* on this issue may not be abrogated with the variety of meanings which the term *Karaahat* has in the Shaafi' Math-hab. This aspect will be elaborated further on in this discussion, Insha'Allah.

Dr. Maqdisi states: *“Despite all of the above, the two great verifying scholars of the Shafi’ school, Imam Abul Qasim al-Rafi’ and Imam Abu Zakariyya al-Nawawi – in accordance with the position of Imam Ghazali – have ruled that to keep a full beard is merely recommended, not obligatory, and that it is neither unlawful to shave it nor to shorten it, even when this is done without an excuse. It is, however, disliked to shorten or shave the beard because it contravenes the prophetic command to grow a full beard.” (Emphasis ours)*

The glaring self-contradiction displays the mental confusion in which Maqdisi is entrapped. The ludicrousness of his averment is conspicuous. How can keeping a full beard be ‘*merely recommended*’ when “*it contravenes the prophetic command to grow a full beard*” ? Did Rasulullah (sallallahu alayhi wasallam) issue Commands which permit contraventions? Is it valid for a Muslim to believe that contravention of Rasulullah’s commands is acceptable, and that there is nothing wrong with violating the

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emphatic commands and instructions of Rasulullah (sallallahu alayhi wasallam)?

Let us momentarily presume that the three Fuqaha mentioned above by Maqdisi held the view that keeping of a Beard is a ‘mere recommendation’. The logical and the Islamic demand would be to proffer a suitable interpretation to reconcile the aberration with the Command of Rasulullah (sallallahu alayhi wasallam) and with the official version of the Shaafi’ Math-hab as stated by Imaam Shaafi’ (rahmatullah alayh) and the other most senior Shaafi’ Fuqaha. And, if such a reconciliation cannot be achieved due to the stark conflict, then the only option would be to set the erroneous view aside and acknowledge that it was an error in the judgment of the Fuqaha. Under no circumstances may this corrupt view be utilized to override the Command of Rasulullah (sallallahu alayhi wasallam) and the official Ruling of Imaam Shaafi’ (rahmatullah alayh), which is also the Ruling of the Ummah – of all Math-habs. The *Ijma*’ of the Ummah may not be abrogated with a corrupt view which is glaringly erroneous.

The above has been said on the basis of an assumption. However, the reality is not what Maqdisi has contended. The illustrious Fuqaha to whom he has erroneously attributed his erroneous understanding on the Beard question, the illustrious Imaam Rafi’, Imaam Nawawi and Imaam Ghazaali (rahmatullah alayhim) did not aver that keeping a full beard is a ‘mere recommendation’, and that a man has blanket permission to mutilate his face by shaving his beard whenever his vile nafs so desires. Furthermore, they did not say that it is permissible to shave the Beard.

In *Al-Majmoo*’, Vol. 1, page 342, Imaam Nawawi states:

“It is mentioned in the Hadith: ‘Verily, lengthening the Beard is part of Fitrah. Al-Khataabi and others said: “It is to increase it (the Beard) and to leave it (to grow) without cutting it. According to us (Shawaafi’) cutting it is Makrooh as the Ajam do.” And, it was the style of Kisra (the Persian emperor) to cut the beard and

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increase the moustaches. Ghazaali said in Al-Ihya: 'The Salaf differed regarding the length of the Beard. Thus, it has been said that there is nothing wrong to clasp it (with the hand) and to cut it below the fist. Ibn Umar and a group among the Taabieen did so. Sha'bi and Ibn Seereen approved of it. Hasan (Basri) and Qataadah said: It should be left long (i.e. to grow long) by virtue of the statement of Rasulullah (sallallahu alayhi wasallam): 'Lengthen the Beard.'The authentic view (of the Shaafi' Math-hab) is absolute Karaahat of taking (i.e. cutting) from it. On the contrary, it should be left in its (natural) state by virtue of the Saheeh Hadith: 'Lengthen the Beard.' Regarding the Hadith of Amr Bin Shuaib narrating from his father and he from his grandfather that Nabi (sallallahu alayhi wasallam) used to take (cut) from his Beard from its width and its length, Tirmizi has narrated it with a Dhaeef Isnaad. Hence, it cannot be cited as proof (i.e. to formulate a rule)."

Imaam Nawawi does not say that it is permissible to shave the Beard. The following should be quite obvious from this citation:

- There is absolute *Karaahat* of cutting the Beard in any way whatsoever, even if it is longer than a fist-length.
- The difference among the Shaafi' Fuqaha pertains to cutting/trimming the Beard after it has become longer than a fist.
- The official Shaafi' view is to leave the Beard to grow regardless of the length it will reach.
- The difference among the Shaafi' Fuqaha relates to the *length* of the Beard, NOT to shaving the Beard.
- Cutting/shaving the Beard was the practice of the Fire-Worshippers.
- The Hadith mentioning cutting the Beard is rejected by the Shawaaf'i for purposes of formulation of a *hukm* since Tirmizi has designated it to be *Dhaeef*.

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Imaam Nawawi has clarified the official position in the aforementioned passage, and that is: *Cutting in any way is absolutely Makrooh*. What is Makrooh? Insha'Allah, we shall elaborate further on. For the moment understand well that 'Makrooh' is not 'permissible'. It does not mean lawful as the Dean peddles. He has translated this technical term as 'disliked'. The force of the abomination conveyed by this word has not allowed him to translate it with a term milder than 'dislike'. However, he perpetrates treachery with the baatil interpretation which says: "...the prophetic command was merely to establish recommendation, not obligation." This is a contumacious LIE which is falsely attributed to the Shaafi' Math-hab.

When even cutting from the Beard which has grown beyond a fist-length, and which is permissible according to the Ahnaaf, is rejected by Imaam Nawawi, what does a healthy brain understand about the contention that it is permissible to mutilate the face by shaving off the whole beard?

In the literal sense, shaving the Beard is haraam according to all Shaafi' Fuqaha notwithstanding the terms *Makrooh*, *Karaahat*, *Kuriha* and *Yukrahu* used by the later era Shaafi' Fuqaha for prohibition and impermissibility. This is standard procedure even by the Hanafi Fuqaha who uses the words Makrooh and Haraam interchangeably. For all practical purposes, Makrooh and Haraam have the same meaning, viz. not permissible, unlawful.

The objective of the *Ahkaam* (the laws of the Shariah) is practical implementation by the Ummah – for the masses as well as for the Ulama, Fuqaha and Auliya. In so far as *amal* is concerned, they all are on par. When addressing a layman audience, it does not behove an Aalim of the Deen who should act as a guide, to resort to skulduggery with technical meanings which the masses do not understand. Such skulduggery as employed by Dr. Maqdisi confuses and misleads the masses. It gives further impetus to the crass *nafsaaiyat* of fussiaaq and fujjaar. Maqdisi has directed his *ghutha* to a jaahil audience – to laymen. What trick is he playing?

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What is his agenda? When beard-shaving in emulation of the western kuffaar who have become the masters and rulers of the Ummah in this era, has become the fashion, what ‘noble’ purpose is Maqdisi pursuing by issuing a licence for shaving the Beard despite his admission that even cutting the Beard is vile in terms of the Sunnah? Thus, in self-contradiction he avers: *“It is, however, disliked to shorten or shave the beard because it contravenes the prophetic command to grow a full beard.”*

What satanic agenda does Dean Maqdisi have for promoting a vile practice which is in contravention of the ‘prophetic command to grow a full beard’ ? By what stretch of mundane and Deeni logic can the “contravention of a prophetic command” be permissible? Shaving the beard is such a ‘dislike’ which is extremely abominable in Islam. Such an abomination cannot be described as ‘permissible’ by any stretch of imagination. Does healthy Imaan permit the promotion of a practice which “contravenes the prophetic command” ?

Maqdisi has abortively attempted to pull wool over the eyes of Muslims with his mis-manipulation and misinterpretation of the term *Makrooh*. His stupid idea of this term is that its effect is *permissibility*. While he translates with the word, ‘dislike’, he spawns for it the consequence of ‘permissibility’ which is the logical effect of saying that ‘it is not sinful to shave the beard’. When it is said that an act is not sinful, the masses will understand that it is permissible.

Among the meanings of Makrooh, it is mentioned in *Fathul Baari*:

- *“Makrooh applies to haraam.”*
- *“Makrooh and Haraam are included in Mamnoo’ (i.e. prohibition).”*
- *“Nawawi said.....: ‘Verily, Makrooh is that in which prohibition of the objective is established.And, it has been deducted from it (the aayat) that it is Waajib to*

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abstain from Makrooh because of the generality of the command to abstain from something which is prohibited.

In Sharh Muslim of Nawawi it is mentioned:

- *“Verily Makrooh will be rejected just as Haraam is rejected.”*
- *“This kind (of sitting) is Makrooh about which prohibition has been narrated.”*
- *Verily, Makrooh is not halaal. And, halaal means Mubaah (permissible).”*

In I’aanatut Taalibeen, Vol.4, page 4 is mentioned:

“Makrooh is mabghoodh (hated) by Allah because verily He has forbidden it.”

In Al-Majmoo’, Vol.5, page 63, it is mentioned:

“Sometimes Makrooh is described as not permissible.”

Vol.8, page 188 of Al-Majmoo’ states: *“It is correct to say that Makrooh is not permissible, and the tafseer of Jaa-iz (permissible) is equality of both angles (i.e. to do it or not to do it is the same).”*

Vol.8, page 302, Al-Majmoo’ states: *“It is correct to say that Makrooh negates permissibility.”*

Vol. 9, page 239, Al-Majmoo’ states: *“Verily, Makrooh is that in which the objective of prohibition is confirmed.”*

In Kifaayatul Akhyaar, Vol.1, page 128, it is mentioned regarding another mas’alah (not the Beard): *“And is the Karaahat Karaahat Tahreem or Tanzeeh? There are two views. The most authentic (as mentioned) in Ar-Raudhah and Sharhul Muhazzab in this regard is Tahreem.”*

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In *Sharh Raudhatut Taalib*, Vol.1, page 186 is mentioned: “Just as prohibition is from Haraam so is it from Makrooh.”

In *Haashiyah Qalyubi*, Vol.4, page 215, it is mentioned: “For the Muhtasib (officer) it is proper to reprimand the perpetrator of Makrooh and the one who abandons a Mandoob from the salient Sha-aair (of Islam).”

MAKROOH – PERPLEXITY AND CONFUSION

“The one who abstains from Makrooh is praiseworthy. The one who commits it, shall not be criticized....

“There are three technical meanings of Makrooh. (1) Haraam: Thus (when) Imaam Shaafi’ says: “I regard so and so to be makrooh, he intends (thereby) Tahreem (Haraam). This was the general application of the term by the Mutqaddimeen (the early Shaafi’Fuqaha)....

(2) That which has been prohibited, i.e. Tanzeeh.

(3) Tarkul Aula (abstention from that what is preferable). E.g. abstaining from Salaatudh Dhuha....” (Al-Ibhaaj, Vol.1, page 59)

“The Usooliyyeen (the Fuqaha who formulated the principles) were perplexed regarding the meaning of Makrooh.....My Shaikh Abul Qaasim Al-Askaafi said: ‘Makrooh is such (an act) for which there is fear of punishment if committed.’ (Al-Burhaan fi Usoolil Fiqh, Vol.1, page 216)

“Furthermore, prohibitions with regard to the effect of Karaahat consists of categories.

Karaahat literally means the opposite of iraadhah (will, volition). However, in this science (i.e. Fiqh) this (literal meaning) is not intended by it (the term Karaahat). In fact, it is a technical term of the Usooliyyeen. Thus its meaning is that which has been prohibited....” (At-Tabsirah fi Usoolil Fiqh, Vol.1, page 93)

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“Prohibition demands Tahreem.....For us (i.e. Shawaafi’) is the fact that the Sahaabah would adopt Tahreem solely on the basis of prohibition. (At-Tamheed lil Usnawi, Vol.1, page 43)

“Verily, the term Nahy applies to Muharram (Haraam) and Makrooh.” (At-Tamheed lil Usnawi, Vol.1, page 291)

“Its second meaning is Mahzoor (prohibition). In numerous of his statements: ‘Ukrihu katha, Shaafi’ means thereby Tahreem.” (Al-Mahsool, Vol.1 page 113)

“Makrooh: In the terminology of the Fuqaha, it is a word consisting of different meanings. One of it is Mahzoor (Prohibition). Thus, numerous of the statements of Imaam Shaafi’ (rahmatullah alayh) in which he says: “I regard it to be Makrooh”, he intends thereby Tahreem (Haraam).” (Al-Mustasfa, Vol.1, page 54)

“The second meaning is prohibition in the category of Tanzeeh. It indicates that abstention is better than commission.

“The third meaning is abstention from Aula (that which is preferable and best) even though abstention from it has not been prohibited, e.g. Salaatudh Dhuha.

“The fourth meaning pertains to doubt in Tahreem (unlawfulness). This is subject to reflection because if a man’s reflection indicates Tahreem, then that act is Haraam for him, and if it indicates Halaal, then there is no meaning for Karaahat in it..... Therefore it is not abominable to apply the word Karaahat (being Makrooh) to something when there is fear of Tahreem.” (Al-Mustasfa, Vol.1, page 63)

“Ithaar bil Qurb (i.e. to sacrifice thawaab for the benefit of someone else) is Makrooh.” (Al-Manthoor, Vol.1, page 1, page 216). This Makrooh has been variously interpreted by the Shaafi’ Fuqaha. Thus, it is mentioned on page 215, Vol.1 of Al-Manthoor:

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“Verily, Ithaar bil Qurb is haraam or Makrooh or khilaaf-e-aula.....”

“It has been said that Makrooh is abstention from Mandoob. And this is baatil...” (Al-Mankhool, Vol.1, page 137)

From the foregoing snippets extracted from the kutub of the Shaafi’ Math-hab, it should be clear that there is intense perplexity, confusion and uncertainty regarding the definition and meaning of the word, Makrooh in the ranks of the Shaafi’ Fuqaha. Despite this scenario, no one defined *Makrooh* as ‘permissible’. Furthermore, the class of *Makrooh* which is said not to be sinful is the *Tanzeeh* category, NOT the *Tahreem* class. In fact, from the foregoing definitions, the term is applicable to *haraam*, and this has been confirmed by the usage of the word by Imaam Shaafi’ and other Fuqaha as well. Not even Makrooh Tanzeehi is permissible despite it being not sinful. Yet Maqdisi contends that shaving the beard without valid reason is ‘*not sinful*’ which leads to the obvious conclusion that it is permissible in the literal sense, hence according to him shaving the Beard is neither sinful nor unlawful.

The term ‘dislike’ which he uses for describing the abominable act of shaving the Beard is skulduggery. The word, ‘*dislike*’ is not a technical term. It is not a technical connotation in the juristical sense. As explained earlier, the Fiqhi concept of Makrooh in terms of the Shaafi’ Math-hab is extremely perplexing. Nevertheless, Makrooh is not encouraged even if it is the Tanzeeh category. Even acts described as *Khilaaf-e-Aula* are not designated permissible (Mubah). But Maqdisi’s article in fact promotes shaving of the Beard despite his employment of the word ‘dislike’. Furthermore, he is either ignorant of the Tahreem dimension of Makrooh or he has deliberately ignored it in order to pave the way for Beard-shaving. His conclusion that shaving the Beard is Makrooh Tanzeehi is a despicable falsity. The ruling pertaining to shaving the Beard in terms of the Shaafi’ Math-hab vacillates between

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Haraam and Makrooh Tahreemi, and both these terms are of technical import. And, the Makrooh Tahreemi description developed only in the seventh century for the Beard. As far as practical implementation is concerned, both terms clearly mean that shaving the beard is strictly prohibited and sinful.

IMAAM NAWAWI

In view of the fact that Imaam Shaafi' (rahmatullah alayh) and many other senior Shaafi' Fuqaha have explicitly contended that shaving the Beard is Haraam, Maqdisi had to conjure a stratagem for dismissing the Ruling of these illustrious Fuqaha of the Shaafi' Math-hab. Thus he avers:

“Despite all of the above, the two great verifying scholars of the Shafi’ school, Imam Abul Wasim al-Rafi and Imam Abu Zakariyya al-Nawawi – in accordance with the position of Imam Ghazali – have ruled that to keep a full beard is merely recommended, not obligatory, and that it is neither unlawful to shave it nor to shorten it, even when this is done without an excuse.

The role of Imam Raf’i and Imam Nawawi in the Shafi’ school was to sift through and re-evaluate the various conflicting opinions of the preceding Shafi’s in order to determine the official position of the Shafi’ school. It is a well-known rule among the late scholars of the Shafi’ school that the official, relied-upon position of the Shafi’ school is whatever is determined as such by these two scholars of verification, even if others disagree with them, no matter how high the rank of these disagreeing scholars may be. Whenever Imam Rafi’ and Imam Nawawi disagree, precedence is given to the recensions of Imam Nawawi.”

This extremely myopic view testifies to the intellectual stagnation in which Maqdisi dwells. Imaam Nawawi (rahmatullah alayh) appeared on the scene more than six centuries after Rasulullah (sallallahu alayhi wasallam). The notion that a scholar who

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appeared on the scene more than three centuries after the termination of *Khairul Quroon*, is the final word in the Shariah and that his word overrides the rulings of the Aimmah Mujtahideen and the Fuqaha who preceded him in the six centuries which have been transmitted in the Ummah for six hundred years or more, is a huge intellectual anachronism – a downright stupidity totally unbecoming of a scholar.

There were no differences on the beard issue prior to Imaam Nawawi. There was nothing to ‘sift through’ in this regard. There was no ambiguity. For centuries, the ruling for shaving the beard was haraam. No one has the right to abrogate a *Hukm* which existed for centuries from the age of Rasulullah (sallallahu alayhi wasallam). The type of absolutely blind following expounded by Maqdisi is untenable and rejected regardless who the authority may be who have formulated such a ludicrous position. Just imagine that it is expected that Imaam Shafi’ and the senior Mutaqaddimeen Shaafi’ Fuqaha have to submit to their junior muqallideen and abandon their solid positions which is also the view of the other three Math-habs.

Were Imaam Shaafi’ and the other most senior Shaafi Fuqaha who flourished in the several centuries prior to Imaam Nawawi all in error and deviation? Did the Shaafi’ Ummah have to wait for a number of centuries to be corrected? Was correct Islam lost to them until the advent of Imaam Nawawi? For centuries the Shaafi’ Math-hab propagated that it is haraam to shave the beard. Then after all these centuries arrives a junior scholar (a Muqallid of the Math-hab) and contends that his Mujtahid Imaam and all the Fuqaha who followed him for several centuries had laboured in error. (*Imaam Nawawi is junior to Imaam Shaafi’. He was a Muqallid of Imaam Shaafi’*).

Was Imaam Ghazaali (rahmatullah alayh) the final word in the Shaafi’ Math-hab? In fact, The Ahnaaf have assigned Imaam Ghazaali to the fourth category of Ulama. There are three

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categories above him in the sphere of status. If Imaam Nawawi, being the final word in the science of verification of conflicting opinions is Imaam Ghazaali's position, what factor has elevated this position to the level of it being the effect of Wahi (*divine revelation*)? If according to Maqdisi no one is obligated to keep a full Beard, then why should anyone be obliged to submit to Imaam Ghazaali's position which is in conflict with the position of his Mujtahid Imaam?

In all these centuries, did the Shaafi' Math-hab produce only two Fuqaha with the ability of 'sifting through' the plethora of different opinions? The type of 'taqleed' which Maqdisi is suggesting is stupid 'taqleed'. It is not the Taqleed which the Shariah imposes on the Ummah. How ludicrous! More than six centuries after Rasulullah (sallallahu alayhi wasallam), appear some 'junior' Ulama to reject the correctness of the Ruling of Imaam Shaafi' and of the other senior Shaafi' Fuqaha who had adorned the firmament of Ilm! Is Imaam Ghazaali the Imaam of the Math-hab or Imaam Shaafi'?

Furthermore, those who contend that Imaam Shaafi' and the other Fuqaha have erred, have not proffered any Shar'i evidence for their contention. At most, they attempted some flabby reconciliation to eliminate the glaring conflict. When Imaam Shaafi's view coincides and is in full agreement with the view of the other Math-habs, it is absolutely *baatil* to renounce his Ruling and to adopt the unsubstantiated opinions of those who appeared many centuries later. Rasulullah (sallallahu alayhi wasallam) had explicitly and emphatically declared that the best of ages are the *Khairul Quroon*. Any new dimension added to the Shariah after this golden era must necessarily be rejected.

Furthermore, Maqdisi has not provided evidence for his claim that according to Imaam Nawawi keeping a full beard "*is merely recommended, not obligatory*". Wade through the plethora of opinions and definitions pertaining to the technical concept of Makrooh in the Shaafi' Math-hab. No where will it be found that

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Makrooh means “mere recommendation”. Abstention is the common factor of all definitions of Makrooh. Regardless of what category of Makrooh an act is assigned, the ruling is that abstention is recommended if the act is designated Makrooh Tanzeehi or Khilaaf-e-Aula.

How is it possible to aver that keeping a Beard is ‘merely recommended’, when Maqdisi surprisingly concedes: *“It (shaving) is, however, disliked to shorten the beard or shave the beard because it contravenes the prophetic command to grow a full beard.”* ? It will be appropriate to mention here that the difference among the Shaafi’ Fuqaha pertains to only shortening the Beard. According to some Fuqaha shortening the Beard is not permissible while according to others it is permissible to the extent of one fist length as is the Hanafi position. The Shaafi’ Fuqaha reject even the view of shortening the beard to the size of a fist. It is most unintelligent then to attribute the permissibility of shaving off the whole beard to these Fuqaha. They even set aside the Hadith which mentions that Rasulullah (sallallahu alayhi wasallam) had cut from his Beard. They reject the Hanafi view of one-fist length. What should then be concluded of the contention that shaving the Beard is not sinful and that it is permissible, and that growing a full Beard is ‘merely recommended’?

None of the two ‘Verification’ scholars (Imaam Nawawi and Imaam Rafi’) contended that shaving the Beard is ‘merely recommended’. This is pure fabrication. In *Al-Majmoo’* of Imaam Nawawi it is explicitly mentioned:

“Cutting (i.e. to shorten) the Beard is Makrooh for us (i.e. for the Shaafi’s). It is like the act of the A-aajim (non-Arab kuffaar), and it was of the style of Kisra (the Persian emperor) to cut the beard and lengthen the moustaches. Ghazaali said in Al-Ihya: The Salf (the early Fuqaha) differed regarding the length of the Beard. It has been said: There is nothing wrong to clasp it with the fist and cut below it (i.e. below the fist). Ibn Umar did so, then a group from the Taabieen (also did so). Sha’bi and Ibn Seereen approved

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of it. Hasan (Basri) and Qataada regarded it (cutting) to be Makrooh. They said: The Beard should be left to (grow) abundantly because Rasulullah (sallallahu alayhi wasallam) said: "Lengthen the Beard." (Al-Majmoo', Vol.1, page 342)

Here Imaam Nawawi expressly states that cutting the beard is in emulation of the kuffaar, and imitating the kuffaar is by consensus of the Shaafi' Fuqaha ***haraam***, not Makrooh. Thus, the *Karaahah* of shaving the Beard according to Imaam Nawawi and all other Shaafi' Fuqaha is without doubt *Karaahah Tahreemiyah*.

According to Imaam Ghazaali, a very long beard despoils the appearance of a man. He therefore was of the view that it is permissible to cut beyond one fist-length, which is the position of the Hanafi Math-hab. However, rejecting Imaam Ghazaali's view, Imaam Nawawi states: *"This is the discourse of Ghazaali. The Correct (Saheeh) view is that it is Makrooh to take (cut) from the Beard in any way whatever (mutlaqan). On the contrary, it should be left in its state as it is (to grow) because of the Saheeh Hadith: 'And lengthen the Beard'".* (Al-Majmoo', Vol.1, page 343)

Dean Maqdisi perpetrating chicanery says: *"It has been rigorously authenticated in a hadith narrated by Ibn Hibban that "The Prophet (Allah bless him and give him peace) used to trim his beard from its bottom and its sides."* On the basis of this Hadith, Maqdisi ventures a baseless interpretation. He says: *"...it is possible to interpret by understanding the Prophet's trimming his beard as an explanation of the fact that the prophetic command was merely to establish recommendation, not obligation. This latter interpretation is preferable to the interpretation that (the prophetic and companion practice of shortening the beard) applies to when the beard becomes unusually long because the immediate purport of the words of our (Shafi) imams is that it is always disliked to trim the beard (no matter how long it grows)."*

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Here, Maqdisi while peddling the permissibility of cutting the beard as his basis for shaving the beard, contradicts himself by clearly mentioning that according to the Shaafi' Imaams it is always Makrooh to cut the beard regardless of its length. In accepting the interpretation of Imaam Ghazaali which is the permissibility to cut below a fist-length, and which is the Hanafi view, he (Maqdisi) refutes what the "great verifying scholar", Imaam Nawawi and all the other Shaafi' Imaams have ruled. They unanimously rule that it is Makrooh to cut the beard even below a fist-length, regardless of how long it grows.

Indeed only an arid brain bereft of Imaani intelligence will venture what Maqdisi promotes. Despite him conceding that according to the Shaafi' Math-hab it is Makrooh to cut the beard irrespective of its length, and which view is substantiated by the great verifying scholar, Imaam Nawawi and also the other "great verifying scholar", Imaam Rafi', he basis his case for shaving the Beard on a Hadith which the Shaafi' Math-hab has set aside and has not utilized for the deduction of a rule on account of it being classified *Dhaeef* by Imaam Tirmizi. Thus, Imaam Nawawi states: *"Regarding the Hadith of Amr Bin Shuaib.....Tirmizi has narrated it with a Dhaeef Isnaad. With this kind of Hadith, Ihtijaaj is not made (i.e. it does not constitute a valid basis for the formulation of a hukm)." -- (Al-Majmoo', Vol.1, page 343)*

The Shaafi' Math-hab opposes the Hanafi position regarding cutting the beard after it has grown longer than a fist-length. Now when it suits Maqdisi, despite him being a muqallid of the Shaafi Math-hab', he adopts the Hanafi version of cutting which is supported by Imaam Ghazaali, but opposed by Imaam Nawawi and all Shaafi' Fuqaha. And, he perpetrates this chicanery because this is the only flimsy basis he could manage for structuring his fallacy of the permissibility of mutilating the face by shaving the entire beard. On the basis of the Hanafi view, he profers his false and baseless 'merely recommendation' opinion which has no support

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whatsoever in any of the statements of the Shaafi' Fuqaha nor in any other Math-hab. Maqdisi relies solely on Imaam Ghazaali's view for permissibility of shortening the beard despite this view being in conflict with the Shaafi' Math-hab, including the ruling of the two "great verifying scholars (Shaikhain).

Maqdisi is at pains to interpret 'Makrooh' in this regard, in a manner to negate the abhorrence of the act conveyed by the term. An act (shaving in this instance) which is described as Makrooh and Haraam in the Shaafi' Math-hab can never be permissible, and its opposite, viz., lengthening the beard, can never be 'merely recommended'. Makrooh does not produce these baseless conclusions. It is repugnant and highly irresponsible to assign to Makrooh in the context of the beard the meaning of Tanzeeh. It is imperative to understand Makrooh to mean Tahreem in so far as the act of shaving the Beard is concerned. The most senior Shaafi' Fuqaha of the Khairul Quroon era, including Imaam Shaafi' have all used the term Tahreem. Thus those Shaafi' Fuqaha of later times who employed the word Makrooh meant Tahreem. Never did their utilization of the term Makrooh in this context connote Tanzeeh. The Tanzeeh connotation is the baseless supposition of Maqdisi.

The *recommendation* of shaving the beard which Maqdisi has extended to males, applies to women. Imaam Nawawi states in this regard: *"Regarding a woman when a beard grows on her: it is recommended (preferable – yustahabbo) to shave it (the beard). Al-Qaadhi Husain and others have explicitly stated this. Similarly is it with the moustaches and anfaqah¹. This is our (Shaafi's) Math-hab. (However), Muhammad Bin Jareer said: 'It is not lawful for her to shave anything from it (beard, moustaches and anfaqah) nor to change from her (natural) creation by way of increase or decrease.' (Al-Majmoo', Vol.1, page 343)*

¹ Al-anfaqah: The little hairs between the lower lip and the chin.

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The difference among the Fuqaha pertains to the beard which has abnormally grown on a woman. Even in this case, some say that it is not permissible for her to shave the beard despite the hideousness of a beard for a woman. However, since shaving or cutting it even for a woman is in conflict with the Qur'aanic verse which prohibits changing the natural creation (*Taghyeer li khalqillaah*) of Allah Azza Wa Jal, many Fuqaha have prohibited it totally. The Qur'aan attributes *Taghyeer li khalqillaah* to shaitaan. However, the official view of the Shaafi' Math-hab regarding shaving the beard for a woman is recommendation which Maqdisi has extended to males.

Despite shaving the beard for a woman being *recommended*, abstention from this *recommendation* is not Makrooh for her. Thus, the Shaafi' Fuqaha who describe removal of the beard for her with the term *Yustahabbo*, do not say abstention therefrom is Makrooh because the difference on the issue of shaving for a woman vacillates between a mere permissibility and haraam, permissibility being the official viewpoint and haraam the minority view.

Now if lengthening the Beard for a man was truly a *mere recommendation* as is contended by Maqdisi, it follow that the technical term, Makrooh which Maqdisi translates as 'is disliked' will not apply to shaving the Beard for a man. But this is manifestly fallacious (*baatil*) since it is violently in conflict of the express and emphatic command of Rasulullah (sallallahu alayhi wasallam), viz., "*Lengthen the Beard.*" Every Faqeeh of the Shaafi' Math-hab, of whatever hue and view he may be, describes the act of even cutting the beard down to a fist-length as being a Makrooh act, i.e. extremely abominable and forbidden. The difference among the Shaafi' Fuqaha regarding even only cutting as Hadhrat Ibn Umar (radhiyallahu anhu) had done, is only in the degree of prohibition, not in prohibition itself. And, why and how can any scholar who correctly understands the spirit and import of the Ahaadith, and the principles of Fiqh, and the ethos in which the Shaafi' Fuqaha employ the term *Makrooh*, and the minefield of

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different definitions of the term used in the technical sense, ever venture an interpretation which flies in the face of Rasulullah's express and emphatic command, and which the Mujtahid Imaam of the Math-hab and all its most senior Fuqaha of the golden epoch of *Khairul Quroon* have branded HARAAM, and which view coincides with the Fatwa of all Math-habs, and on which *Ijma'* of the Ummah has been registered, and which was the practice of all the Ambiya, all the Sahaabah, all the Taabieen, the Tab-e-Taabieen, and of the Ummah down to recent times? Modernists of Maqdisi's ilk, enamoured by western culture and following the Yahood and Nasaara into the "lizard's hole" in blind emulation have sought to reinterpret the fourteen century prohibition to gratiate their inordinate *nafsaani* dictates.

By selectively citing Imaam Ghazaali, the attempt is to convey the impression that he condones the shaving of the beard by men. This idea is furthest from the truth. In fact it is a slander which slanderously impugns an Imaam who was engrossed in Divine Love and madly in love with the Sunnah of Rasulullah (sallallahu alayhi wasallam). Maqdisi's extremely defective research of the kutub of the Shaafi' Math-hab did not permit him to observe in Imaam Nawawi's *Al-Majmoo'*, the following explicit ruling of Imaam Ghazaali:

"Ghazaali said: 'Increase and decrease in the Beard are Makrooh. And, that is to increase the hairs of the athaarain² from the hair of the sudghain³ when a man shaves his head. (This is the meaning of increase. And decrease means): to shave part of the athaarain. Similarly it is (Makrooh) to pluck the sides of the anfaqah, etc. Thus nothing (of the beard) should be changed.'" (*Al-Majmoo'*, Vol. 1, page 343)

² Al-athaarain: The sides of the beard from the hairs on the cheeks.

³ As-sudghain: The hairs between the eyes and the temples.

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Thus, Imaam Ghazaali condemns almost every change effected to the Beard except cutting below a fist-length which is the Sunnah according to the Hanafi, Maaliki and Hambali Math-habs. Even this Masnoon cutting is refuted by the Shaafi' Math-hab due to the *Dhu'f (Weakness)* of the Hadith in terms of Shaafi' *Usool*. Maqdisi has therefore rendered a grave injustice to Imaam Shaafi in particular, and to all the Fuqaha of the Shaafi' Math-hab, Mutaqaqddimeen as well as Muta-akh-khireen.

Furthermore, Imaam Ghazaali states in his *Al-Ihya*: “*Some Ulama have regarded shaving as Makrooh, bid'ah and mutilation.*” (*Ithaafus Saadatil Muttaqeen Sharh Ihyahi Uloomuddin, Vol. 2, page 409*) The degree of prohibition has constrained some Fuqaha of the Shaafi' Math-hab, and all the Fuqaha of the other Math-habs, to brand shaving *Bid'ah (Evil Innovation)* and *Muthlah (Mutilation)*. Never is it permissible to rule that this Bid'ah and Muthlah are not sinful and permissible or ‘merely disliked’, and its opposite, that is, lengthening the Beard as a ‘mere recommendation’ and the shaving of which even Maqdisi is compelled to say is in violation or contravention of the “Prophetic Command” to lengthen the Beard.

MAQDISI'S VERIFICATION CLAIM

Dr. Maqdisi has blatantly proffered: “*It is a well-known rule among the late scholars of the Shafi' school that the official, relied-upon position of the Shafi' school is whatever is determined as such by these two scholars of verification, even if other scholars disagree with them, no matter how high the rank of these disagreeing scholars may be. Whatever Imam Rafi' and Imam Nawawi disagree, precedence is given to the recensions of Imam Nawawi.*”

This is absolutely preposterous and in conflict with the views of the Shaafi' Fuqaha. Imaam Nawawi appeared more than six

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centuries after Rasulullah (sallallahu alayhi wasallam) and four centuries after Imaam Shaafi'. His word can never ever abrogate what was the Shariah for six centuries prior to his advent.

Firstly, as shown above, the view of permissibility of shaving and even cutting to the length which is Masnoon according to the other Math-habs, cannot be extravasated from Imaam Nawawi's rulings because he does not provide any latitude nor leeway for the corrupt interpretation of Maqdisi. Secondly, there is no fundamental difference between Imaam Nawawi and Imaam Rafi' on the one side, and Imaam Shaafi' and the other very senior Shaafi' Fuqaha of the early period on the other side. The difference pertains to the technical degree of the prohibition, not to prohibition *per se*.

Thirdly many Fuqaha of the later period (Muta-akh-khireen), have assailed Imaam Nawawi's rulings on a variety of masaa-il. Conceding this, Maqdisi, despite his exaggerated claim of Imaam Nawawi being the final word in the Shariah, and having the status to override even his Mujtahid Imaam Shaafi' although he appeared on the scene 650 years after Rasulullah (sallallahu alayhi wasallam), is constrained by the force of reality to say:

* *"In his marginal glosses (Haashiyah) on the above-quoted words of Ibn Hajar, Ibn Qasim quoted the following passage from one of Ibn Hajar's works: The two Imams, Rafi' and Nawawi, said that it is disliked to shave the beard. Ibn al-Rif'ah objected to this in his marginal glosses on the Kafiyah, saying that Shafi' (Allah be pleased with him) said in his Umm that (to shave the beard) is unlawful. Zarkashi added that this was also stated by Halimi in Shu'ab al-Iman, and by his teacher, Qaffal al-Shashi in his Mahasin al-Shari'ah. Adhra'i said, "The correct position is that it is unlawful to completely shave it without excuse as the Qalandaris do."*

In an abortive attempt to extravasate support from Ibn Hajar for the permissibility of shaving the beard, Maqdisi contends: *"In reality, Ibn Qasim's comments do not contradict Ibn Hajar's*

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recension because he clearly begins by stating the recension of the two Imams – Rafi’ and Nawawi – according to which it is disliked to shave the beard. Only afterwards does he proceed to mention the opinions of the dissenting scholars.

Maqdisi has baselessly endeavoured to load Ibn Hajar on to his *baatil* wagon proceeding in the direction of the kufr practice of shaving the beard. Ibn Hajar did not rescind Imaam Shaafi’s express view nor did he detract in any way whatsoever from the prohibition of shaving the Beard. Maqdisi has cunningly refrained from citing the full commentary of Ibn Hajar. After mentioning in detail all the different views, none of which advocates permissibility or the ‘mere recommendation’ *ghutha* of Maqdisi, the following appears in his *Fathul Baari –Sharah of Bukhaari* as follows:

“And after it, Nawawi said that it (i.e. cutting) is in conflict with the obvious (zaahir) meaning of the hadith in the command to increasing (abundantly) the Beard. He (Nawawi) said: ‘The Mukhtaar view (i.e. the Preferred and Accepted view) is to leave it (the Beard) in its (natural) state (i.e. to allow it to grow) and not to effect to it cutting nor to change it.’ His (i.e. Nawawi’s) intention in this regard relates to occasions other than Hajj because, verily, Shaafi’ has explicitly stated its (i.e. cutting as Ibn Umar did) Istihbaab (Preferability) during Hajj.”

.....(Continuing his commentary, Ibn Hajar said): Abu Shaamah said: ‘People have innovated shaving their beards. This is worse than what has been narrated of the practice of the Majoos (Fire-Worshippers), for verily, they used to cut their beards.’
(Fathul Baari, Vol.10, page 351)

Ibn Hajar, furthermore, cites Nawawi to emphasize the notoriety and evil of shaving the beard. Thus he states: *“If a beard grows on a woman, she is excluded from the command to lengthen it because it is recommended for her to shave it. Similarly (should*

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she remove) a moustache or an anfaqah if it grows on her.” (Fathul Baari, Vol.10, page 351)

The clarification and explicit ruling for a woman establish the direct opposite for a man. There is absolutely no recommendation regarding the lengthening of the Beard for a man. The command to lengthen the Beard is absolute. It appears that Maqdisi is obsessed with the western kufr idea of the equality of sexes, and this attitude has constrained him to extend the *recommendation* rule applicable to the female’s abnormal beard to the natural, Waajib Beard of the male. It is recommended for the woman to shave her beard because growing it is not Waajib for her. On the contrary, since lengthening for males is Waajib, the permissibility of shaving is absolutely precluded.

In his Sharah of Saheeh Muslim, Imaam Nawawi states: *“The meaning of i’faul lihyah (lengthening the beard) is to copiously increase it, and that is the meaning of ‘Auful luha’ in another narration. It was of the custom of the Persians to cut the beard. Thus the Shariah has forbidden it. The Ulama have mentioned ten Makrooh practices regarding the Beard, the one being worse (ashadd) than the other with regard to ugliness/abomination. (Among these ten, he mentions).....The fourth (abominable practice) is plucking the beard or shaving it when it begins to sprout for the purpose of preferring beardlessness and beauty of appearance.The seventh (abomination) is to decrease it (by cutting).....The twelfth (abomination) is shaving it except if it grows on a woman, for then it is recommended for her (to shave it).”*

(Sharhun Nawawi ala Saheehil Muslim, Vol. 3, page 149)

“Aufoo means A’foo, i.e. Leave the Beard copious and perfect; do not cut it.” (Sharhun Nawawi alal Saheehil Muslim, Vol.3, page 151)

“Five versions have been narrated, namely, A’foo, Aufoo, Arkhoo, Arjoo and Waffiiroo. All of them mean to leave the Beard

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in its (naturally growing) state. This is the obvious (zaahir) meaning of the Hadith whose words demand this. A Jamaa'ah of our (Shaafi') Ashaab and besides them other Ulama have stated this (version). And, Qaadhi Iyaadh (Rahimullaahu Ta'ala) said: 'Shaving and cutting it are Makrooh. However, to cut from its length and breadth is good (said Qaadhi Iyaadh).'

(Continuing his commentary, Imaam Nawawi said) "The Mukhtaar (preferred and adopted view) is to leave the Beard in its (natural) state totally abstaining from cutting anything of it." (Sharhu Sahaahul Muslim of Nawawi, Vol.3, page 151)

In his *Al-Fataawal Fiqhiyyatul Kubra*, Ibn Hajar in response to the question: *"What is the ruling of shaving under the chin?"*, he (Ibn Hajar) said: *"Shaving that which is under the neck from the Beard is Makrooh as it is (mentioned) in Sharhul Muhazzab from Ghazaali."* (Vol.4, page 256)

Regarding cutting the eyebrows, Imaam Nawawi states: *"Regarding taking (cutting) from the eyebrows when they have become long, I did not see anything (any ruling) in this regard from our (Shaafi') Ashaab (Fuqaha). (However), it is appropriate that it be Makrooh, for verily, it (cutting) is Taghyeer li khalqillaah (changing Allah's creation). Nothing has been substantiated in this regard. Therefore it is Makrooh."* (*Al-Fataawal Fiqhiyyatul Kubra*, Vol.4, page 256)

Despite the lack of *Nass* (explicit ruling) on this matter, Imaam Nawawi states that cutting the eyebrows is Makrooh, and by Makrooh in this context he clearly means Makrooh Tahreemi because he attributes the act of cutting the eyebrows to Satanism. In the Qur'aan, Allah Ta'ala states that *Taghyeer li khalqillaah* is an act of shaitaan. A satanic act severely condemned by Allah Azza Wa Jal in the Qur'aan Hakeem can never be classified as Makrooh Tanzeehi. Now when this is the scenario with eyebrow-cutting which there is no *mansoos* prohibition nor even a suggestion of 'dislike', then what does the intelligence dictate regarding cutting the Beard, the prohibition of which is evidenced

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by an avalanche of deprecation on which Consensus of the Ummah has been registered? *“Ponder, O People of Intelligence! (Qur’aan)*

* Again compelled to concede that Imaam Nawawi and Imaam Rafi’ are not the final word in Shaafi’ Fiqh and Rulings, Maqdisi states: *“The two Imams, Rafi’ and Nawawi, said that it is disliked* to shave the beard. Ibn al-Rif’ah objected to this in his marginal glosses on the Kafiyah, saying that Shafi’ (Allah be pleased with him) said in his Umm that (to shave the beard) is unlawful. Zarkashi added that this was also stated by Halimi in Shu’bul Imaan, and by his teacher, Qaffal al-Shashi in his Mahasin al-Shari’ah. Adhra’i said, “The correct position is that it is unlawful to completely shave it without excuse as the Qalandaris do.”*

The two Imaams did not say ‘dislike’. They said ‘Yukrahu’ which is a technical term, and in the context of shaving the Beard it is just one step below Tahreem (Haraam). Although these two Fuqaha had erred in differing with Imaam Shaafi’, Imaam Halimi and Qaffaal Ash-Shaashi and other senior Shaafi’ Fuqaha, they (the two Imaams) did not say that it is ‘merely recommended to lengthen the beard’, and that it is permissible to shave the beard, and that it is not sinful as is baselessly argued by Maqdisi. In the foregoing discussion Imaam Nawawi’s stance of prohibition has already been explained.

From the above statements of Maqdisi it is confirmed that the later Shaafi’ Fuqaha did not all award Imaam Nawawi and Imaam Rafi’ the pedestal of being the final word as Maqdisi baselessly contends.

* In the Haashiyah of Allaamah Shaikh Abdul Majid Ash-Sherwaani is corroboration for what Adhra’i said, namely,: *“The correct version is Tahreem.”*

Imaam Shaafi’s explicit ruling of Tahreem, viz. it is haraam to shave the Beard, is the only correct view since Adhra’i has clearly

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stated so. Thus, the view of *Karaahat* despite practically meaning prohibited, is erroneous.

* Maqdisi abortively attempted to enlist the support of Ibn Qasim for his corrupt haraam view of shaving the Beard. Thus he (Maqdisi) blatantly and baselessly contends: *“In reality, Ibn Qasim’s comments do not contradict Ibn Hajar’s recension because he clearly begins by explicitly stating the recension of the two Imams – Rafi’ and Nawawi – according to which it is disliked to shave the beard. Only afterwards does he proceed to mention the opinions of the dissenting scholars.”*

Ibn Qasim stated the views of Imaam Shaafi and the other senior Fuqaha in refutation of the *Yukrahu* (It is Makrooh) contention of Imaam Nawawi and Imaam Raafi. The opinion which dissents with this *Mu’tamad* ruling of Imaam Shaafi’ has to be rejected and ignored. It is not the other way around as Maqdisi claims. The author of *Al-Manhalul Athbul Maurood* states in this regard:

“Ash-Shaikh Ahmad Bin Qaasim Al-Ibaadi stated at the end of the Aqeeqah section of the Haashiyah of Tuhfatul Muhtaaaj Sharh Al-Minhaaj in refutation (rad-dan) of those Shaafis who say that the view of hurmat (unlawful, being haraam) of the shaving the Beard is in conflict with the Mu’tamad view.....” Then after citing the view of Nawawi and Rafi, and the view of Imaam Shaafi and others, he concludes his discourse with the ruling of Adhra’i who states explicitly: *“The correct view is Tahreem...”*

Ibn Qasim had to first mention the views of Imaam Nawawi and Imaam Raafi’ because he was refuting this view. It is illogical to present first the refutation and only thereafter the topic which has been refuted. The contention which is to be refuted has necessarily to be mentioned first otherwise the reader will not understand what and who are being refuted. Thus, Ibn Qasim’s discourse is in support of Imaam Shaafi’s Tahreem ruling. He does not support Imaam Nawawi.

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Lest readers gain the wrong impression from the difference between Imaam Nawawi and Imaam Shaafi', we re-iterate that the difference pertains only to the utilization of legal terms. It does not pertain to the actual prohibition of shaving the Beard. While Imaam Shaafi describes the prohibition with the technical term, *Tahreem*, Imaam Nawawi describes it with the term *Makrooh*. But there is no difference regarding the practical prohibition of shaving the Beard. The technical term of *Yukrahu* (It is Makrooh) is clearly an error. Thus, the author of *Al-Manhal* says: *"From this discussion you will know that Imaam Shaafi himself had explicitly ruled that it is haraam to shave the beard, and that the contention of Karaahat is an error because of Adhrai's statement: "The correct version is that it is haraam to shave the Beard."*

Maqdisi, perpetrating an act of chicanery has abortively laboured to extravasate support from Adhrai's statement for the erroneous view of 'Makrooh' when in fact Adhrai states the exact opposite of what the Dean is contending.

It is thus abundantly clear that all the later Shaafi' Fuqaha do not attribute to Imaam Nawawi and Imaam Raafi' an infallible status which could override even Imaam Shaafi and all the Mutaqaddimeen Shaafi' Fuqaha. The abovementioned difference with Imaam Nawawi and some Shaafi' Fuqaha pertains to the issue of the Beard. We shall now mention difference with Imaam Nawawi on a variety of issues.

* In the mas'alah of *shakk* (doubt), the following appears in *Al-Ashbaah Wan Nathaair* The Shaafi' version): *"Nawawi said: Know, verily, the meaning of our (Shaafi') Ashaab regarding doubt in water, hadth, impurity, Salaat, Itq (emancipation), Talaaq, etc. is trepidation between the existence of something or its non-existence....."* (*Al-Ashbaah Wan Nathaair*, page 75)

We are not discussing the mas'alah. We are merely making a reference to it to indicate refutation of Nawawi's view by other

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Shaafi' Fuqaha who do not accept him as the final word as contended by Maqdisi. Refuting Imaam Nawawi's definition of *shakk* (mentioned above), Imaam Jalaluddin Suyuti states: *"The Ulama of Usool differentiate between this, and they say: "If the trepidation is equal (in both dimensions), then it is shakk (doubt). However, if one dimension has preference, then the preferred angle is zann and the not preferred angle is wahm (suspicion)."*

Raafi' differentiated between the two dimensions in the matter of hadth.....not with shakk in it. In Al-Haawis Sagheer it is said: 'Verily it is an erroneous view among his personal views. Ibn Raf'ah said: I have not seen it (this view) from anyone besides him (Raafi').

Zarkashi said: The idea of Nawawi that there is no difference in all the classes in trepidation regarding musaawi (equanimity) and raajih (the preferred angle), is refuted by the fact that they (the Shaafi Fuqaha) have differentiated in numerous places...."

(Al-Ashbaah, page 75)

On the question of looking at a woman when teaching her, Imaam Jalaluddin Al-Mahalli refutes Imaam Nawawi's contention of the permissibility of looking. The following appears in *Al-Ashbaah*, page 89 on this issue: *As-Shaikh Imaam Jalaluddin Al-Mahalli responds in Al-Minhaaj: 'That which Nawawi said about the permissibility of looking for ta'leem is his personal view (tafarrud)."* Imaam Suyuti then says: *"The authentic view is what Imaam Jalaluddin said."* In other words, Imaam Nawawi's view is incorrect.

* Regarding the mas'alah of *Eethaar bil Qurb* (to sacrifice *thawaab/ibaadat* for the benefit of someone else), Zarkashi states : *"The view of Imaam (i.e. Imaam Nawawi) demands that Eethaar bil Qurb is haraam."* (*Al-Ashbaah*, page 117) Refuting this, Imaam Suyuti states: *"It is not so."* (Then Imaam Suyuti explains three different rulings of this mas'alah whereas Imaam Nawawi

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had stated that it is absolutely ‘Makrooh’ in all cases, and the emphasis he applied to the term ‘Makrooh’ constrained Zarkashi to say that it means ‘Haraam’ according to Imaam Nawawi.

* On page 327 of *Al-Ashbaah* the correctness of Imaam Nawawi’s fatwa on the mas’alah of paying the mehr before consummation is refuted: “*Al-Alaaee said: ‘In it (i.e. Nawawi’s fatwa) is nathr (i.e. it is subject to consideration).’*”

* On the mas’alah of compensating for an usurped *mithli* item for which a similar item is available only at a price more than the actual value of the destroyed item, Imaam Nawawi made *tas-heeh* of the conflicting views and adopted the view of *admal wujoob* (i.e. it is not *waajib*). Refuting this *tas-heeh* (‘recension’ is the word used by Maqdisi for the preference and adoption of a particular view from conflicting opinions), Imaam Suyuti says: “*In his Tasheeh is nathr.*” (*Al-Ashbaah*, page 327)

* On the mas’alah of a Qaadhi issuing a decree on the basis of the testimony of two slaves, Imaam Nawawi concurs with the *tas-heeh* (recension) of Raafi’ in *Ar-Raudhah* in the chapter of *Ad-Da-aawee*, but contradicts himself in the chapter of *Al-Qadha’* where he opposes the recension of Raafi’. Commenting on this conflict, Imaam Suyuti says: “*Subki and Bulqeeni adopted the ‘recension’ of Raafi’* (thereby setting aside Imaam Nawawi’s view). – *Al-Ashbaah*, page 510

* On the issue of fasting during *Istisqaa’* (*Dua for Rain*), the Shaafi’ Fuqaha outrightly rejected the fatwa of Imaam Nawawi. In this regard, the following discussion appears in *Al-Ashbaah*, page 527:

“*Of the difficulties is (the following fatwa) which appears in Fataawa An-Nawawi: ‘Verily, if the Imaam orders the people to fast three days during the days of Istisqa’, then it is waajib*

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(compulsory) for the people to fast by virtue of his command to the extent that it is waajib to make niyyat for the fast during the night.’ (Refuting this), Al-Qaadhi Jalaluddin Al-Bulqeeni states in the Haashiyah of Ar-Raudha: ‘This is a statement which none of the Ashaab (of the Shaafi Math-hab) have stated. On the contrary, they have unanimously ruled that it is Mustahab to fast during these days. There is no difference (of opinion among the Shaafi’ Fuqaha) in this regard. How is it possible for something to be Waajib without the command of Allah or what an adult has made incumbent on himself for gaining proximity to Allah Ta’ala. Verily Rasulullah (sallallahu alayhi wasallam) said to the A’raabi (village-dweller) who had asked about the Faraa-idh (compulsory duties)....” (After Nabi –sallallahu alayhi wasallam) had enumerated the Faraa-idh for him), he (the A’raabi said: “Are there any more besides these?” Rasulullah (sallallahu alayhi wasallam) said: “No.” Thus, this indicates that something cannot be Waajib except by the command of Allah in His Kitaab or by the tongue of His Nabi. (In fact), Rasulullah (sallallahu alayhi wasallam) had commanded the fast of Aashura’. However, no one has proclaimed it to be Waajib despite the fact that the command of Rasulullah (sallallahu alayhi wasallam) is greater than the command of the rulers. Furthermore, the Nass (explicit assertion) of Imaam Shaafi’ indicates this as well (viz., that fasting during the days of Istisqa is not Waajib).”

The aforementioned are just a few of the opinions and ‘recensions’ of Imaam Nawawi which the Shaafi’ Fuqaha have refuted. Besides these, the books of Fiqh of the Shaafi’ Math-hab will rebound with many more diversions from the ‘recensions’ of Imaam Nawawi.

It is absolutely preposterous to accept that Imaam Nawawi who appeared on the scene more than 6 centuries after Rasulullah (sallallahu alayhi wasallam), and several centuries after Imaam Shaafi’ and the other very senior Shaafi’ Fuqaha of the Muqaddimeen era, is the final word of the Shariah in terms of the

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Shaafi' Math-hab, and that Imaam Shaafi' and all the senior Shaafi' Fuqaha for centuries before Imaam Nawawi and all dwelled in error regarding the issue of the Beard.

Again it should be stressed that the difference between Imaam Nawawi and Imaam Shaafi is not in the prohibition of shaving the Beard. He as well as all Shaafi' Fuqaha, and the entire Ummah of Islam, are unanimous in the prohibition. The difference is in the technical term utilized to describe the prohibition. While Imaam Shaafi' and the Mutaqaddimeen Shaafi' Fuqaha describe the prohibition with the term, *Tahreem*, Imaam Nawawi says that the prohibition is *Makrooh*. And, it is confirmed by the context of the prohibition that Makrooh here means Makrooh Tahreemi which in practice is Tahreem.

* Maqdisi despite having claimed that all the later Shaafi' Fuqaha submit to the 'recensions' of Imaam Nawawi, is constrained to contradict himself. He says: *"It has been transmitted from Imam Jamal al-Din al-Isnawi – who extensively objected to the recensions of the two Imams on many cases....."* This is a clear admission to the objection of Imaam Nawawi's 'recensions' by a Shaafi Faqeeh of later times, and Isnawi is not a mediocre Aalim.

* Debunking his own claim, Maqdisi states that Imam Ahmad al-Ramli stated: *"A number of scholars have objected to the recensions of the two imams (and other scholars) by saying that they contravene the explicit statements of Imam Shafi'. These objections are being raised with increasing frequency, to the point that it has even been said that the words of Imam Shafi' with respect to the scholars of his school are like the words of the Lawgiver with respect to Shafi' and other mujtahid imams, and that it is not permissible to exercise legal reasoning in the presence of a clear text."*

This statement of Imaam Ramli clearly refutes the contention of Maqdisi who has been at pains to peddle the falsehood of

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unanimity in the ranks of the later Shaafi' Fuqaha regarding the 'recensions' of Imaam Nawawi. Although Imaam Ramli presents argument in refutation of the aforementioned objections against Nawawi's 'recensions', the irrefutable fact remains that the contention made by Maqdisi is baseless.

Among the illustrious Shaafi' Fuqaha of the Mutakh-khireen era who opposed Imaam Nawawi's and Imaam Raafi's 'recensions' are Imaam Ibnur Ri'fah and Imaam Shihabul Adhra'i.

Furthermore, those Shaafi Fuqaha who reject the recensions of Imaam Nawawi are under no obligation to submit to the reasoning of Imaam Ramli. On both sides of the divide there are *Rijaal* (Men of Ilm and Taqwa), and both groups are Muqallideen of Imaam Shaafi. The superiority and the final word pedestal which Maqdisi has sought to confer to Imaam Nawawi solely to gain capital for his baatil, haraam idea of the permissibility of shaving the beard, are manifestly fallacious, having not a vestige of Shar'i substance.

In another flabby attempt to confer inviolability to the preferences of Imaam Nawawi, Dean Maqdisi avers: *"Similarly, Imaam Sha'rani relates from Imam Suyuti that he said, 'Even when I became qualified to independently determine the official, relied-upon position of the school, I refrained from going against the recensions of Nawawi, regardless of whether I personally reached a different recension.'*

Such quotes should apprise you of the tremendousness of this great scholar (i.e. Nawawi) with respect to sifting through the position of the school, and how even the greatest scholars after him submitted to this conclusion."

Notwithstanding the greatness and the "tremendousness" of Imaam Nawawi, he is not the final word in the Shariah. His 'recensions' are not immutable. This Shariah did not appear on the scene of history with the advent of Imaam Nawawi more than six centuries after the finalization and perfection of the Deen. The

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Shaafi Mutaqaddimeen Fuqaha and Imaam Shaafi' did not dwell in error for centuries.

Whilst accepting the *jalaal and qadr* of Imaam Nawawi, it must be stated with emphasis that his classification of the shaving of the Beard with the term Makrooh (Tahreemi) is in glaring conflict with Imaam Shaafi' and other illustrious Shaafi Fuqaha, and intelligence dictates to acknowledge the error of Imaam Nawawi in this regard. Once again it must be emphasized that the difference between Imaam Shaafi and Imaam Nawawi is not on the score of *prohibition*. The difference pertains only to the technical terms with which the prohibition has been described. The only benefit in Imaam Nawawi's watered down classification, namely *Makrooh*, is to save the skins of today's millions of evil *jubbuth thakar* beard-shaving Muslims from the fatwa of kufr. Since the basis of Makrooh Tahreemi is not *Daleel-e-Qat'i*, the beard-shavers are spared from the ultimate fatwa of kufr

Despite the foregoing statement of Imaam Suyuti, he has drawn attention in his *Al- Ashbaah Wan Nathaair* to a number of Imaam Nawawi's errors and their rejection by other later day Shaafi' Fuqaha. The 'tremendousness' and erudition of Imaam Nawawi do not elevate his 'recensions' to infallibility. His 'tremendousness' does not confer the status of Wahi to his views. We do not submit to glaring errors on account of the 'tremendousness' of the status of an Aalim. Warning of the deification of scholars and saints, the Qur'aan Majeed states: "*They (the Bani Israaeel) took their scholars and their saints as gods besides Allah.....*"

While it has to be conceded that it is not valid for a Muqallid Faqeeh to resort directly to the Qur'aan and Hadith for formulating *ahkaam*, there is nothing in the Math-hab for a qualified Aalim of status, insight and foresight to attach his Taqleed directly to the Imaam of his Math-hab. If any 'recension' of a Muqallid authority of his Math-hab is in conflict with the Aimmah-e-Mujtahideen of his Math-hab, blind taqleed of such 'recension' is never advocated

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nor accepted. Acceptance is on the basis of *dalaa-il*, not on the basis of status and rank. Thus, the ‘recension’ of a Faqeeh who appeared several centuries after Imaam Shaafi’ shall be set aside if it glaringly conflicts with the *Nass* of Imaam Shaafi’ and the other Mutaqaddimeen Shaafi’ Fuqaha, moreover when such *Nass* is corroborated by the *Ijma*’ of all the other Math-habs, and when the ‘recension’ is in stark conflict with the *Nass* of Rasulullah (sallallahu alayhi wasallam).

Maqdisi has disgracefully and abortively attempted to throttle the Haq with an erroneous technical designation (viz., Makrooh) of Imaam Nawawi. Meanwhile, he employed skulduggery to draw a smokescreen over the degree of difference between Imaam Nawawi and Imaam Shaafi’. He latched on to a technical difference to sidetrack the issue from the unanimous ruling of *Prohibition* thereby perpetrating the deception of creating the impression that the difference pertains to Haraam and Halaal, that is, while according to Imaam Shaafi’ the shaving of the Beard is haraam, according to Imaam Nawawi it is ‘permissible’, and that lengthening the Beard is “merely recommended”. Deglutition of this *ghutha* promoted by Magdisi befits only the *juhala*. Maqdisi needs to be derobed and demoted for the disgraceful abortion and distortion he is guilty of with his stupid manipulation of the technical terminology of the Fuqaha.

If some or even the majority of the later Shaafi’ Fuqaha who arrived on the scene of history seven, eight and nine centuries after Rasulullah (sallallahu alayhi wasallam), submit to even the erroneous ‘recensions’ of Imaam Nawawi, they may rejoice in such blind taqleed which is most unbecoming of *Rijaal* in this Field of Uloom. Such docility and submission which are extremely peculiar to Men of Ilm are unacceptable. Hadhrat Hakimul Ummat Maulana Ashraf Ali Thanvi (rahmatullah alayh) had drawn attention to an error which even great Ulama are prone to, and which has been committed by them. Sometimes the error of seniors is perpetuated without investigation by the junior Ulama of

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subsequent generations. Due to his seniority and Ilmi erudition and lofty status – all of which do not cloak him with infallibility – a ruling issued by the senior is accepted as being correct without the need for investigation. This erroneous ruling/view is then transmitted by the Ulama until some Aalim unravels the ‘mystery’ to rectify the error.

This in all likelihood has happened in the case of Imaam Nawawi’s Makrooh view regarding shaving the beard. Be as it may, there are numerous Shaafi’ Fuqaha of the later era who refute the view of Imaam Nawawi.

Maqdisi, peddling his cause of baatil, states: *“This is how the recensions of the two imams are understood. Whenever they abandon an explicit statement of Imam Shafi’, they do so in full knowledge of its existence and leave it because it is weak or because it is an extension of a weak position.”*

If Imaam Shaafi’ has erred on any issue, the correction of his error would not have been delayed by several centuries. During his age and immediately thereafter, there existed numerous Shaafi’ Fuqaha of lofty status. It is inconceivable that so numerous Shaafi’ Fuqaha of outstanding rank would have voted to support an error committed by their Imaam. They would have drawn his attention to such assumed error. We find the students of Imaam Abu Hanifah (rahmatullah alayh) differing with him on a variety of masaa-il, and we find Imaam Abu Hanifah retracting some of his fataawa in favour of the views of his illustrious Students who were also among the Aimmah-e-Mujtahideen. We venture to say that this was the system prevailing in the ranks of Imaam Shaafi and his students as well. After all, the illustrious Fuqaha who were the Students of Imaam Shaafi’ were not dunces and morons such as the *jubbuth thakar clique*. It was not among their characteristics to submit and make blind taqleed of glaring errors.

The effect of Maqdisi’s drivell argument is that the gross ‘error’ which is being attributed to Imaam Shaafi’ was perpetuated by the Shaafi’ Fuqaha for several centuries, and it was left for Imaam

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Nawawi in the seventh century to rectify the ‘error’. This stupid reasoning presupposes one of two cases: either the Mutaqaddimeen Shaafi’ Fuqaha were of extremely mediocre ability, hence unable to understand the ‘error’, or they deliberately upheld baatil. But, both these inferences are baatil, and only persons such as today’s Maqdisi and his ilk are capable of feeling snug in such conclusions stemming from their drivel arguments.

Maqdisi in fact accuses Imaam Shaafi’ who is his Mujtahid Imaam, of having violated the very principles of Fiqh which he, himself had evolved, and by implication, all the Shaafi Fuqaha among the Mutaqaddimeen had condoned and promoted such violations. They never ventured a word in an attempt to correct this assumed violation of principles by Imaam Shaafi. In this regard, Maqdisi says: *“This is similar to the practice of many of the early Shafi’ scholars, who went against the explicit statements of Imam Shafi’ because they contradicted the general principles that he himself had established.”*

In this statement, Maqdisi concedes that it was the practice of the ‘early’ Shaafi’ Fuqaha to contradict any view which they believed was incorrect even if it was the opinion of their Imaam. This was the normal stance and attitude of the Fuqaha of the early era. Yet, there is no such contradiction of Imaam Shaafi’s ruling on beard-shaving by the early Shaafi’ Fuqaha. This fact reinforces the absolute correctness and veracity of Imaam Shaafi’s ruling on the satanic practice of *jubbuth thakar*. The contradiction developed in the seventh century and was made by Imaam Nawawi who is a muqallid of Imaam Shaafi’.

Let Maqdisi state the names of the early Shaafi’ scholars who had contradicted Imaam Shaafi’ on the Beard issue. He (Maqdisi) should not conceal the reality with generality and humbug arguments. If the early Shaafi’ scholars had differed with Imaam Shaafi’, did they differ with him on the mas’alah of the Beard? While difference with the Mujtahid Imaam is understandable and acceptable as we have pointed out above regarding Imaam Abu

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Hanifah and his Students, the issue at hand is the Beard. Did the Mutaqaddimeen Shaafi' Fuqaha differ with him on the Beard mas'alah?

We again remind that the difference developed by the later Shaafi scholars pertain to only Fiqhi classification of the *prohibition*, not to the *prohibition per se*. This is the issue which Maqdisi has abortively endeavoured to befog, conceal and eliminate. Far from differing with Imaam Shaafi's ruling on the Beard, great Aimmah of the Shaafi' Math-hab in each generation subsequent to Imaam Shaafi', upheld and reinforced the ruling that shaving the beard is haraam and akin to *jubbuth thakar*.

Since Imaam Nawawi and Imaam Raafi' are muqallideen and vastly junior to Imaam Shaafi', Imaam Qaffaal Shaashi and Imaam Haleemi – all of the Mutaqaddimeen era – the logical and principle course would have been to have reconciled the difference of the former (i.e. of Shaikhain) with the view of the latter by way of valid interpretation. It is illogical and unprincipled to summarily dismiss the view of the Mujtahid Imaam, which is structured on solid Shar'i premises, and to substitute in its place the view of a 'junior' who is the Muqallid, of the Mujtahid Imaam he is opposing, and that too without *dalaa-il*. It is ludicrous to dismiss the Mujtahid Imaam's view with the arbitrary statement, '*It is weak*' – *It is not the mu'tamid position.*'

SHORTENING THE BEARD

Regarding shortening the Beard, Maqdisi states: “.....*you should understand that most scholars – even those who believed that it was obligatory to keep a full beard – did not hold shortening the beard to be absolutely unlawful. Rather, they permitted the trimming of the beard from its bottom and sides.*”

Why did Maqdisi introduce this dimension into the discussion of shaving the beard? Shortening the beard to the Masnoon length is accepted. In fact, according to some Fuqaha it is Waajib to cut the

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beard once it exceeds one fist-length. There is no relationship between this necessary shortening and shaving of the Beard. The two acts are apart, distinct and differ vastly. The one is commanded while the other is prohibited.

In another skulduggery stunt, he says, “*most scholars*” without elaborating. Firstly, *all* Scholars of the three Math-habs explicitly say that it is Sunnah to cut the beard when it becomes longer than a fist-length. It is not a question of them having ‘permitted’ such shortening on the basis of interpretation. They have elevated the Masnoon cutting to the status of ibaadat. The shortening is substantiated by *Nass* of the Sahaabah. Secondly, most of the Scholars of the Shaafi’ Math-hab prohibit cutting in any way whatsoever. There is therefore absolutely no support for Maqdisi’s ghutha in the Masnoon practice of the three Math-habs.

In a tedious and deviating discourse, Maqdisi is at pains to prove the permissibility of shortening the Beard. To substantiate his view in this regard he resorts to the views of a variety of sources except the most important authority in his theme. He commences his proof for the permissibility of shortening the beard with Qaadhi Iyaadh. Then he cites the Hadith of Hadhrat Abdullah Ibn Umar (radhiyallahu anhu) and his “*scrupulousness in imitating the Prophet (Allah bless him and give him peace) in every matter.*” Then he meanders to Imaam Bukhaari and Ibn Hajar. Drifting further from his ‘most important’ authority, viz. Shaikhain, Maqdisi introduces Ibn Hibbaan. He even cites Imaam Maalik. In his entire flabby argument, he conveniently forgets or ignores Imaam Shaafi, Imaam Raafi’ and Imaam Nawawi, the latter being the ‘greatest verification scholars’ whose ‘tremendousness’ Maqdisi has been displaying in his abortive argument to support the haraam act of shaving the Beard. But, surprisingly, he does not mention the ‘recensions’ of the two greatest authorities in the science of Recension.

Why did Maqdisi opt for ignoring Imaam Nawawi on the issue of shortening the Beard? The answer to this simple question is that

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Imaam Nawawi does not support the position of shortening the Beard. Refuting Imaam Ghazaali's view of shortening the excessively long Beard which makes a person look unsightly, Imaam Nawawi states:

"This (shortening the beard) is the kalaam of Ghazaali. However, the Saheeh (correct and authentic view) is the Karaahat (being Makrooh) of cutting of the Beard mutlaqan (i.e. in any way whatsoever). On the contrary, it should be left in its (natural) state regardless of how it may (grow) because of the Saheeh Hadith, "And lengthen the Beard". And as for the Hadith of Amr Bin Shuaib narrating from his father and his grandfather that Nabi (sallallahu alayhi wasallam) used to cut from his Beard from its width and its length, Tirmizi has narrated it with a Dhaeef Isnaad. Ihtijaaj cannot be made with it, (i.e. this Hadith cannot constitute a basis for the formulation of a Shar'i hukm)." – Al-Majmoo', Vol.1, page 343)

This is the Shaafi' view. This is the 'recension' of Imaam Nawawi whose 'tremendousness' Maqdisi has vociferously asserted, and who is supposed to be the Final Word of the Shariah. Yet, Maqdisi ignores Imaam Nawawi on this issue. When it suits his baatil objective he does not hesitate to perpetrate chicanery most audaciously by conveniently forgetting the 'recension' of Imaam Nawawi whose 'tremendousness' he so passionately promotes.

Ibn Hajar states: *"The adopted (Mukhtaar) view is to leave the Beard in its (natural) state and not to reduce (or cut) it."* (Fathul Baari, Vol.10, page 350)

In his Sharah on Saheeh Muslim, Imaam Nawawi says: *"The Mukhtaar view is to leave the beard in its (natural) state and not to cut anything from it at all."* (Vol.1, page 39) This is the 'recension' of Imaam Nawawi which Maqdisi has conveniently overlooked since it is an explicit contradiction of his contention of the permissibility of shortening the Beard according to the Shaafi' Math-hab.

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In *I'aanatut Taalibeen*, Vol. 2, page 340, it is mentioned: *“The zaahir kalaam (that which is obvious from the text) is the Karaahat of cutting in any way whatever. And, the contention that it (the lengthy Beard) makes the appearance unsightly is not valid.”*

It should thus be clear that the majority of Shaafi' scholars regard shortening the beard even to the fist-length to be impermissible, and this should be the final word for Maqdisi since it is the 'recension' of Imaam Nawawi. When shortening the beard, in fact plucking out just a few hairs from the beard, is not permissible in the Shaafi' Math-hab, how will *jubbuth thakar* – *shaving the entire beard* be permissible and not sinful? Thus, Maqdisi's contention in this regard is baseless. According to the Ahnaaf and the other Math-habs, it is permissible to shorten the Beard to one fist-length.

THE 'IMMEDIATELY OBVIOUS MEANING'

Having ignored Imaam Nawawi on the issue of the prohibition of shortening the Beard, Maqdisi says: *“This overwhelming agreement regarding the permissibility of trimming the beard goes against the immediately obvious meaning of the preceding hadiths, which seems to imply that it is impermissible to trim the beard at all. Their interpretation thus indicates that there is flexibility in this matter, and that the preceding hadiths are not interpreted in a general manner because of other evidences that indicate the contrary.”*

In this entire equation he has conveniently left out the Shaikhain factor (viz. Imaam Raf'i and Imaam Nawawi) despite their 'tremendousness' which Maqdisi has so ardently hailed. The following discrepancies in the above statement of Maqdisi are noteworthy:

* The 'overwhelming agreement' he mentions refers to the Ahnaaf, Malikiyyah and Hanaabilah. The Shaafi's are excluded

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from this ‘overwhelming agreement’, yet Maqdisi has assumed the responsibility of discussing and substantiating the Beard issue in terms of the Shaafi’ Math-hab.

* This ‘overwhelming agreement regarding the permissibility of trimming the Beard’ according to the three Math-habs (Shaafi Math-hab excluded), does not conflict with the ‘immediately obvious meaning’, i.e. the literal meaning of the text, because the ‘overwhelming agreement’ is the consequence of the other Ahaadith which are the *tafseer* of the Ahaadith which command lengthening of the Beard. In the absence of the other Ahaadith it would have been correct to conclude that the narrations pertaining to lengthening the Beard are *Mutlaq* – general, unrestricted by conditions.

While the Fuqaha of the other Math-habs have read the two different types of Ahaadith in conjunction, the Shaafi’ Fuqaha have not. They have discarded the other Ahaadith pertaining to cutting the Beard down to a fist-length, and have retained the ‘immediately obvious meaning.’ Thus, the ‘great verifier’ of Ahaadith, Imaam Nawawi said: *“The Saheeh view is to leave the Beard in its (natural) state as it is on account of the Saheeh Hadith, viz., “And lengthen the Beard.” (Al-Majmoo’, Vol.1, page 343)* This is Imaam Nawawi’s ‘recension’ which Maqdisi found convenient to set aside.

On the same issue, Ibn Hajar states in *Fathul Baari*, Vol. 10, page 350: *“Nawawi (refuting the permissibility of shortening the Beard), said: Verily, it (the view of shortening) is in conflict with the zaahir (the obvious meaning of the text of the Hadith) regarding the command to lengthen the Beard. And the Mukhtaar position is to leave the Beard in its (natural) state and not to interfere with it by shortening it nor in any other way.”*

* From the ‘recension’ of Imaam Nawawi, it is clear that the Shaafi’ Fuqaha have adhered to the ‘immediately obvious’ (the

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zaahiri) meaning without conditioning it with the other Ahaadith. In terms of Imaam Nawawi's 'recension' there is no indication of 'flexibility in this matter' as Maqdisi avers.

* The 'preceding hadiths' are in fact interpreted in 'a general manner' because the Shaafi's have discarded the other narrations and do not consider them of the category which allows narrations to constitute a basis for the formulation of *ahkaam* of the Shariah.

Since Maqdisi has miserably failed to glean support from Imaam Nawawi on the act of shortening the Beard, he felt constrained to cunningly acquire support from the other Math-habs. But for the question of lengthening the Beard and abstaining from shaving it off, he ignored the other Math-habs since there exists *Ijma'* on the prohibition.

Trying another skulduggery trick, Maqdisi says: *"If you examine this closely, you will see that the position of the Shafi' school is not very different from the position of the scholarly majority because neither of them interpret the hadiths literally in a general manner. The only difference is that the scholarly majority went against the immediately obvious meaning of the hadiths by permitting one to trim the bottom and the sides whereas our scholars – according to the relied upon position in our school – went against the immediately obvious meaning by interpreting the prophetic command as a command of recommendation rather than a command of obligation."*

This averment is blatantly false. The 'scholarly majority', i.e. the Hanafi, Maaliki and Hambali Fuqaha, did not 'go against the immediately obvious meaning'. They did not conflict with the literal meaning of the Hadith. All our Fuqaha and the Fuqaha of all the other Math-habs, including of the Shaafi' Math-hab, have accepted the literal meaning. All four Math-habs unanimously

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accept the literal meaning, hence they all command lengthening the Beard. Neither do the three Math-habs give the Ahaadith on this matter a figurative interpretation nor do the Shaafi Fuqaha interpret Rasulullah's command to be a recommendation. Maqdisi has hallucinated this *ghutha* interpretation to serve his despicable objective of securing permissibility for the kuffaar practice of shaving the Beard.

While the three Math-habs literally command lengthening the Beard as stated in the Ahaadith, they say that the lengthening should be as described by the Ahaadith, namely a fist-length. By curtailing the length, the Fuqaha of the three Math-habs did not violate the *zaahir* (the apparent textual) meaning of the Ahaadith. They did not interpret the Ahaadith. They simply contended that the Beard has to be lengthened to the limit commanded by the Ahaadith. Thus the practice of Hadhrat Ibn Umar, Abu Hurairah and other Sahaabah (radhiyallahu anhum) is the tafseer of the command to lengthen. It is a case of the Hadith explaining itself.

Furthermore, there is no Shaafi' Faqeeh who has claimed that the order to lengthen the Beard is a mere recommendation. This is Maqdisi's baseless imagination. If Maqdisi's contention had any merit, the Shaafi Fuqaha would not have prohibited cutting and shortening the Beard. They prohibit both acts with the term '*Yukrahu*' (*It is Makrooh*). We have already explained that by no stretch of Islamic logic and understanding does *Makrooh* in this context refer to Tanzeeh. On the contrary, it is Makrooh Tahreemi. In addition, if it was a mere recommendation to lengthen the Beard, the Shaafi' Fuqaha would not have come into conflict with the three Math-habs by ruling that the Beard should be left in its natural state to grow in any way whatsoever without interfering with it.

In fact, if we assume momentarily that Makrooh here means Makrooh Tanzeehi, then too it would be highly improper to denigrate the command to lengthen the Beard with the contention that lengthening it is 'merely recommended'. How could it be

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viable to claim that an act which Rasulullah (sallallahu alayhi wasallam) so vehemently commanded – an act which was the permanent Sunnah of all the Ambiya, of all the Sahaabah, of all the Taabieen and Tab-e-Taabieen – an act which Imaam Shaafi’ and the Mutaqaddimeen Fuqaha of the Shaafi’ Math-hab designated compulsory – an act which all Math-habs unanimously proclaim Waajib, can never be a ‘mere recommendation’, and violation of this act on which there exists *Ijma’* can never be permissible/lawful?

A satanist act such as shaving which violates an emphatic command, can never be permissible nor Makrooh Tanzeehi. The abhorrence of the act is of the Tahreem category.

NON-LITERAL INTERPRETATION

Continuing with his *ghutha*, Maqdisi avers: *“There is nothing that more decisively establishes the non-literal interpretation of these hadiths than the above-mentioned action of Ibn Umar, who is the narrator of the very hadith that is under discussion. For Ibn Umar believed that the prophetic command to let one’s beard grow was not an unqualified command but that – as explained by the hadith master Ibn Hajr – it was understood as applying to situations that do not spoil one’s appearance by one’s beard becoming excessively long at the bottom or the sides.”*

Maqdisi here again cunningly attempts to deflect focus from the ‘recension’ of Imaam Nawawi and Imaam Raf’i. In fact, he entirely ignores the Shaafi’ Math-hab’s position on this issue. While professing to be a follower of the Shaafi’ Math-hab, Maqdisi presents the viewpoint of the Maaliki, Hanafi and Hambali Math-habs, and hopes that everyone will be sufficiently stupid to believe that he is presenting the Shaafi’ position. He has no right to deflect from the Shaafi’ view and peddle the position of the other Math-habs since he has proffered his article on the issue of shaving the Beard in terms of the Shaafi’ Math-hab.

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Why did Maqdisi not state in his aforementioned argument the ‘recension’ of Imaam Nawawi? He has deceptively abstained from citing Imaam Nawawi because according to him (Nawawi) and the vast majority of Shaafi’ Fuqaha, it is not permissible to cut anything from the Beard irrespective of the length and width which the Beard attains.

No one among the Fuqaha of any Math-hab has applied a ‘non-literal interpretation’ to the Ahaadith commanding the lengthening of the Beard. The Shaafi’s are the strongest in the literal understanding, hence they absolutely prohibit cutting in any way whatsoever.

The Fuqaha of the other three Math-habs also maintain the literal meaning and hold literal lengthening of the Beard to be compulsory. However, they prescribe a limit to the length in terms of the Ahaadith. They do not proffer a non-literal interpretation. They only state the limit of the lengthening, and this limit is not by way of interpretation, but by the *Nass* of the Ahaadith although the Shaafi’ Fuqaha do not accept the latter Ahaadith valid for the formulation of a specific ruling.

Ibn Hajar’s explanation for condoning the Hanafi and Maaliki view is refuted by the Shaafi’ Fuqaha with the argument that the appearance is not despoiled by the length of the Beard, but by keeping it unkempt. Thus, oiling and combing even the excessively long Beard negate the argument of ‘ugly appearance’. This is the Shaafi’ position which Maqdisi has conveniently ignored despite Imaam Nawawi’s ‘recension’. Maqdisi has a flair for adopting Imaam Nawawi’s ‘recensions’ only if he feels that he is able to extravasate some capital for his corrupt and haraam *jubbuth thakar* shaving view.

The unrestricted command to lengthen the Beard, i.e. not being qualified, does not support the contention of a ‘non-literal’ interpretation. There is nothing ‘non-literal’ in lengthening the Beard. The Ahaadith command literal lengthening, and this is the position of all Math-habs. As for qualifying the command as

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explained in some Ahaadith, it is the position of the other three Math-habs, not the view of the Shaafi' Math-hab. Maqdisi is therefore barking up the wrong tree. The Shaafi' view is explicitly stated by Imaam Nawawi as follows: *"The correct (Saheeh) view is that the Beard be left in its (natural state to grow) as it is (without cutting) by virtue of the Saheeh Hadith: 'And lengthen the Beard.'"*

Since this is the official and authoritative position of the Shaafi' Math-hab, Ramli's statement that Halimi's categorization of shaving with the term '*La Yahillu – Is not lawful*', being *Dhaeef* is not valid. The degree of prohibition is described by Imaam Shaafi' with the technical term, '*Tahreem*', and with '*La Yahillu*' by Halimi, and with '*Yukrahu*' by Imaam Nawawi and the Shaafi' Fuqaha in general.

By describing Halimi's view as *Dhaeef*, Ramli is not condoning beard-shaving nor contesting the practical prohibition of shaving the Beard. Nawawi's insistence on allowing the Beard to grow freely regardless of length, adequately debunks Maqdisi's baatil contention. There is complete unanimity of the Shaafi' Fuqaha and of all Fuqaha of all Math-habs on the prohibition of shaving the beard and the obligation of leaving it to grow.

Proffering another baseless argument for his 'non-literal' interpretation, Maqdisi says: *"Another proof that the prophetic command is a recommendation rather than a command of obligation is that the hadiths command both (a) the growing of a full beard and (b) the shortening of moustaches. In his commentary on Sahih Bukhari, the hadith master Ibn Hajar relates from the great scholar, the hadith master Ibn Daqiq al-'Id that he said: 'I don't know of anyone who held that it is obligatory to shorten the moustache in and of itself. If no one in the knowledge of Ibn Daqiq al-I'd ever interpreted the command to shorten one's moustache in its immediately obvious sense of obligation, then it is perfectly plausible to extend this non-literal interpretation to the prophetic*

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command to grow full beards by saying that the prophetic command to grow full beards is a command of recommendation, not one of obligation."

This reasoning is extremely fallacious for the following reasons:

* The hallucinated plausibility is ludicrous because despite Ibn Daqiq's averment pertaining to the moustache, lengthening the beard is obligatory according to him. He does not differ with the Shaafi Math-hab's ruling that the beard should be left to grow regardless of the length it reaches. Maqdisi's reasoning on the basis of Ibn Daqiq's averment is therefore stupid and baseless. Ibn Daqiq did not present the moustache argument to negate the command to lengthen the beard. His statement is restricted to the moustache. It is therefore baseless to contend on the basis of Ibn Daqiq's statement that Rasulullah's command to lengthen the beard is a 'command of recommendation'.

* Ibn Daqiq did not encompass all Knowledge. He was not the final word in the Knowledge of the Shariah notwithstanding his erudition and being a 'Master of Hadith'. If he was unaware, it is not a necessary corollary of his unawareness that there were none who had held the view that shortening the moustaches is obligatory.

Commenting on Ibn Daqiq's unawareness, Ibn Hajar states in his *Fathul Baari*: *"It is as if he (Ibn Daqiq) was not aware of the statement of Ibn Hazam in this regard, for verily, he (Ibn Hazam) has explicitly stated that this (qassus shaarib – shortening the moustaches) is Waajib, and it (lengthening the beard (I'faaul Liyah) is Waajib."*

Furthermore, citing Ibn Hajar, the following appears in *Faidhul Qadeer*, Vol. 3, page 346: *"Ibn Hazam averred that the command (in the Hadith) is for Wujoob (obligation). It seems that Ibn Daqiq*

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was not aware of this or he had ignored it by saying: 'I am not aware of anyone who averred Wujoob (obligation).'

It is ridiculous and plain stupidity on behalf of Dean Maqdisi to expect that the Ummah accepts the unawareness of Ibn Daqiq to be the final word of the Shariah and of the Shaafi' Fuqaha on the issue of shortening the moustaches.

Maqdisi has also resorted to dishonesty by citing the unawareness of Ibn Daqiq. He attempts to portray that no one among the Fuqaha had ever held the view of the *Wujoob* of shortening the moustache. The only straw he could present for his skulduggery was Ibn Daqiq's statement in which he professes his unawareness. While Maqdisi extracted Ibn Daqiq's statement from Ibn Hajar's *Fathul Baari*, he very conveniently overlooks what Ibn Hajar says in regard to the professed unawareness of Ibn Daqiq. Ibn Hajar's comment is mentioned above. Maqdisi cannot honestly claim that he is unaware of Ibn Hazam's view of *Wujoob*, a view which Ibn Hajar raises in the very context of Ibn Daqiq's averment. Thus, Ibn Hajar cited Ibn Hazam's view of *Wujoob* in refutation of Ibn Daqiq's contention to show that what he (Ibn Daqiq) said is not correct.

* The *unawareness* of an Aalim/Faqeeh is not a *daleel*. Every *Aalim* is unaware of thousands of masaa-il. His unawareness may not be presented as evidence for an opinion. Imaam Sha'bi (rahmatullah alayhi), the renowned Taabi-ee was the Ustaadh of numerous Fuqaha and Muhadditheen. Once in a discussion with a lad, the latter related a mas'alah. Imaam Sha'bi (rahmatullah alayh), in surprise commented: 'It can never be so.' The lad said: 'O Imaam! Do you claim to have encompassed all knowledge?' Imaam Sha'bi said: "No." The lad: "Do you claim to be the repository of half of all knowledge?" Imaam Sha'bi: "No.". The lad: "Anyhow, I shall say that you possess at least half of all knowledge, and you are unaware of the other half. Now assign the

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mas'alah which I have related to you to that half which you are unaware of."

The lad offered sound naseehat to Imaam Sha'bi (rahmatullah alayh). Your ignorance of an issue is not a daleel nor is it the final word nor does it mean that it is not as others are saying. Thus, Ibn Daqiq's unawareness is not a basis for refuting a contention. Solid *dalaa-il* should be proffered to bolster a contention.

* Ibn Daqiq had voiced his unawareness regarding a specific method of shortening the moustaches, viz. *qass as opposed to halq/istisaal*. *Qass* is to shorten the moustache in any way, whether, cutting or clipping, etc. *Halq* means to shave the moustache. *Istisaal* means to totally uproot the moustache similar to the effect of *Halq*

Maqdisi has committed abortion with his extraction of Ibn Daqiq's statement of unawareness. He stupidly tore the statement out of its context to intentionally mislead the unwary. Ibn Daqiq did not present the *adm wujoob (non-obligatory)* view in refutation of the obligation of lengthening the beard. Ibn Daqiq nowhere averred that since *qass* of the moustache is not Waajib, *I'faa' (lengthening)* of the beard too is not Waajib. If Maqdisi genuinely believes that Ibn Daqiq had presented his unawareness to refute the obligation of lengthening the beard, then we are constrained to say that he must truly be a moron. Despite being an Arab sheikh who is supposed to be an expert in the Arabic language, it is clear that he does not understand the text of *Fathul Baari*, hence he audaciously proffered his stupid theory based on Ibn Daqiq's *unawareness*.

There exists complete and a unique unanimity of the Fuqaha of all Four Math-habs on the issue of shortening the moustaches. All of them unanimously aver that the Sunnah is to shorten the moustaches. There is no contrary opinion. Regarding the Sunnah of the moustache, the following is mentioned in *Faidhul Qadeer*, Vol. 3, page 347:

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"Abu Shaamah said: 'I found in some kutub that verily Nabi (sallallahu alayhi wasallam) said to a man who had a long moustache: 'Take (cut) from your moustache, for verily, it (cutting – qass) is cleaner for the place (the mouth) of your food and drink, and more in resemblance to the Sunnah of your Nabi Muhammad, and more protective against leprosy, and dissociation from Majoosiyat (i.e. from the Persian fire-worshippers).' Note: If a method other than cutting is employed which would remove (the moustache), it will suffice for the acquisition of the Sunnah. But qass (cutting) is best because of it being in conformity with the text of the Hadith. Ibn Daqiq mentioned this."

Here Ibn Daqiq himself emphasizes the imperativeness of cutting the moustache. In *At-Tamheed of Ibn Abdul Barr*, Vol. 21, page 63 is mentioned: *"The Nabi (sallallahu alayhi wasallam) followed the Millat of Ibraaheem (alayhis salaam). And, verily, they (the Fuqaha of all Math-habs) are unanimous that it is imperative for a Muslim to shorten (qass) his moustache or to shave it. Zaid Bin Arqam narrated that Nabi (sallallahu alayhi wasallam) said: 'Whoever does not cut from his moustache is not from us.'"*

* Ibn Daqiq mentioned the non-obligatory nature of *qass* in an entirely different context, not in the context of the beard. When he mentioned his view regarding the moustache, he was not discussing the beard. He merely stated his view regarding a specific method of shortening the moustache, viz. *Qass* (i.e. cutting with a scissors). He was not refuting the obligation of shortening the moustache. He only averred that this specific method (*qass*) of shortening the moustache is not Waajib.

There are two ways of shortening the moustache – *qass* (cutting) and *halq* (shaving). While there is consensus on shortening the moustache, there is difference regarding the method of shortening. According to some Fuqaha, *qass* is the best method, while according to other Fuqaha, *halq* is best. In this regard, Ibn

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Abdul Barr states in *At-Tamheed*, Vol. 21, page 63: "The difference of the Fuqaha is in *qass* of the moustache and in *halq* of the moustache. The difference of the Fuqaha pertains to *qass* and *halq*. According to Imaam Maalik, *halq* of the moustache is not permissible. But *qass* is imperative. According to the Fuqaha of the other three Math-habs, *halq* of the moustache is best and preferred. In another view of the Shaafi' Math-hab, *halq* of the moustache is Makrooh.

Imaam Tahaawi said; "*Verily the Sunnah according to the three Imaams is halq.*" (*Al-Mataalib Sharh Raudhatut Taalib*, Vol.1, page 550)

It was in this context that Ibn Daqiq averred that *qass* is not Waajib. He did not contend that shortening the moustache is not Waajib. He only said that one specific method of shortening, viz. *qass*, is not Waajib. Since both methods of shortening the moustache, viz. *qass* and *halq* are mentioned in the Ahaadith, Ibn Daqiq contended that no one specific method is Waajib. If *qass* is Waajib, the effect will be the prohibition of *halq*. But it is a known fact that *halq* of the moustache is permitted by the three Math-habs. The majority of the Fuqaha are of the view that *halq* of the moustache is the *afdhal* (best) method of fulfilling the Sunnah demand of shortening the moustache. While the *asah* (most authentic) view of the Shaafi' Math-hab is *qass* (cutting) another view of the Shaafi' Math-hab is the same as the position of the other Math-habs, namely, *halq*. Thus, it is mentioned in *Tafseer Al-Qurtubi*, Vol. 2, page 104: "*Ibn Khuwaiz Mandaad narrating from Imaam Shaafi' mentioned that, verily, his (Shaafi's) math-hab regarding shaving the moustache is just like the math-hab of Abu Hanifah.*"

Confirming this fact, Zarkashi narrated from Shaikh Abi Haamid and As-Saimari its *Istihbaab*. Then he said: 'Tahaawi said: 'Verily the Sunnah according to the three Imaams is halq, and we did not find anything explicit from Shaafi' in this regard. And, Shaafi's Ashaab (associates/students) whom we saw such as Muzni and

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Rabee' – they used to totally remove their moustaches. Thus, this indicates that they (the two senior Ashaab of Imaam Shaafi') acquired this (practice of *Ihfa'* – *complete removal from him (Shaafi')*."- (*Sharh Raudhatut Taalib, Vol. 1, page 550*)

Whilst this is the context in which Ibn Daqiq mentions that *qass* of the moustache is not Waajib, he does not present this as a basis for claiming that lengthening the beard is not an obligation. Far from this haraam contention, Ibn Daqiq merely refuted the *Wujoob* of the one specific method, viz. *qass*. If *qass* was Waajib, then *halq* of the moustache would be haraam. But this is manifestly incorrect because according to the overwhelming number of Fuqaha of all Math-habs, the fulfilment of the Sunnah of shortening the moustache is best achieved by means of *halq*.

* The difference among the Fuqaha on the issue of shortening the moustache is not on its *Wujoob*. No one has refuted the *Wujoob* of shortening the moustache. Their difference pertains to the method of shortening. Thus, it is mentioned in *At-Tamheed of Ibn Abdul Barr, on page 62, Vol. 21*: "*The Fuqaha have differed regarding qass of the moustache and its halq.*"

Only a moron will contest the consensus which exists on the *Wujoob* of shortening the moustache, and there are different methods of shortening. In *At-Tamheed of Ibn Abdul Barr, page 62/63, Vol. 21*, it is mentioned: "*....Other Fuqaha hold the view of its qass on the basis of the Hadith of Abu Hurairah in this matter and because of the narration that Nabi Ibraaheem (alayhis salaam) was the first person who effected qass to his moustache, and verily Allah commanded his Nabi (sallallahu alayhi wasallam) to follow the Millat of Ibraaheem, the Truthful One. Verily, the Fuqaha are unanimous that it is imperative for a Muslim to either effect qass to his moustache or halq (shave it off). Zaid Bin Arqam narrated that Nabi (sallallahu alayhi wasallam) said: 'Whoever does not take from (i.e. cut or shave) from his moustache is not of us.'*"

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Mark the severity of Rasulullah's reprimand for the one who does not shorten his moustache. The Fuqaha state clearly that the *Ikhtilaaf* (difference) exists on only the choice of options for shortening the moustache. While some Fuqaha say that *qass* is superior, the majority maintains that *halq* is the best method for attaining this Sunnah. It should thus be abundantly clear that the difference is not on the *Wujoob* of shortening the moustache.

Maqdisi with his lop-sided understanding of Ibn Daqiq's averment, has contended that shortening the moustache is not obligatory. Then on the basis of this fallacy he structures his *baatil* view that it is not obligatory to lengthen the beard. But this is manifestly *baatil*. There exists *Ijma'* on the opposite of what Maqdisi contends. It is mentioned in Vol. 2, pages 305/306 of *Al-Fawaakihud Dawaani*: "*In qass of the moustache and I'faa' (lengthening) of the beard is opposition to the deed of the Ajam, for verily, they used to shave their beards and lengthen their moustaches. Also, the family of Kisra (the Persian emperor) used to shave their beards and leave their moustaches. Hence the practice of the people in our age of instructing their servants to shave their beards, not their moustaches, there is no doubt in it being haraam according to all the Imaams because of its conflict with the Sunnah of Mustafa (sallallahu alayhi wasallam), and because it (the practice of shaving the beard and lengthening the moustache) conforms with the deed of the Ajam and the Majoos.*"

In Vol.8, page 426 of *Al-Istithkaar*, it is mentioned: "*Verily, the Ulama differ regarding halq (shaving) of the moustache. Imaam Maalik said that qass of the moustache is Sunnat....*" On page 336 of the same kitaab is mentioned the conflicting majority view: *Abu Umar said: 'Abu Hanifah, Shaafi and Ahmad bin Hambal and their Ashaab opposed Maalik in the matter of ihfaa' (total removal) of the moustaches.*"

It is as clear as daylight to any unbiased Aalim who understands the kutub that the *ikhtilaaf* pertains to the method of shortening the moustache, not to 'shortening' *per se*. There exists complete

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consensus on the *Wujoob* of shortening the moustaches. The difference relates to the method of shortening.

In *Kash-shaaful Qinaa'*, Vol.1, page 75, the following appears: *"It is said in An-Nihaayah, ihfaa' of the moustaches means to cut it considerably. So has Ibn Hajar said in Sharh of Bukhaari."*

In *Ahkaamul Qur'aan of Jassaas*, Vol.1, page 84, it is mentioned: *"Abu Bakr said: "Since cutting the moustache is unanimously (according to all) Masnoon, halq is afdhal (superior)....."*

In *Sharhul Ma-aanil Aathaar*, Vol.4, page 229 it is recorded: *Mugheerah Bin Shu'bah narrated that Rasulullah (sallallahu alayhi wasallam) saw a man with a long moustache. He called for a miswaak and a knife. Then he cut the man's moustache on the miswaak."*

"Ibn Abbaas narrated that Rasulullah (sallallahu alayhi wasallam) used to shorten his moustache, and Nabi Ibraaheem (alayhis salaam) would also shorten his moustache."

In *Fathul Baari*, Vol.10, page 346, Ibn Hajar states: *Thus, all of these words (mentioned in the different Ahaadith pertaining to shortening the moustaches) indicate that the objective is to intensify the removal (of the moustaches)."*

Reconciling the different views pertaining to *qass* and *halq*, Imaam Nawawi states: *"The Sunnah indicates two acts, and there is no conflict (between the two), for verily, qass means cutting a portion while Ihfaa' means cutting off the whole (moustache). Both acts are substantiated (by the Sunnah), hence one is given the choice to adopt any one of the two."* It should be quite clear that the conflict relates to the two methods of shortening, viz. *halq* and *qass*. There is no third option available. One of these two methods has to be incumbently adopted to shorten the moustache. Adoption of any one of the two methods of shortening the moustache will fulfil the demand of the *Wujoob* which is abundantly clear from many Ahaadith.

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Further elaborating on this Sunnah, Imaam Nawawi said: *"The Sunnah will be fulfilled by cutting the moustache with a scissors, etc. (Fathul Baari, Vol. 10, page 348)*

In his Sharh on Saheeh Muslim, Imaam Nawawi says: *"The adopted view is to leave the beard in its natural state without cutting anything of it."* This averment debunks the supposedly 'recommended' status of shortening the moustache and lengthening the beard ventured stupidly by Maqdisi.

* Ibn Daqiq states in his *Ihkaamul Ahkaam, Vol.1, page 85*: *"Qass of the moustache in general leads (to the understanding) of the ihfaa' (complete removal) of the moustache, and to that which is less than ihfaa'. The principle underlying qass of the moustaches and its ihfaa' (complete removal) consists of two factors. The first of the two is to oppose the style of the Ajam. This reason has been narrated explicitly in the Saheeh Hadith where it is said: 'Oppose the Majoos.....'"* Here Ibn Daqiq emphasizes the imperativeness of shortening the moustache.

* In *Faidhul Qadeer, Vol.3, page 346*, it is mentioned: *"Ibn Hajar said: 'These words (stated in the Ahaadith) indicate the demand for emphasis in the removal (of the moustache) because al-jazz is to cut so much that the skin is reached while ihfaa' is (to cut) thoroughly.'"*

* Assuming that shortening the moustache was not obligatory, then too, it has no relationship to the obligation of lengthening the Beard. If the *Wujoob* of lengthening the Beard as commanded in many Ahaadith and emphatically declared by the Fuqaha of all Math-habs, could be negated on the understanding that the latter part of the Hadith in which the command to shorten the moustache is stated, does not make obligatory shortening the moustache, then the Fuqaha of the three Math-habs would have understood it as

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such. They would then not have ruled that it is compulsory to lengthen the Beard.

* It is indeed surprising that Ibn Daqiq has expressed unawareness of the position of the Hanafi, Maaliki and Hambali Math-habs regarding the moustaches. According to all the Fuqaha it is obligatory to shorten/ thin out the moustache. How is it possible that such a 'Master of Hadith' as Ibn Daqiq was unaware of the well-known position of the Ahnaaf as well as of the Fuqaha of other Math-habs? The reality is that Ibn Daqiq was not unaware of the stance of the other Math-habs. He was not professing unawareness of their stance. He had merely stated his unawareness of anyone having decreed that *qass* (not shortening) is obligatory.

* And, how is it possible for this illustrious Master of Hadith to be unaware of the fact that Rasulullah (sallallahu alayhi wasallam) himself had made shortening the moustache obligatory? Besides the moustache Ahaadith which Maqdisi has sought to abortively interpret and distort to extravasate a basis for his corrupt view, we are positive that the following Hadith was not hidden from Ibn Daqiq:

"Zaid Bin Arqam (radhiyallahu anhu) narrated that Rasulullah (sallallahu alayhi wasallam) said: 'He who does not take (cut) from his moustache is not from us (Mu'mineen – the People of Islam).' Tirmizi narrated it and said: 'This Hadith is Hasan Saheeh.' (Al-Majmoo' of Nawawi, Vol.1, page 340)

The foregoing elaboration emphatically proves the importance and significance of shortening the moustaches, and that this shortening is not a mere recommendation as Maqdisi would like Muslims to believe. There are many Ahaadith and statements of the Fuqaha of all Math-habs which conclusively confirm the *Wujoob* status of shortening the moustache. The Jamhoor Fuqaha had not ventured the opinion of *qass* being Waajib. The unanimous

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ruling of all the Fuqaha of all Math-habs is the *Wujoob* of *akhth* (to take from the moustache) by any method be it cutting, clipping or shaving. Hence the Jamhoor Fuqaha hold the position of *Takhyeer bainal amrain* (choice between two acts). The two acts are *qass* and *halq*. There is no third option. To take from the moustache, i.e. to shorten it is Waajib.

And on the basis of Maqdisi's hallucination, even if it was not obligatory to cut the moustache, it has absolutely no bearing on the obligatory command to lengthen the beard. In the more than 14 century history of Islam, Maqdisi is the first moron to venture the kuffaar view that shaving the beard without valid cause is permissible.

SHORTENING THE BEARD

In another exercise flaunting his skulduggery, Maqdisi laboriously struggles to prove that shortening the beard is permissible. The objective of this futile exercise was to structure a basis for arguing his haraam, stupid, kufr view of shaving off the entire beard so that the face of the Mu'min resembles the surface of a skinned pig – that is how a *mal-oon* beardless face appears, and for that reason too is it not permissible to offer Salaam to a beardless man whose ugly face invites the perpetual *la'nat* of Allah Azza Wa Jal.

Maqdisi's indulgence in the futile exercise of proving the permissibility of shortening the beard is indicative of his *jahaalat*. Of the Four Math-habs, only the Shaafi' Math-hab rejects the permissibility of shortening the beard. The Hanafi, Maaliki and Hambali position is not only the permissibility of shortening the beard, but shortening it to a fist-length is mandatory, for this is the Sunnah length of the beard according to these three Math-habs.

Only the Shaafi' Math-hab differs. Despite Maqdisi professing to be a follower of the Shaafi' Math-hab, and despite him having laboured tediously to elevate the status of Imaam Nawawi and

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Imam Raafi', he conveniently ignores them on the issue of lengthening the beard and on the impermissibility of shortening the beard. The only capital which he stupidly believes he has extravasated from these two Shaafi' authorities was his mismanipulation and distortion of the technical term, *Makrooh* with which these two Shaafi' Fuqaha describe the act of shaving the beard.

For his view of the permissibility of shortening the beard, Dean Maqdisi has hopelessly failed to present corroboration of the Shaafi' Fuqaha. He has relied on the Fuqaha of the other three Math-habs for bolstering his stupidity. Thus, in support of the permissibility to shorten the beard, Maqdisi cited Qaadhi Iyaadh, Imaam Maalik, Hadhrat Abdullah Ibn Umar and Hadhrat Abu Hurairah.

Why does the moron not mention what Imaam Nawawi, Imaam Raafi', Ibn Daqiq and other Fuqaha of the Shaafi' Math-hab say on the issue of shortening the beard? The answer is not a mystery. He conveniently ignores the stance of these illustrious Shaafi' Fuqaha whom he, himself has elevated to a pedestal far loftier than the status of Imaam Shaafi', because all of them unanimously refute the view of the permissibility of shortening the beard.

Earlier on we had already provided the rulings of Imaam Nawawi and other Shaafi' Fuqaha on the impermissibility of shortening the beard. We have repeated the discussion on the shortening of the Beard for three reasons: (a) It is of crucial importance in the refutation of the haraam view that the Shaafi' Math-hab permits shaving the entire beard even without valid reason. (b) It conclusively proves that shaving the beard is haraam according to the Shaafi' Math-hab. (c) It debunks Maqdisi's fallacious understanding of the term *Makrooh* with which the prohibition is designated.

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(i) Refuting the view of Qaadhi Iyaadh on the permissibility of cutting from the beard as reported in the Hadith of Ibn Umar and Abu Hurairah, Imaam Nawawi states:

*"Verily, this is in conflict with the obvious meaning of the Hadith regarding the command to lengthen (the beard). The adopted view is to leave it (the beard) in its natural state (to grow) and **not** to interfere with it by cutting it, etc. (Fathul Baari, Vol.10, page 350)*

(ii) Imaam Nawawi narrated from Imaam Ghazaali ten Makrooh acts regarding the beard. Among these detestable and prohibited acts, narrated by Imaam Nawawi from Imaam Ghazaali are the following: *"Plucking out the beard for maintaining a youthful appearance. Similarly reducing the beard, and plucking out white hairs (from the beard). (Ibn Hajar commenting on this act of plucking out white hairs from the beard said): 'Imaam Nawawi gave tarjeeh (preference) to its **TAHREEM** because of the confirmation of zajar (severe reprimanding) against it.' (Fathul Baari, Vol.10, page 351*

It is noteworthy that according to Imaam Nawawi's 'recension', plucking out even a couple of white hairs from the Beard is ***haraam***. Now, what does intelligence dictate regarding the shaving of the entire Beard? If plucking a few white strands of the Beard is ***haraam***, to a greater degree will the prohibition apply to shaving off the whole Beard, and to an even greater degree will the ***hurmat*** relate to the shaving off of a white beard. If removal of a couple of hairs from the Beard is ***haraam***, then it should be simple to understand that the severity of the prohibition (i.e. ***haraam***) will be of a greater degree if the entire Beard is shaved off. The unambiguous, explicit and emphatic ruling of ***hurmat*** issued by Imaam Nawawi clinches the argument. Maqdisi's hallucination which he attempts to bolster with chicanery to bamboozle unwary people, is conspicuously debunked. It

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thoroughly exposes the stupidity and fallacy of this miscreant Dean.

Continuing with the ten evil, prohibited acts related to the Beard, Imaam Nawawi states: *"And interfering with the Beard – with its length and width...."* That is, cutting the Beard in any way whatsoever is prohibited. (*Fathul Baari*, Vol.10, page 351)

(iii) Emphasizing the obligation of lengthening the Beard, Imaam Nawawi states in his *Sharh of Saheeh Muslim*: *"Regarding 'Ifaa' (lengthening) the Beard: its meaning is its Taufeer (i.e. to increase it in abundance – to allow it to grow in profusion). That is the meaning of (the Hadith in which it is commanded): 'Auful Luhaa' (Lengthen the Beard) in another narration. It was of the practice of the Persians to cut the beard. Therefore Rasulullah (sallallahu alayhi wasallam) forbade it. Verily, the Ulama have narrated ten Makrooh acts regarding the Beard, some being worse in the degree of evil than the other. (i.e. the one is worse than the other, none being acceptable.) Among themis plucking it, shaving it....plucking out white hairs from the beard.....However, if a beard grows on a woman, it is Mustahab for her to shave it."*

(iv) Also, in his *Sharh of Saheeh Muslim*, Imaam Nawawi states: *"Regarding the word 'Aufu' (i.e. the command in the Hadith to lengthen the Beard), it means 'A'foo, i.e. 'Leave the Beard to grow in profusion and fully. Do not cut from it."*

(v) Continuing his explanation of the command to lengthen the Beard, Imaam Nawawi states in his *Sharh of Saheeh Muslim*: *"Thus there are five narrations, namely: A'foo, Aufu, Arkhoo, Arjoo and Waffiroo. The meaning of all (these five commands in the Hadith) is: to leave the Beard in its natural state. This is obvious from the Hadith whose words demand this (growth/lengthening in profusion). This is what a group of our Ashaab and others among the Ulama have said."*

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(vi) Refuting Qaadhi Iyaadh's view (which conforms with the view of the three Math-habs), Imaam Nawawi says in his *Sharhu Saheehil Muslim*: "*The adopted (Mukhtaar) view is to leave the Beard in its natural state (to freely grow in abundance) and to totally refrain from interfering with it by cutting anything (of it).*" It is stupid and contumacious to negate this explicit view of Imaam Nawawi on the basis of Imaam Nawawi's *Makrooh* designation. On the contrary, this emphatic declaration of Imaam Nawawi regarding the lengthening of the Beard confirms that the term *Karaahat* he uses implies *Tahreem*.

(vii) The Shaafi Fuqaha negating the *Mustadal* (the Hadith of Ibn Umar, which constitutes the basis for the view of the other three Math-habs), state: "*But in Saheehain (Bukhaari and Muslim) the command to increase the Beard in abundance (taufeer) is confirmed, i.e. to refrain from taking (cutting) anything from it. This (Hadith commanding abundant growth) has priority, for verily, it is Asah (most authentic.....The obvious kalaam of our Aimmah (Fuqaha) is the karaahat of cutting from it anything whatsoever. And, the contention that it (abundant growth) renders the appearance ugly is baseless.*" (*I'aanatut Taalibeen* Vol.2, page 340)

This categorical negation of the *Mustadal* of the other Math-habs by the Shaafi' Fuqaha whereby they affirm the command to lengthen the beard and the prohibition of shortening it in any way *whatsoever*, emphatically confirms that the effect of *Makrooh* in the context of shaving the beard is *Tahreem* just as Imaam Shaafi' and the Mutaqaddimeen Shaafi' Fuqaha had ruled.

(viii) An interesting evidence for the ***hurmat*** of shaving the Beard according to the Shaafi' Math-hab is the *hurmat* (prohibition) to inflict *Ta'zeer* (*corporal punishment*) by way of shaving the Beard. The following elaboration on this issue is presented in *I'aanatut Taalibeen*, Vol. 4, page 168:

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*"Ta'zeer is not acquired (i.e. meted out) by means of shaving the Beard.....Ta'zeer is not jaaiz (not permissible) by means of shaving the Beard....The obvious meaning of the prohibition of Ta'zeer with shaving the Beard is the **hurmat** of shaving it. The prohibition of Ta'zeer with shaving which demands Tahreem stems from the view of hurmatul halq (i.e. it is haraam to shave the Beard, hence Ta'zeer may not be effected by this means). With regards to the view of shaving being Makrooh, that is, should we maintain the view of Karaahat, then prohibiting Ta'zeer with shaving the Beard would be meaningless. And it is said in An-Nihaayah: 'Ta'zeer shall not be meted out with halq of the Beard even if we say that shaving the Beard is Makrooh. And this is Asah (the most authentic)."*

It is significant that whether shaving the Beard is classified haraam or Makrooh, the Shaafi' ruling is the **hurmat** of shaving it to mete out Ta'zeer. This elucidation establishes with clarity that it is haraam to shave the Beard according to the Shaafi' Math-hab.

(ix) In his *Al-Majmoo'*, Vol. 1, page 357, Imaam Nawawi states: *"It is mentioned in the Hadith that I'faaul Lihyah (lengthening the Beard) is from al-fitrah (the natural disposition of man). Al-Khattaabi and others have said that it (I'faa') means its taufeer (growth in abundance), and to leave it without cutting it. It is Makrooh for us (Shaafis) to cut it as is the practice of the Ajam. And, it was of the style of Kisra to cut the beard and to lengthen the moustaches."* Thus, it is moronic to interpret Makrooh in this context to mean 'permissibility' or not sinful or Tanzeeh. The elements of the prohibition stated here by Imaam Nawawi conspicuously affirm the *Tahreem* dimension of the technical meaning of Makrooh.

In refutation of Imaam Ghazaali's view and the view of the Fuqaha of the other Math-habs, Imaam Nawawi states on the same page: *"The correct (Saheeh) position is the Karaahat of cutting from it in any way whatsoever. But it should be left in its natural*

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state regardless of how it may be because of the Hadith (which states) 'A'ful Luha. Regarding the Hadith that Nabi (sallallahu alayhi wasallam) used to take (cut) from the width and length of the Beard, Tirmizi has narrated it with a Dhaeef isnaad. With this, Hadith evidence may not be deduced. However, if a beard grows on a woman, it is Mustahab for her to shave it. Al-Qaadhi Husain and others have explicitly stated this. Similar is it with the moustache (if it grows on a woman). This is our (Shaafi) Math-hab. Muhammad Bin Jareer said: 'It is not permissible for a woman to shave anything from it (the beard) nor to change anything of its appearance by increasing or cutting.....

After narrating the views of the other Math-habs regarding permissibility to shorten the beard as practised by Abdullah Ibn Umar and others, Imaam Nawawi states in refutation: *"That which we (Shaafis) have mentioned is the Saheeh (correction) version. And Allah knows best."*

Most significant is the Shaafi rejection of the Ahaadith which constitute the *Mustadallaat* for the view of the other Math-habs regarding the permissibility of cutting the Beard beyond the fist-length. The Ahaadith are summarily rejected on the basis of them being 'Weak' narrations which may not be presented in negation of the very authentic Ahaadith which command the lengthening of the Beard. This Shaafi' rejection confirms the degree of prohibition of even cutting to the length which is Masnoon for others. Now when this is the Shaafi position pertaining to even cutting the beard to a length considered Sunnah by the other three Math-habs, what inference will an intelligent, unbiased searcher of the Truth draw regarding the Shaafi' aversion and prohibition for shaving the Beard? The logical and incumbent inference is that *Makrooh* in the context of shaving the beard means *Haraam* just as Imaam Shaafi' and the other senior Shaafi' Fuqaha have explicitly stated.

In fact, the Shaafi' abhorrence for shaving the Beard could also be gauged from the classification of *Istihbaab* regarding the shaving of the unnatural beard by a woman. Shaving for her is not

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obligatory. If she retains her beard, it is acceptable in the Shaafi' Math-hab. One opinion of the Shaafi Fuqaha as mentioned above states that it is unlawful for even a woman to shave or cut her abnormal beard. Maqdisi is truly lost in his hallucination.

That the Beard is man's beauty is emphasized by the minority view of prohibition of a woman shaving even her abnormal beard, which is the view of some Shaafis. Thus, it is mentioned in *Haashiyah Al Bujairmi*, Vol. 4, page 174: "*It shall not be said that the removal of the beard of a woman is beautiful for her.*"

(x) Discussing the issue of *Ta'zeer* (corporal punishment) by means of shaving the beard, the following appears in *Fathul Mueen*, Vol.4, page 168:

"Ta'zeer shall not be effected by means of shaving the Beard. That (i.e. the hurmat of shaving the Beard for Ta'zeer purposes) is based on its hurmat (i.e. hurmat of shaving the Beard) which is the view of the majority of the Muta-akh-khireen (Shaafi' Fuqaha).

According to this contention, the majority of the later Shaafi' Fuqaha proclaimed the view that it is *haraam* to shave the Beard. Despite the difference of the Shaafi' Fuqaha on the technical designation with which the prohibition is described, the most authentic Shaafi view describing the unanimous prohibition, stated in *An-Nihaayah* is the *hurmat* of shaving the Beard. This has already been mentioned above.

(xi) In *Fathul Mueen Sharhu Qurratil Ain*, it is mentioned: "*Shaving the Beard is haraam.*"

Imaam Nawawi's description of *Makrooh* should be viewed in the backdrop of the above opposition to even cutting the Beard to the length which is Masnoon according to the other three Math-habs, and for which there are several Ahaadith, and which was the practice of the Sahaabah. Despite all these evidences for the validity of shortening the Beard to the Masnoon limit, Imaam

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Nawawi and the Shaafi Fuqaha in general vehemently oppose any cutting/shortening of the Beard whatsoever. Silhouetted against this abhorrence for even shortening, every unbiased searcher of the Truth can readily understand the severity of shaving the Beard in terms of the Shaafi Math-hab. Regardless of the technical fiqhi classification given by different Shaafi' Fuqaha, they all are unanimous in the prohibition of both shortening and shaving the Beard. Only morons trapped in the quagmire of nafsaniyat will choose deliberate blindness and refuse to accept the simple and conspicuous Haqq of the Shaafi Math-hab.

It should also be born in mind that those Shaafi Fuqaha who aver that the *Tahreem* position is not *Mu'tamad*, do not issue a licence for shaving the Beard. According to all of them, shaving the Beard is prohibited although they describe the prohibition differently. But as far as practice is concerned, there is complete consensus that shaving the Beard is NOT permissible. The contention that 'Makrooh' in this context means 'not sinful', hence permissible, is the figment of the hallucination of morons such as Dean Maqdisi.

OFFICIAL POSITION OF THE SHAAFI' MATH-HAB

In an audacious attempt to bamboozle unwary and ignorant people, Maqdisi avers:

"....the two great verifying scholars of the Shafi' school, Imam Abdul Qasim al-Rafi' and Imam Abu Zakariyya al-Nawawi – in accordance with the position of Imam Ghazali – have ruled that to keep a full beard is merely recommended, not obligatory, and that it is neither unlawful to shave it nor to shorten it, even when this is done without an excuse. It is however, disliked to shorten or shave the beard because it contravenes the prophetic command to grow full beard."

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The claims made by Dean Maqdisi in the above mentioned averment are blatantly untrue. These claims are audacious lies and slander against Shaikhain (Imaam Nawawi and Imaam Raafi'). Nowhere in any of their kitaabs are any of these haraam rulings made by these two illustrious authorities of the Shaafi' Math-hab. Maqdisi has recklessly employed skulduggery to befool, befuddle and mislead unwary and ignorant Muslims with the lies he has disgorged in his stupid article.

These two Fuqaha of the Shaafi' Math-hab did NOT claim that:

- keeping a full beard is merely recommended
- keeping a full beard is not obligatory
- it is neither unlawful to shave the beard nor to shorten it even without valid excuse
- they concur with Imaam Ghazaali on the issue of shortening the Beard as the other Math-habs advocate. In fact, their explicit contention refutes Imaam Ghazaali's view which coincides with the ruling of the other three Math-habs.

The moron ventures these haraam, stupid claims despite acknowledging that shaving the beard or shortening the beard ***"contravenes the prophetic command to grow a full beard"***. The self-contradiction in Maqdisi's statements and contentions displays the conflict and erraticism of his brains. The smattering of knowledge of the Shariah which Maqdisi possesses coupled with his *nafsaaniyat* and a mind hooked on to the western cult of life have constrained him to shamelessly blurt out falsehood and incongruities which exhibit his stupidity and slander the illustrious Fuqaha of the Shaafi' Math-hab.

In the aforementioned presentation of evidence from the Shaafi' kutub as well as from evidence which appear later in this treatise, any unbiased seeker of the truth will understand without the least difficulty that Imaam Nawawi and Imaam Raafi' at no time held

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the vile, kufr views regarding the beard, which Dean Maqdisi has so slanderously attributed to them.

Maqdisi has woven his blasphemous view around the term 'Yukrahu' (*It is Makrooh*) with which the Mutakh-khireen Shaafi' Fuqaha in general describe the unlawful, kuffaar and villainous act of shaving the beard. With naked chicanery and humbug he seeks to peddle the idea that 'permissibility' is the consequence of the technical term, *Makrooh*. But this is blatantly false.

Although Shaikhain describe the haraam act of shaving the Beard with the term *Makrooh*, they have elaborately explained the Shariah's prohibition of not only shaving, but also of shortening the Beard despite the fact that according to the other three Math-habs, shortening the Beard is permissible, in fact Sunnah. The rigidity of the Shaafi' stance of prohibition on both shaving and shortening, does not leave a vestige of doubt and uncertainty regarding the meaning of *Makrooh* used in the context of the Beard by Shaikhain. At the risk of monotony, we reiterate the ruling of Imaam Nawawi:

"The correct (Saheeh) position is the Karaahat of cutting from it in any way whatsoever. But it should be left in its natural state regardless of how it may be because of the Hadith (which states) 'A'ful Luha. Regarding the Hadith that Nabi (sallallahu alayhi wasallam) used to take (cut) from the width and length of the Beard, Tirmizi has narrated it with a Dhaeef isnaad. With this Hadith, evidence may not be deduced. However, if a beard grows on a woman, it is Mustahab for her to shave it. Al-Qaadhi Husain and others have explicitly stated this. Similar is it with the moustache (if it grows on a woman). This is our (Shaafi) Math-hab. Muhammad Bin Jareer said: 'It is not permissible for a woman to shave anything from it (the beard) nor to change anything of its appearance by increasing or cutting....."

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In this averment, Imaam Nawawi refutes Imaam Ghazaali's view which conforms with the Fatwa of the other three Math-habs regarding shortening the Beard to the Sunnah length, viz. one fist-length. Imaam Nawawi went to the length of dismissing the Ahaadith which form the basis for the rulings of the other Math-habs regarding shortening the Beard. According to the Shaafi Fuqaha the Ahaadith which the other Math-habs present as their evidence are *Dhaeef*, hence lack the validity for constituting *Mustadallaat* for the formulation of a law.

Now when Imaam Nawawi and the Shaafi' Fuqaha in general had gone to the extent of dismissing even the Ahaadith and the unanimous position of the other three Math-habs, thereby applying emphasis to the prohibition of shaving and shortening, by what stretch of reasoning can an honest Mu'min whose brain is not disfigured with inordinate *nafsaaniyat* ever accept that the Shaafi' Math-hab condones and allows the mutilation of the faces of Muslim males with the *mal-oon kaafir* practice of shaving the beard to give it the texture of the skin of a swine?

With all his mental humbug with which he has struggled to eke out permissibility from the technical term, he has been unable to explicitly appellate the haraam act of shaving with the explicit term, *halaal*. In order to convey 'permissibility' he dishonestly fabricated the opinion of 'recommendation', that is, it is 'merely recommended' to keep a full beard.

However, the *Makrooh Tahrimi* designation, and the elaborate presentation of the Shaafi' position by Imaam Nawawi and all other Shaafi' Fuqaha of both eras (early and later), and the categoric statement of *Tahreem* of Imaam Shaafi', other very senior Shaafi' Fuqaha, and of many later-day Shaafi' Fuqaha, and the explicit Ahaadith emphatically condemning beard-shaving, have compelled Maqdisi to describe the haraam act with the word, '*is disliked*' and has forced him to concede that the haraam act of shaving is **'a contravention of the prophetic command to grow a full beard'**, he could not explicitly claim 'permissibility'. The force

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of the prohibition obliged him to say that shaving and shortening the Beard are 'disliked'.

How can a Muslim whose brains operate correctly and whose heart is not overwhelmed by *shaitaaniyat* and *nafsaaniyat* ever aver that an act which is 'disliked' by Rasulullah (sallallahu alayhi wasallam) and by all the Fuqaha of all Math-habs without a single exception, ever be permissible and that obeying the emphatic command of Rasulullah (sallallahu alayhi wasallam) is 'merely recommended', and that flagrantly violating that divine command is not sinful? There is something drastically amiss in the brains of Dean Maqdisi. Men of learning do not utter such ***ghutha*** befitting only characters who excel in *ghabaawah*, i.e. who are morons.

The fact that Maqdisi despite being an Arab scholar who is supposed to be an expert in the Arabic language, has failed to understand even the superficial text of the kutub, confirms his stupidity and his lack of expertise in the sphere of Fiqh and Hadith. To understand the objective of the Rasool's *ta'leem*, the essential condition is spiritual insight which is completely obliterated by the kind of western kuffaar liberalism displayed by Maqdisi.

He has contended that Imaam Nawawi is in agreement with Imaam Ghazaali's view on the issue of shortening the Beard. This is incorrect. In fact, Imaam Nawawi refutes Imaam Ghazaali's position. While Imaam Ghazaali believes in the validity of shortening the beard as the other Math-habs propagate, Imaam Nawawi rejects this stance.

THE ROLE OF IMAAM NAWAWI AND IMAAM RAAFI'

The only straw to which Maqdisi clings to bolster his haraam view like a drowning man, is the word, *Yukrahu* used by Imaam Nawawi to describe the prohibition of shaving and shortening the

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Beard. Besides this term there is absolutely not a vestige of proof nor any flimsy basis which Maqdisi could present on which to structure his haraam shaving edifice. Since the ignorant masses have a warped and baseless understanding of the meaning of Makrooh, Maqdisi has endeavoured to appeal to their misunderstanding. In the conception of the ignorant masses 'makrooh' means permissible, not sinful, insignificant and free for indulgence. This is the very concept which Maqdisi has conjectured for Makrooh, hence he arrives at the same conclusions entertained by the ignorant masses.

Since Maqdisi's objective is to establish the *perfect* permissibility of shaving the Beard, he labours with skulduggery to implant the idea that according to Imaam Nawawi and Imaam Raafi', Rasulullah's command to lengthen the Beard is a 'mere recommendation', and that wanton violation of this command is lawful, permissible and not sinful.

With this stupid, haraam opinion arbitrarily peddled without any Shar'i basis, he proceeds to elevate Imaam Nawawi's status higher than the rank of Imaam Shaafi'. In fact, by implication and logical conclusion, higher than the rank of Rasulullah (sallallahu alayhi wasallam). Whilst the entire Ummah has followed the literal commands in the Ahaadith on the Beard issue, Maqdisi has laboured to forge the opposite of the command issued by Rasulullah (sallallahu alayhi wasallam). He seeks to establish this idea by asking readers to blindly accept what some later Shaafi' Fuqaha opined about the status of Imaam Nawawi although these Fuqaha despite holding Shaikhain in such high esteem have not blindly submitted to every opinion and ruling or 'recension' of Imaam Nawawi. Again we remind that Shaikhain did not propagate the idea of beard-shaving nor did they believe that shaving the beard is not sinful as Maqdisi has laboured to convey.

In his scheme of hoisting Imaam Nawawi to the level of the *final word* of the Shariah, Maqdisi says: "*It is a well-known rule among*

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the late scholars of the Shafi' school that the official, relied-upon position of the Shafi' school is whatever is determined as such by these two scholars of verification, even if other scholars disagree with them, no matter how high the rank of these disagreeing scholars may be."

Such blind following is not a teaching of any Math-hab. Imaam Nawawi appeared on the scene 650 years after Rasulullah (sallallahu alayhi wasallam), and so did Imaam Raafi' – that is almost 500 years after Imaam Shaafi', 350 years after Qaffaal and 300 years after Haleemi who all were Aimmah Mujtahideen and occupied the highest pedestal in the Shaafi' Math-hab.

For almost five centuries from the advent of Imaam Shaafi' had it been the Shaafi' position propagated by Imaam Shaafi' and the highest authorities of the Shaafi' Math-hab that shaving the beard was *haraam*. Five centuries later comes Imaam Nawawi and says that shaving the Beard is *Makrooh*. At this juncture we again remind readers that in practical terms there is no difference between the ruling of Imaam Shaafi' and Imaam Nawawi. There is consensus of the Shaafi' Fuqaha on the prohibition of both shaving and shortening the Beard.

The argument at this moment is the use of different technical terms. While Imaam Shaafi says '*haraam*', Imaam Nawawi says '*makrooh*'. Regardless of the 'verification' status of Imaam Nawawi and Imaam Raafi', the decree of Imaam Shaafi' and the Mutaqaddimeen Shaafi' Fuqaha cannot be overruled by Muqallid Fuqaha who appeared five centuries later. Despite the lofty pedestal of Imaam Nawawi, many of the later Shaafi' Fuqaha whilst accepting the decisive role of Shaikhain in the sphere of preference and 'recension', disagree with these two authorities on the technical appellation they had accorded the act of shaving the Beard.

In *Sharhul Ubaab*, Ibn Hajar Haithami (903 -973 Hijri) clearly states that shaving the Beard is Haraam. In his other kitaabs, *At-Tuhfah*, he says that shaving the Beard is Makrooh. While Maqdisi

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seeks to extravasate capital for his haraam opinion from Ibn Hajar's *At-Tuhfah*, the simple truth is that to avoid the attribution of self-contradiction to Ibn Hajar, the two terms have to be reconciled. Thus, the clear meaning of *Makrooh* in this context used by Ibn Hajar is conformity with the *Haraam* description in his *Sharhul Ubaab*, and in subservience of the ruling of his Mujtahid Imaam, viz., Imaam Shaafi', and the unanimous opinion of the senior Shaafi Fugaha of the Mutaqaddimeen era who flourished several centuries before him and Imaam Nawawi. His self-contradictory view has to be incumbently reconciled with the standing official Command of Rasulullah (sallallahu alayhi wasallam).

The attempt to dismiss Ibn Hajar's view stated in his *Sharhul Ubaab* by the arbitrary contention that if there is a conflict between his views in his two kitaabs, then what he mentions in *At-Tuhfah* takes precedence, is baseless and devoid of reason and is unprincipled. The first attempt is always to reconcile the seemingly opposing views. *At-Tuhfah* does not have the status of Wahi nor of Hadith. While violation of *Makrooh* is sinful, discarding a view in this kitaab is not sinful.

Furthermore, in terms of the well-known principle, "*When there is conflicting views (of the same authority), then both his views will be set aside.*" In other words, his statements will not be cited as evidence. However, it is better to reconcile Ibn Hajar's *Makrooh* designation with his own view of *Hurmat*, and with the *Hurmat* view of Imaam Shaafi' and the other senior Shaafi' Fugaha. His other kutub lend considerable support to the *Hurmat* view.

In *Fathul Mu-een*, Page 140, Shaikh Zainud Deen Al-Mallibaari, who was a Shaafi', and the student of Ibn Hajar, states: "*Know that the mu'tamad (reliable) view in the (Shaafi') Math-hab for a law and Fatwa is that on which Shaikhain (Nawawi and Raafi') have consensus.*"

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However, he qualifies this general averment with his statement: *"In general the preference of Shaikhain is incumbent on us even if the opposite view has been narrated from the majority."*

It will not escape the mind of an intelligent person that it is clear from the aforementioned that the preference or the fatwa of Shaikhain is not given the status of Wahi (Divine Revelation) or *Qatiyyat* (Absolute Certitude) such as enjoyed by Qur'aanic aayat and Ahaadith-e-Mutawaatarah. Hence, Shaikh Zainud Deen mentioned '*fil ghaalib*', i.e. in most cases. Thus, there will be exceptions where the preference or 'recension' of Shaikhain will be set aside. This is borne out by Shaikh Zainud Deen himself, in the very same kitaab, *Fathul Mu-een*, page 63 where he states regarding the shaving of the Beard: *"Shaving the Beard is HARAAM."* On the Beard issue, he sets aside the classification of *Makrooh* of Imaam Nawawi despite having accepted the 'verification' authority of Shaikhain. He confirms the view of *Hurmat* of his Ustaadh, Ibn Hajar despite the latter having said in *At-Tuhfah* that it is *makrooh*.

Writing in *Al-Manhalul Athbul Mourood*, Vol.1, page 186, Shaikh Mahmood As-Subki who was an Ustaaz at Jaamia Azhar in Cairo states:

"There are numerous Saheeh Sareeh (Explicit) Ahaadith, mention of which is too tedious, regarding the command to lengthen the Beard. The actual effect of Amr (a Command) is Wujoob (obligation). There shall be no diversion from it (Obligation) except with a Daleel as is confirmed in Ilmul Usool. Thus, shaving the Beard is Haraam according to the Aimmah Mujtahideen, Abu Hanifah, Maalik, Shaafi', Ahmad and others besides them.Regarding taking from the beard (i.e. shortening it): if it is less than it (the prescribed Qubdha – fist-length) as is the practice of some modernists and homosexuals, no one (among the Ulama) has permitted it. Shaving the entire Beard is the practice of the Yahood and Majoos."

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Al-Allaamah Ash-Shaikh Ahmad Bin Qaasim Al-Abaadi stated at the end of the chapter of Aqeeqah of Haashiyah ala Tuhfatil Muhtaaaj Sharhil Minhaaj in refutation of those Shaafi's who contend that the position of Hurmat (i.e. shaving the Beard is Haraam) is in conflict with the reliable view, (the following is) explicitly mentioned in Sharhul Ubaab (by Ibn Hajar Haithami): Shaikhain, i.e. Raafi' and Nawawi, said that it is Makrooh to shave the Beard. Ibn Ar-Rifah rejected this in the Haashiyah of Al-Kaafiyah (where it appears): Verily, Imaam Shaafi (radhiyallahu anhu) in Al-Umm explicitly stated Tahreem. Zarkashi as well as Haleemi said in Shu'bil Imaan, and (also) his Ustaaz Al-Qaffaal As-Shaashi in Ma-haasi-nush Shareeah (also said so). And, Al-Azra'i said: The correct view is that shaving the Beard without valid reason is Haraam.

Similarly is it mentioned in Haashiyah of Al-Allaamah Ash-Shaikh Abdil Majeed As-Sherwaani..... From this we understand that Imaam Shaafi' himself explicitly ruled that shaving the Beard is Haraam, and the view of it being Makrooh is erroneous on the basis of Azrai's statement: 'The correct version is the Tahreem of shaving the Beard.'

Also refuting the 'verification' and 'final word' status which Maqdisi sought to impose for the purpose of substantiating his baseless view with his humbug style of reasoning, Shaikh Tajud Deen As-Subki, the son of Imaam Taqiyud Deen As-Subki (died 756 Hijri) writing in his treatise, *Tabaqaatush Shaafi'iiyyatil Kubra*, Vol.10, page 235, states:

"The Second Category consists of such laws which he (Imaam Taqiyud Deen As -Subki) has authenticated even though Raafi' and Nawawi have preferred in conflict with it or Nawawi alone has given preference to its opposite (view).

We shall mention in this section such (laws) which are of this kind, and we shall not narrate anything in which Nawawi has concurred.....

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In this section we have enumerated from such (laws) to which Shaikhain are unanimously opposed or Nawawi alone is opposed. It should not be hidden that it is appropriate to wholeheartedly accept it, for verily, I have no doubt in the fact that it is not permissible for anyone from the narrators of our age to oppose him (Imaam Taqiy-ud Deen As-Subki) because, verily, he is the Imaam who is well-informed of the ma'akhith (basis on which the laws are formulated) of Raafi', Nawawi and the Nusoos (explicit decrees) of Imaam Shaafi', and of the kalaam of the Ashaab (of the Shaafi' Math-hab).

He (Imaam Taqiy-ud Deen As-Subki) possessed the perfect ability on Tarjeeh (Recension – to make preferences in situations of conflicting views of the Ulama). Hence whoever has not attained his rank and status regarding narrational fatwa, it devolves on him to bind himself (i.e. to accept) to what he (Imaam Taqiy-ud Deen As-Subki) said....."

This explanation by Shaikh Tajud Deen As-Subki illustrates that there are those Shaafi' Fuqaha who believe that Imaam Tajud Deen As-Subki who appeared after Raafi' and Nawawi, surpassed Shaikhain.

The conflicting classification of Imaam Nawawi and Imaam Raafi' is set aside and unacceptable on the following grounds:

(a) Their *Makrooh* classification conflicts with the explicit ruling (namely, shaving the Beard is Haraam) of Imaam Shaafi', Imaam Haleemi, Imaam Qaffaal, and other senior Shaafi' Fuqaha who had preceded Shaikhain.

(b) Their conflicting view more than five centuries after Imaam Shaafi', has no validity. It is egregiously ludicrous to accept that for five centuries all the thousands of Shaafi' Fuqaha, and Aimmah Mujtahideen among them, had grievously erred in their classification of the prohibition of shaving the Beard, more so when their classification concurred with the classification of the

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other three Math-habs, and vigorously substantiated by numerous Saheeh Ahaadith of Rasulullah (sallallahu alayhi wasallam), and the practical Sunnah of the Sahaabah. Did all the Aimmah-e-Mujtahideen of the Shaafi' Math-hab, including Imaam Shaafi'i, and the innumerable Shaafi' Fuqaha all dwell in error manifest for five centuries?

(c) Many Shaafi' Fuqaha have refuted the view of Imaam Nawawi and Imaam Raafi', not only on the Beard issue, but in other masaa-il as well. They do not accept the validity of the contention that the *Makrooh* classification is the *Mu'tamad* (*Reliable*) view.

(d) Shaikhain were junior in all respects to Imaam Shaafi', Haleemi, Qaffaal and other senior Shaafi' Fuqaha and Aimmah Mujtahideen.

(e) Imaam Nawawi himself has decreed that plucking out a few white hairs from the Beard is ***Haraam***. It is irrational, therefore, to accept that while plucking out a few white strands from the Beard is Haraam, shaving off the entire Beard is permissible.

It should be noted that this irrationality is the stupid effect of Dean Maqdisi's lopsided logic and baseless reasoning to forge permissibility for shaving the Beard. Imaam Nawawi's ruling that plucking out a few white hairs from the Beard is haraam, does not conflict with his *Makrooh* classification of shaving the Beard. There is no contradiction of the two statements of Imaam Nawawi because he utilizes the term *Makrooh* in the meaning of *Tahreem* as used by the Mujtahid Imaam whom he follows, viz., Imaam Shaafi'.

(f) Imaam Nawawi has explained in detail the meaning of the command to lengthen the Beard (*I'faa' Lihyah*). He has left no ambiguity in his ruling. He has decreed that the Beard must be

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incumbently left to grow regardless of the length it attains, and that it is not permissible to shorten the Beard to even the length which the other three Math-habs believe to be Sunnah.

There is therefore no room in Imaam Nawawi's *Makrooh* classification for the accommodation of the moron's *ghutha* of the permissibility of shaving the Beard, and for his drivel that Rasulullah's command to lengthen the Beard is a 'mere recommendation'. In the context of shaving the beard, Imaam Nawawi's designation of *Makrooh* clearly has the effect of *Tahreem*. Only an atrophied sensorium will venture a denial of this conspicuous fact.

AN ERRONEOUS VIEW

In his article of *ghutha*, Maqdisi states: *"Imam Sha'raani relates from Imam Suyuti that he said, 'Even when I became qualified to independently determine the official, relied-on position of the school, I refrained from going against the recensions of Nawawi, regardless of whether I personally reached a different recension.'*

Such quotes should apprise you of the tremendousness of this great scholar (i.e. Nawawi) with respect to sifting through the positions of the school, and how even the greatest scholars after him submitted to his conclusions."

We have already discussed this ludicrous myopic stance, in fact, total blindness of some Shaafi' scholars regardless of their 'tremendousness'. We have also pointed out that the attempt to peddle the idea that the foregoing blindest kind of following was the official position of all the Muta-akh-khir Shaafi' Fuqaha, is blatantly false. We are sure that the "tremendousness" of Imaam Nawawi pales into insignificance in front of the "tremendousness" of Imaam Shaafi', Imaam Qaffaal As-Shaashi and Imaam Haleemi.

The unequivocal refutation of Nawawi's erroneous view of *Makrooh* has been highlighted in *Sharhul Ubaab* by Ibn Hajar Haitami. The blindest followers among the Shaafi's, lacking

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totally in rational argument, have not been able to proffer any Fiqhi, Hadith or rational evidence for dislodging the refutation of the *Makrooh* view explained in *Sharhul Ubaab*, and which we have already discussed earlier in this treatise. The only straw which the opponents of Imaam Shaafi's *Tahreem* fatwa could venture was to say that the view expressed in Haitami's *At-Tuhfa* has precedence over the view mentioned in his *Sharhul Ubaab*.

This argument betrays stagnancy in the intellect. It is bereft of rationality, and has no Shar'i worth. An argument has to be tackled and demolished with facts of the Shariah, not by means of flimsy straws arbitrarily presented. This attitude exhibits intellectual fossilization. Allaamah Sha'raani (rahmatullah alayh) said: "*He who grabs hold of the obscurities of the Ulama, has made his exit from Islam.*" That Imaam Nawawi and Imaam Raafi' had conspicuously erred by differing with their Mujtahid leader, Imaam Shaafi' and with other very senior Shaafi' Fuqaha who had appeared centuries before them, is a rational fact. Making taqleed of the errors of an Aalim is never the teaching of Islam.

If Imaam Nawawi considered it valid to differ with Imaam Shaafi, Haleemi, Qaffaal, Shaashi and other senior Shaafi' Fuqaha, what prevents other Fuqaha and Ulama from differing with Imaam Nawawi who is comparatively speaking junior to Imaam Shaafi' in every respect? Lest, the actual mas'alah be lost in the haze of technicalities, we again say that for practical purposes Imaam Nawawi's view is exactly the same as Imaam Shaafi's view. There is consensus of the Shaafi' Fuqaha on the prohibition of not only shaving the Beard, but also on cutting the Beard to what the other Math-habs consider the Sunnah length. Any seeker of the truth will have understood this fact. However, the morons and frauds of this age pretending to be followers of the Shaafi' Math-hab, are tediously labouring to scuttle the consensus of all the Math-habs (including the Shaafi' Math-hab) on the practical dimension of the Beard which is the simple and straightforward command of

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Rasulullah (sallallahu alayhi wasallam) declared in a number of Saheeh Ahaadith as follows:

- Lengthen the Beards and shorten the moustaches.
- Lengthen the Beards, clip the moustaches and oppose the Fire-Worshippers.

The commands of Rasulullah (sallallahu alayhi wasallam) – the teachings of the Shariah of Allah Azza Wa Jal – are for practical implementation, not for destruction, denigration, weakening, erosion and for abandonment at the altar of technicalities which developed centuries after the advent of Islam. Thus, all the Fuqaha of all the Math-habs, prohibit shaving the Beard and lengthening the moustaches, and they all command lengthening the Beard.

Even the modernist morons of this age spewing out *ghutha* are unable to deny that the official stance of the Shaafi' Math-hab is: *"....an-Nawawi (in his Majmu') and Ibn Hajar, immediately corrected al-Ghazali and reaffirmed the well-accepted Shafi'iyyah position, that is, to remove the beard in any way, even if a little, is Makruh."* This is the practical stance of the Shaafi' Math-hab which the deviates of this age are labouring to scuttle with stupid technical arguments centring around the term *Makrooh* which in practical effect is *Tahreem*.

One other modernist *ghabi* states: *"Given that the Shafi' school has the most lenient fiqhi position regarding the beard (in that it is not Haram to shave it off, even completely....."*

Any fiqhi position which is presented in negation of the practical commands of the Deen is rejected, and has no validity. Islam is for practical implementation, not for oblivion in books or for relegation to the museum. While the 'fiqhi' position of the term *Makrooh* is weaker than the classification, *Haraam*, the Shaafi' position is the strongest and the strictest in practical terms, for it is only the Shaafi' Math-hab which does not condone cutting, clipping or shortening of the Beard in any way whatsoever even if it reaches a metre in length. Summing up the Shaafi's position in

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real life for practical implementation, even the modernist miscreants have been constrained to concede: *"That is why the position of the (Shaafi') school remains that it is unconditionally Makruh to trim or shave the beard in any way."*

THE POSITION OF IMAAM SHAAFI'

Maqdisi is further constrained to concede: *"A number of scholars have objected to the recensions of the two Imams (Nawawi and Raafi' – and other scholars) by saying that they contravene the explicit statements of Imam Shafi'. These objections are being raised with increasing frequency, to the point that it has even been said that the words of Imam Shafi' with respect to the scholars of his school are like the words of the Law giver with respect to Shafi' and other mujtahid imams, and that it is not permissible to exercise legal reasoning in the presence of a clear text."*

Here Maqdisi concedes that there are many Shaafi' Fuqaha who do not elevate Imaam Nawawi and Imaam Raafi' to the pedestal of 'nubuwwat'. They do not regard Shaikhain to be the final word of the Shariah in terms of the Shaafi' Math-hab. They do challenge and set aside the 'recensions' of the two Imaams. No one is therefore under any obligation to submit to the opinions of those Shaafi' Fuqaha who blindly and irrationally give precedence to Imaam Nawawi over and above Imaam Shaafi' and the Shariah as it existed for five centuries before their appearance.

In a flabby attempt to dislodge this objection of many Shaafi' Fuqaha, Maqdisi states:

"This objection does not hold weight because it describes what the non-specialist must do (when faced with explicit statements of Imam Shafi'). As for a specialist who has deep knowledge of the Shafi' school, he is qualified to exercise limited ijtihaad. This was the case of the early Shafi' scholars who extended and extrapolated the words of Imam Shafi'. Such scholars reached a level of

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knowledge that enabled them to extend and weigh between various positions in the school."

This argument is deceptive. Firstly, Imaam Nawawi was not a 'specialist' qualified to dismiss the *Nusoos* (explicit statements) of his Mujtahid Imaam, namely Imaam Shaafi. Secondly, if it is accepted that a Muqallid Faqeeh of Imaam Shaafi' had the right to dismiss the *Nusoos* of Imaam Shaafi', then by the same token could it be argued that other 'specialist' Fuqaha also possessed the ability and right to dismiss the 'recensions' of the Muqallid Imaam Nawawi. If a Muqallid has the right to dismiss the *Nusoos* of his Mujtahid Imaam, then to a greater degree will this rule apply to a 'specialist' Faqeeh of the Math-hab to dismiss the view of a Muqallid Faqeeh.

Thus, Ibnur Rif'ah's rejection of Shaikhain's *Makrooh* view, and Azrai's confirmation of the correctness of the *Tahreem* position, and the refutation by other senior Shaafi' Fuqaha of the contention that the *Tahreem* Nass of Imaam Shaafi' is not the *Mu'tamad* position confirm Maqdisi's deception referred to above.

It is ludicrous to accept and believe that all Shaafi' Fuqaha had become subservient to the 'recensions' of Imaam Nawawi regardless of the latter's class with the preceding Fuqaha of five centuries, which includes Imaam Shaafi' and other illustrious names of the most senior Shaafi' Fuqaha. In fact, numerous Shaafi' Fuqaha after Imaam Nawawi did not abide by whatever Imaam Nawawi had ruled. Men of the Haqq do not appoint their seniors to be their god besides Allah Azza Wa Jal. Condemning this attitude of the Yahood, the Qur'aan Majeed states:

"They take their ahbaar and ruhbaan as gods besides Allah...."

The evil modernist shaikhs of this age do not enslave themselves to anyone. Whilst professing to follow a Math-hab, they do not submit to the rulings of their Aimmah. On the contrary, their imaam is their nafs. They will manipulate the name of Imaam Nawawi and Imaam Raafi' only to the extent of extravasating support for their baatil and corrupt views. Consider this moron

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character, Maqdisi. Whilst he has flaunted the names of Shaikhain, he has not presented their views and their practical ta'leem on the issue of the Beard. Throughout his article of ghutha, he mentions only one single word associated with these two Imaams, and that is the term '*Yukrahu*'. Besides this word, he has in entirety ignored every statement of these illustrious Shaafi' personalities on the subject of the Beard. The objective of his rubbish article is in diametric conflict with the object of the *ta'leem* of Shaikhain on the Beard.

The stupidity of Maqdisi is colossal. Whilst he utilizes the term *makrooh*, it is clear that he does not have even a hazy idea of the practical effect of this term even if it is used in the *Tanzeeh* context. Whilst this moron has cited – in fact misquoted – Imaam Ibnul Mulaq-qin, as we shall show later, he has miserably failed to understand what Ibnul Mulaq-qin says about the word *Makrooh*. After explaining the technical definitions of the term, Ibnul Mulaq-qin states:

"However, with regard to practical implementation, they (i.e. the Sahaabah) did not differentiate in it (i.e. whether the prohibited act is Makrooh Tahrimi or Makrooh Tanzeehi). They abstained from Makrooh totally, whether it be Tanzeeh or Tahreem except in cases of Dhuroorah (pressing need)." (Al-I'laamu bi Fawaaid Umdatil Ahkaam, Vol.4, page 468)

Whilst Rasulullah (sallallahu alayhi wasallam), the Sahaabah, the Aimma-e-Mujtahideen and the Fuqaha of all Math-habs advocated the incumbent practical implementation of all the *Ahkaam* of the Shariah regardless of the fiqhi classification, these moron shaikhs and deans of these times promote the exact opposite. They satanically neutralize the great importance of the *Ahkaam*, and minimize their significance by stupidly and sinfully distorting the technical terms. They perpetrate chicanery and deception to abort the *Ahkaam* with their skulduggery and humbug. It is indeed mind boggling and lamentable to observe these shayaateen in human form subverting and undermining the Sunnah of Rasulullah

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(sallallahu alayhi wasallam) – the Shariah of Islam - with technical stupidities designed to confuse and mislead the unwary and the ignorant.

Was there ever a Nabi who had shaved his beard? Was there ever a Nabi who sported a kaafir 'goatee' *ghutha* 'beard'? Was there any among the Sahaabah and the Salf-e-Saaliheen who had shaved their Beards?

The objective of the technical classifications of the *Ahkaam* made by the Fuqaha was never to minimize the importance and significance of the Shariah's practices. Thus, whether shaving the Beard is classified Makrooh Tahreemi or Makrooh Tanzeehi or whether Rasulullah's command to lengthen the Beard is a 'mere recommendation' as the blasphemers aver, the irrefutable fact remains that the man who shaves his Beard is like a swine. He is *mal-oon and mabghoodh*. Every second of his life the curse of Allah Ta'ala descends on the wretched soul who degenerates into the dregs of insolence and evil in order to shave his Beard in emulation of the enemies of Allah, the enemies of the Rasool, the enemies of the Ummah and the enemies of Islam.

The article of *ghutha* which the moron has written is directed to an audience of juhala who are enslaved to the libertine cult of the West. They live and die as westerners. Every facet of their life is in emulation of the western style of life. Their lives are bereft of the Deen. They hover on the brink of Jahannum, and their Imaan hangs on a flimsy thread. To such an audience this jaahil, Maqdisi and others of his ilk, propagate that it is permissible to shave the Beard and to transform the appearance like a skinned pig.

Maqdisi's emphasis on the term *Makrooh* is for cunningly dislodging from the minds of Muslims the importance of following the Sunnah of Rasulullah (sallallahu alayhi wasallam). By means of skulduggery he connives to implant in the minds of the unwary and ignorant that 'Makrooh' is insignificant and discardence of it is perfectly permissible. But this plot is treacherous and is tantamount to the denial of the Sunnah and the commands of the Shariah.

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In *Fathul Baari*, Vol. 1, page 179, while discussing another Mas'alah, it is mentioned, "*Makrooh applies to haraam...*" The force of the arguments of Imaam Nawawi and all the other Shaafi' Fuqaha on the demand to lengthen the beard and to abstain from cutting regardless of the length, affirms the *Tahreem* meaning of the term *Makrooh* in this context.

Discussing another issue, it is mentioned in *Fathul Baari*, Vol.6, page 64: "*It (i.e. the issue being discussed) could be within the scope of a prohibition which is Makrooh and Haraam with regard to the difference of objectives....*" A prohibition will be described *Haraam* depending on the elements of the prohibition. The factors for the command to lengthen the beard and the prohibition of shaving it conspicuously affirm the classification of *Haraam* for the act of shaving the beard.

In his *Sharh of Saheeh Muslim*, Vol.4, page 209, Imaam Nawawi states: "*Verily, Makrooh shall be condemned just as Haraam is condemned.*" It is indeed being recklessly stupid to infer from Imaam Nawawi's *Makrooh* designation that shaving the beard is permissible. Maqdisi's averment that *Makrooh* equates permissibility or is not sinful, is the product of self-induced hallucination necessitated by his sinister agenda to confer acceptability to the major crime and sin of shaving the beard.

Further elaborating on the meaning of *Makrooh*, Imaam Nawawi says: "*...Makrooh is not halaal, and halaal means Mubaah (permissible), and both angles are the same whilst Makrooh is not Mubaah with both angles being the same. On the contrary it (Makrooh) is Raajihut Tark (i.e. the Makrooh angle has to be shunned).*" - *Sharhun Nawawi*, Vol.11, page 46

According to Shafi' Fiqh, the term, *La Yajoozu (Is not permissible)* is also described with the word *Yukrahu (It is Makrooh)*, and vice versa. Explaining this, Imaam Nawawi states in *Al-Majmoo'*, Vol.5, page 63 in the discussion on *Salaatul Kusoof*: "*The intention of Shaafi (in saying that it is not permissible to abstain from Salaatul Kusoof) is that it is Makrooh*

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to omit it. ...Thus Shaafi' intended that abstaining from it is Makrooh, for verily, Makrooh is sometimes described as being not permissible (ghair jaaiz)..."

Maqdisi's contention that shaving the beard is permissible on the basis of Imaam Nawawi's Makrooh designation is thus preposterously baseless.

In *Al-Majmoo'*, Vol. 5, page 112, Imaam Nawawi states: *"Verily, Makrooh is that in which a definite prohibition is confirmed."* In *Al-Majmoo'*, Vol.8, page 188, Imaam Nawawi says: *"It is correct to say that Makrooh is not permissible."* In Vol.8, page 302 of *Al-Majmoo'*, Imaam Nawawi says: *"Verily, Makrooh – it is correct to negate permissibility (with it) from an act. (i.e. negation of jawaaz and ibaahat)."*

In *Haashiyah Qal-yoobi*, Vol.4, page 215 it is mentioned: *"The Muhtasib (officer of the state) has the right to censure the perpetrator of Makrooh and the one who omits Mandoob."* Omission of even Mandoob acts can be censured by the state.

MAKROOH – AN ELUSIVE CREATURE IN THE SHAAFI' MATH-HAB

There exists a breakdown on the concept and technical definition of the term *Makrooh* among the Shaafi' Fuqaha. *Makrooh* is a veritable minefield. Entry into this domain is to become lost in a maze of labyrinthal tunnels. Emergence from this maze is a formidable task. Conceding this reality, The Shaafi' authority, Imaamul Haramain Abul Ma-aali Abdul Malik Bin Abdullah Bin Yusuf Al-Juwaini (410-478 Hijri) states in *Al-Burhaan fi Usoolil Fiqh*, Vol.1, page 215:

"The Usooliyyoon (Ulama of Usool) are perplexed by the meaning of MakroohHence, after despairing regarding this basis pertaining to the meaning of Makrooh, the Ulama became confused. Thus, some of them opined that Makrooh is that in whose

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prohibition there is difference of opinion. However, this is baseless, for verily, Karaahat (being Makrooh) in some instances is confirmed despite the enactment of Ijma' on the negation of prohibition.

My Shaikh Abul Qaasim Al-Askaafi said: 'Makrooh is an act for whose commission punishment is feared.' However, this is obviously baseless.....

Prohibitions on the classification of Karaahat consists of different categories just as Mandubaat consist of various categories.Just look how confused the issues have become for the Ulama.....

In this science (of Fiqh) Makrooh is a technical term according to the Usooliyeen. It means a prohibited act...."

Ibraaheem Al-Fairoozabaadi Abu Ishaaq, also a Shaafi' authority, states in At-Tabsirah, Vol.1, page 99: "Prohibition demands Tahreem.....For us (Shaafis, the proof is) that the Sahaabah would adopt Tahreem purely on the basis of Nahi (prohibition). It is narrated from Ibn Umar that he said: "We used to practise mukhaabarah for forty years and did not think anything is wrong with it until Raafi' Bin Khadeej informed us that Nabi (sallallahu alayhi wasallam) prohibited mukhaabara. We then abandoned it on the basis of Raafi's statement.'

(Mukhaabarah is an agricultural partnership in which the land's yield is split between the worker and the owner of the land).

Shaikh Al-Isnawi states in At-Tamheed, Vol.1, page 290: "The term nahi applies to haraam and makrooh....."

Shaikh Muhammad Al-Husain Ar-Raazi states in Al-Mahsool, Vol.1, page 131: "Makrooh has three meanings: (1) Prohibition in the Tanzeeh category..... (2) Mahzoor (total prohibition). Imaam Shaafi' in many of his statements in which he says: 'I consider this Makrooh', means Tahreem (Haraam). (3) Abstention from Aula (i.e. the best course)..."

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Imaam Ghazaali states in *Al-Mu-stasfa*, Vol.1, page 53: “In the terminology of the *Fuqaha* the word *Makrooh* has different meanings. One of it is *Mahzoor* (total prohibition). Thus, Imaam *Shaa’fi* in many of his statements in which he says: ‘I consider it *Makrooh*’, means *Tahreem*. ”

The second meaning is prohibition in the Tanzeeh category.....The third is Tarkul Aula ...The fourth is doubt and ambiguity in an act being haraam.....Thus it is not improper to apply the word Karaahat to something in which there is the fear of Tahreem even though the ghaalib zann is halaal.”

Imaam Ghazaali says in *Al-Mankhool*, Vol.1, page 137: “It has been said that *Makrooh* means to abstain from *Mandoob*. But this is *baatil*....

A popular definition for *Makrooh* is the acquisition of reward for abstention from it and for commission there is no punishment.

Imaam Ahmad Ansaari Ash-Shaafi’ Muhaddith Ibnul Mulaqqin states in his *Al-I’laam bi Fawaa'id Umdatil Ahkaam*, Vol.1, page 468: “From the *Hadith* is gathered that there is a difference between *Nahy Tanzeeh* and *Tahreem*. In the *urf* of the *Sahaabah* this difference pertained to knowledge. However, with regard to *amal* (practical implementation), they did not differentiate (between *Makrooh Tanzeehi* and *Makrooh Tahreemi*). On the contrary they said: ‘They (the *Sahaabah*) would abstain from *Makrooh* whether *Tanzeehi* or *Tahreemi* totally except when there was *dhuroorah* (dire need)... ”

From this maze of confusion, Maqdisi has selected the ‘popular’ definition. However, despite his baseless and erroneous selection of a definition which most certainly does not apply to the absolutely haraam act of shaving the beard, he still proffers the incorrect interpretation by conveying the impression that *Makrooh Tanzeehi* means ‘permissible’. Of all the definitions relating to *Makrooh*, none states that it means ‘permissible’. In fact, Ibnul Mulaqqin has made it abundantly clear that for practical purposes

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the Sahaabah regarded all Makrooh acts forbidden regardless of the designation.

Furthermore, despite the plethora of differences and confusion, not a single one among the Shaafi' Fuqaha has ever promoted the idea that the rubbish, *mal-oon*, *kaafir* practice of shaving the beard is permissible. Maqdisi also commits the crime of completely distorting the meaning of Makrooh in terms of the Shaafi' Math-hab. In effect, he slanders Shaikhain by attributing totally erroneous connotations to their designation. When they said that shaving the beard is Makrooh, they never intended Tanzeeh, least of all permissibility. Imaam Nawawi presents a conspicuous explanation of the compulsion of lengthening the Beard – an explanation which leaves no room for doubt and manoeuvre. But Maqdisi has employed mental gymnastics – skulduggery – with the term Makrooh to extravasate a ruling of permissibility.

Imaam Nawawi and all the Shaafi' Fuqaha of every age have emphasized the compulsion of lengthening the beard and the prohibition of shaving, in fact of even cutting the beard in any way whatsoever. Imaam Nawawi has explicitly described the prohibition of pulling out even a couple of white hairs from the beard with the term Tahreem. By what stretch of logic and on the basis of which Shar'i daleel can it then be averred that shaving the whole beard is permissible, and that Makrooh in this context is not of the Tahreem category?

It should be remembered well that the Nabi (sallallahu alayhi wasallam) imparted the ahkaam of the Deen for practical implementation. It is pure Satanism to submit the ahkaam of the Shariah to baseless interpretation and to stupidly utilize the technicalities of Fiqh to negate the very commands and prohibitions which Rasulullah (sallallahu alayhi wasallam) emphasized, and which the Sahaabah upheld regardless of the juridical classification of the ahkaam which developed centuries later.

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It should also be well understood that the purpose of Fiqhi classification is not negation of the ahkaam of the Shariah. It is haraam, in fact kufr, to manipulate technicalities to minimize the importance of the Laws of Islam. It is worse to negate the ahkaam with such humbug interpretation as employed by Maqdisi.

IBNUL MULAQQIN

Imaam Haafiz Allaamah Abu Hafs Umar Bin Ali Bin Ahmad Al-Ansaari Ash-Shaafi, popularly known as Ibnul Mulaqqin is the Shaikh of Ibn Hajar Asqalani. He flourished in the 7th century Hijri and was amongst the foremost authorities of the Shaafi' Math-hab.

In an abortive attempt to extravasate support for his *ghutha*, Maqdisi states:

“After quoting the statement of Imam al-Halimi in his Minhaj, “It is not permissible for anyone to shave his beard or his eyebrows,” the great scholar and hadith-master, Ibn al-Mulaqqin commented, His position regarding shaving the beard is a wonderful position, despite the fact that the position that is prevalent in the school is that it is (merely) disliked (Ibn al-Mulaqqin, al-I’lam bi fawa’id umdat al-ahkam)”

There is absolutely no support in Ibn Mulaqqin’s statement for Maqdisi’s beard-shaving view. Imaam Al-Halimi (338 – 403 Hijri) was the student of Imaam Qaffaal (291 – 365 Hijri). He was among the very senior Shaafi’ Fuqaha among the Mutaqaddimeen, and he was on the scene of Islamic history almost four centuries before Ibnul Mulaqqin. Whilst Ibnul Mulaqqin was a “great scholar and a hadith-master”, the status of Imaam Al-Halimi is by far superior.

Maqdisi has also perpetrated chicanery in the manner he has cited Ibnul Mulaqqin. The full statement of Ibnul Mulaqqin appearing in the kitaab mentioned by Maqdisi is:

“Al-Halimi said in his Minhaaj: It is not halaal for anyone to shave neither his beard nor his eyebrows even though he may

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shave his (moustache because there is benefit in shaving it (the sibaal, and that is to prevent greasy food sticking in it and bad odour. On the contrary, shaving the beard is despicable, ostentation and emulating women. Thus it (shaving the beard) is like cutting off the penis. That which he (Al-Halimi) has mentioned regarding the beard is excellent even though the prevalent view in the Math-hab is Karaahat.”

Regarding Karaahat (being Makrooh), Ibnul Mulaqqin states in the very same Kitaab: “...In the Urf of the Sahaabah, the difference between Tanzeeh and Tahreem prohibition related to Ilm (Knowledge). However, in relation to amal (practical implementation of the laws), they (the Sahaabah) did not differentiate in it. But, they said: ‘They (the Sahaabah) used to totally abstain from Makrooh, whether Tanzeehi or Tahreemi except due to need.....”

The chicanery perpetrated by Maqdisi is the interpolation of the word ‘merely’ and the term ‘disliked’. Ibnul Mulaqqin does not say: “*the prevalent view in the school is that it is (merely) disliked*”. This is a blatant lie attributed to Ibnul Mulaqqin. Neither does Ibnul Mulaqqin minimize the absolute importance of the prohibition stated by Imaam Al-Halimi nor does he aver that shaving the beard is ‘merely disliked’. On the contrary, Ibnul Mulaqqin upholds and supports the view of Imaam Haleemi. This is evident from the fact that Ibnul Mulaqqin describes the stance of Imaam Haleemi as ‘excellent’. He furthermore, highlights the evil of shaving the beard by reproducing Imaam Haleemi’s analogy of shaving the beard with lopping off the penis. It is quite obvious that Ibnul Mulaqqin supports the view of Imaam Haleemi in the condemnation of the practice of beard-shaving.

In the humbug paraphrasing presented by Maqdisi, he commits the haraam act of watering down the prohibition with the term ‘merely’ which does not appear in Ibnul Mulaqqin’s statement. Then he mis-translates the term *Al-Karaahah*, saying ‘disliked’. *Makrooh* as employed by the Fuqaha does not mean ‘disliked’

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Makrooh has a technical meaning which has already been explained in detail. Even literally, the word ‘dislike’ does not convey the correct meaning. The literal meaning of the term is *loathsome, hateful, abhorrent, disgusting, horrid, abominable, and detestable*. It does not mean ‘merely disliked’.

Far from Ibnul Mulaqqin supporting the *ghutha* disgorged by Maqdisi, he corroborates the view of Imaam Al-Halimi, hence he states: “His view is excellent”. The praise which he lauds on the view of Al-Halimi is a conspicuous affirmation of Ibnul Mulaqqin’s inclination to the *Tahreem* ruling of Imaam Shaafi’. Ibnul Mulaqqin furthermore explains what the Muslim’s attitude should be towards any category of *Makrooh* by mentioning the attitude of the Sahaabah who considered all kinds of Makrooh prohibited and unlawful in so far as practice (amal) was concerned.

It is also very significant that Ibnul Mulaqqin highlights the comparison between beard-shaving and lopping off of the penis (*jubbuth thakar*). Comparing beard-shaving to *jubbuth thakar* is indeed a final nail in the coffin of the prohibition. It creates the image of beard-shavers being *mukhannath* (hermaphrodites) or males who have suffered the calamity of decollation of their vital male appendage. This should be food for Maqdisi’s thought. Could there be some *jubbuth thakar* mystery underlining his promotion of beard-shaving? Al-Halimi and even Ibnul Mulaqqin have equated the act of shaving the beard to *jubbuth thakar*.

And why did Maqdisi deem it expedient to omit the *jubbuth thakar* portion from Ibnul Mulaqqin’s statement? We believe that *jubbuth thakar* is a suitable *Ta’zeer* for those who mutilate their faces with the haraam act of shaving their beards. Anyone who promotes the permissibility of beard-shaving could be validly subjected to the *Ta’zeer of jubbuth thakar*. It is our fervent supplication that Allah Ta’ala fills with *Noor* the graves of Imaam Al-Halimi and Imaam Ibnul Mulaqqin for so aptly defending Rasulullah’s Sunnah of *I’faaul Lihya* (*lengthening the beard*) with the *jubbuth thakar* analogy. We believe that it is appropriate to

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appellate the promoters of beard-shaving with the extremely appropriate epithet: *the jubbuth thakar clique*.

IBN HAZAM'S COMMENT

In the annotations of Ibnul Mulaqqin's kitaab, Ibn Hazam's comments appear as follows:

“Verily Ibn Hazam (rahmatullah alayh) has narrated: ‘There is *Ijma*’ on cutting the moustache and lengthening the beard being Fardh. Ibn Abdul Barr and Ibn Taimiyyah said: ‘Shaving the beard is haraam.’ Ibn Abdul Barr said: ‘Only the male *mukhannathoon* (hermaphrodites) perpetrate this act (of shaving the beard). The *mukhannathoon* are those who emulate women. It should be known that shaving the beard makes horrible the faces of men.....Furthermore, shaving the beard and plucking out its hairs are such mutilation for which the warning of punishment has been narrated.

Ibn Abbaas narrated that Rasulullah (sallallahu alayhi wasallam) said: ‘*Whoever mutilates the hair, has no share by Allah.*’Ibnul Atheer says in *An-Nihaayah*: ‘*Mutilation of the hairs is to shave the hair from the cheeks.*’ In *Al-Munaasabah* it is mentioned: ‘*In lengthening the moustaches is tashabbuh (emulation) of the Majoos (Fire-Worshippers) and the (sodomite) nation of Lut (alayhis salaam). It has been authentically narrated that Nabi (sallallahu alayhi wasallam) said: ‘Whoever emulates a nation is of them.’ In Al-Musnad, Tirmizi and Nasai’ is the narration of Zaid Bin Arqam (radhiyallahu anhu) who narrated that Rasulullah (sallallahu alayhi wasallam) said: ‘Whoever does not cut his moustache is not from among us.’ Tirmizi said that this Hadith is Hasan Saheeh. The meaning of Karaahat here is Tahreem.*”

From whichever angle this issue is viewed and from whatever Math-hab it is considered, there is absolutely no basis for the

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beard-shaving view of the *jubbuth thakar clique*. Maqdisi has attempted to mislead by creating confusion with the technical term *Makrooh*. Despite his skulduggery and mental gymnastics pertaining to the term, *Makrooh*, the glaring truth of the prohibition constrained Maqdisi to grudgingly aver:

“The position of our Shafi’ imams regarding growing a full beard is similar to the above. In other words, they hold that to grow a full beard is a confirmed sunna because of the Prophet’s (Allah bless him and give him peace) command to lengthen it and thereby be different from the Magians and the polytheists, and because it comprises imitating his blessed practice (may the choicest of blessings and peace be upon him and his folk). Imam Nawawi even held the opinion that the sunna is to completely leave the beard alone and not to trim it at all.....”

Despite this averment, it appears that Maqdisi’s brains are calcified, hence he is unable to understand the many self-contradictions in his stance. He concedes that:

- shaving the beard is the practice of the Magians (Fire-Worshippers)
- shaving the beard is the practice of the polytheists (mushrikeen)
- lengthening the beard is the Sunnah
- lengthening the beard is the command of Rasulullah (sallallahu alayhi wasallam)
- the command to lengthen the beard is to abstain from emulating the fire-worshippers and the mushrikeen
- the Shaaafi Aimmah hold the same view as the Aimmah of the other three Math-habs in maintaining that a full beard is the confirmed Sunnah
- lengthening the beard is ‘imitating the blessed practice of Rasulullah (sallallahu alayhi wasallam)
- Imaam Nawawi held that nothing of the beard ever be cut.

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Add to this list of facts, the following:

- Imaam Shaafi' and all the Mutaqaddimeen Fuqaha of the Shaafi' Math-hab ruled that shaving the beard is haraam
- The Shaafi Fuqaha of the later eras describe the unanimous prohibition of shaving the beard with the term *Makrooh* which does not mean '*merely disliked*'. For practical purposes it is the same as *Tahreem*.
- Imaam Al-Halimi likened shaving of the beard to the act of *jubbuth thakar*.
- All Four Math-habs unanimously propagate lengthening the beard.
- The Shaafi' Math-hab does not allow even cutting the beard when it has reached more than a fist length. Such cutting is Sunnah according to the Hanafi, Maaliki and Hambali Math-habs. But the Shaafi' Math-hab rejects even this degree of cutting.
- All the Ambiya (alayhimus salaam) kept full beards
- All the Sahaabah kept full beards
- All the Auliya from the beginning to this age kept full beards.
- Imaam Nawawi said that it is haraam to pluck out from the beard even the few white hairs.

Despite this formidable array of factors confirming the *Wujoob* of growing a full beard, Maqdisi, irrationally and satanically claims that shaving the beard is not sinful, hence permissible. Also, it is not only Imaam Nawawi who holds the view that nothing of the beard may be cut, and that it should be left to grow naturally regardless of length. This is the official view of the Shaafi' Math-hab. In fact, Imaam Nawawi refutes Imaam Ghazaali's view in this regard which coincides with the view of the other three Math-habs. This issue has already been explained earlier in this treatise.

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After laboriously and abortively attempting to establish permissibility for the haraam act of beard-shaving, Maqdisi says: *“It is important to point out that someone who shaves his beard in order to turn away from the sunna, or with the intention of imitating non-Muslims or people of disobedience out of admiration of them, then this is completely unlawful without any scholarly disagreement whatsoever.”*

The Qur’aan states: *“Allah casts rijs (filth) on those who lack intelligence.”* It appears that it is this *Rijs* which has exsiccated and calcified his intelligence, hence he fails to understand that when a Muslim shaves his beard, he most assuredly is guilty of the following haraam acts:

- He turns away from the Sunnah of Rasulullah (sallallahu alayhi wasallam) intentionally.
- He intentionally emulates non-Muslims.
- He admires this vile practice of non-Muslims. It is because of this admiration that he shaves his beard to emulate them.
- In shaving his beard he emulates the ‘people of disobedience’ (fussaaq and fujaar).

There is no other reason for shaving the beard. Thus, as Maqdisi has been forced to say, *“this is completely unlawful without any scholarly disagreement whatsoever.”* In other words, shaving the beard for these reasons is haraam. Maqdisi has no option other than to concede this irrefutable fact.

Is Maqdisi then so stupid that he fails to understand that the millions of Muslims in this era who shave their beards do so in emulation of the West whom they worship and whose ever-changing styles and fashions of attire they adopt? They dress like the Yahood and Nasaara. They imitate every aspect of their lives, and like Rasulullah (sallallahu alayhi wasallam) said, they follow the Yahood and Nasaara into *“the lizard’s hole”*. Did Maqdisi serve the Deen and the interests of the Ummah by issuing a free

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licence for shaving the beard in this immoral climate which is afflicting the Muslim Nation?

Even from the angle of *Tashabbuh bil Kuffaar*, shaving the beard is unanimously *Haraam* even in the technical sense of the term according to the Shaafi' Math-hab. There is no reason other than *Tashabbuh bin Nasaara* (emulating the western christians) for shaving the beard. Maqdisi is forced to concede this fact. Thus he says: *"I am only drawing attention to this point because I see that many ignorant Muslims have been duped by un-Islamic cultural practices that have invaded their societies: such people should realize the danger of their ways and fix themselves by turning to Allah Most High in sincere repentance and by venerating the sunna and the Sacred Law of the Messenger of Allah (Allah bless him and give him peace)."*

Anyone whose intelligence has not been corrupted with liberalism will understand that Muslims who are shaving their beards and donning the fashionable garments of the Nasaara, do so in emulation of these kuffaar, and for no other reason. Maqdisi has therefore been constrained to proffer the foregoing advice and admonition. Was it then intelligent for him to have disgorged the *ghutha* of 'permissibility' of shaving the beard? In fact, innumerable Muslims of this era even mock the beard and describe it and the person of the Beard with derogatory epithets. Maqdisi is not ignorant of this attitude of modernist Muslims, hence he is compelled to say: *"If someone does this in order to mock the blessed and pure sunna of our Prophet (Allah bless him and give him peace) – and Allah is our Refuge – this would constitute disbelief and would take one out of the fold of Islam."*

People are therefore shaving their beards at the peril of their Imaan. On Maqdisi's admission, the beard involves even *irtidaad*. What has overcome the brains of Maqdisi to constrain him to

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venture his rubbish view in this delicate state of the Ummah? Is it intelligent to laboriously argue to establish an abominable act, an anti-Sunnah act, an act which the entire Ummah condemned from the age of Rasulullah (sallallahu alayhi wasallam), and to confer permissibility to it when there is the dangerous dividing line of *Irtidaad*?

MAQDISI'S TANZEEHI CLAIM

In the attempt to negate the prohibition denoted by the term *Makrooh*, Maqdisi says: *“When a Shafi’ describes something as being disliked (i.e. Makrooh), he means that it is non-prohibitively disliked (makruh tanzihan) and that performing the action does not entail any sin.*

The concept of prohibitive dislikeness (karahah Tahrimiyyah) belongs to the nomenclature of the great and respected scholars of the Hanafi school, but it is foreign to the nomenclature of the Shafi’ school.”

This concept propounded by Maqdisi is *baatil*. In making this sweeping statement, Maqdisi has advertised his *jahaalat*. His statement is a *daleel* for his gross inexpertise in the sphere of Shaafi Fiqh. Debunking this baseless supposition of Maqdisi, is the categorical affirmation of the two classes of *Makrooh* by the Shaafi’ Fuqaha. Affirming this fact, Ibnul Mulaqqin states in his *Al-I’laamu bi Fawaaid Umdatil Ahkaam*,:

“From the Hadith is gained the difference between Tanzeeh and Tahreem prohibition....And that (difference) in the Urf of the Sahaabah is related to Ilm. However, with regard to amal (practice), they did not differentiate in it. But they would totally abstain from Makrooh Tanzeehi and Tahreemi. Whoever has investigated their actions, statements and the principles of the Shariah will find the issue to be so.” Vol.4, page 468

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“....Makrooh is (also) applied to **haraam**.” (Fathul Baari, Vol.1, page 285)

“The meaning of (the aayat): ‘Fear Allah as He should be feared.’ is to obey His command and to abstain from His prohibition.....On this basis has it been deducted that verily, it is **Wajib** to abstain from Makrooh by virtue of the generality (umoom) of the command.....” (Fathul Baari, Vol. 13, page 263)

“Verily, Makrooh will be assailed just as **haraam** is assailed.”
(Sharhun Nawawi ala Saheeh Muslim)

The comparison with haraam negates the contention that Makrooh is only Tanzeeh in terms of the Shaafi’ Math-hab.

“.....Verily, Makrooh is not halaal, and halaal means Mubaah Mustawai at-tarfain (both angles are the same regarding permissibility), whereas Makrooh is not Mubaah in terms of both angles. On the contrary, the angle of abstention is adopted (raajih).”

(Sharhun Nawawi ala Saheeh Muslim, Vol.11, page 46)

Thus Makrooh is not permissible (Mubah) as alleged by Maqdisi.

Prohibiting the testimony of singers, Imaam Shaafi’ said: “The shahaadat of any one of them is not permissible (La tajoozu), and that is because it (the singing) is from Makrooh lahw (futility/sport) which resembles baatil. Whoever practises it is attributed to ignorance and an elimination of culture.....even though it (the singing) is not absolutely haraam.” (Kitaabul Umm, Vol.6, page 209)

The severe consequence of the rejection of one’s capacity of shahaadat for practising a Makrooh act denies the contention of Tanzeeh. Commission of Makrooh Tanzeeh does not render a

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person *mardoodush shahaadah*, neither in terms of the Shaafi' Math-hab nor the Hanafi Math-hab. This demonstrates the severity of the *Makrooh* act.

“Verily, his statement that it is not permissible (La yajoozu) to abstain from Salaatul Kusoof is problematic (difficult to understand), for it is known that it is Sunnat without difference of opinion. Its response is that his intention is that, verily it is Makrooh to abstain from it because of the emphasis of the abundance of Saheeh Ahaadith commanding it. Thus Shaafi' intended (by saying La yajooz) that abstaining from it is Makrooh, for verily, Makrooh is sometimes described as being Ghair Jaa-iz (not permissible)....”

Thus, *Makrooh* is not permissible. The impermissibility adequately conveys the severity of the prohibition.

Even in the Shaafi' Math-hab, to obviate confusion, it is many a time explicitly mentioned which dimension of *Makrooh* is intended.

*“Sitting on the grave is Makrooh, and by it they (the Fuqaha) mean Karaahah Tanziyyah.....And, the Author and Al-Mahaamili said in Al-Muqni': 'La yajoozu'. Thus it is probable that both of them meant **Tahreem** (i.e. Makrooh Tahreemi) as is obvious from the use of La yajoozu by the Fuqaha. And, it could (also) mean that they intended thereby Karahah Tanzeeyyah because according to the Usooliyyeen Makrooh is Ghair Jaa-iz.....for example: 'It is not jaaiz to make istinja with the right hand.' (Al-Majmoo', Vol.5, page 279)*

*“It is correct to say that Makrooh is **not jaa-iz**....” (Al-Majmoo', Vol.8, page 188)*

“Makrooh: It is correct to negate (with this term) jawaaz and ibaahah mutlaqah...”

(Al-Majmoo', Vol.8, page 302)

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The negation of permissibility is not the effect of Tanzeeh.

According to the Shaafi' Math-hab, if the Khalifah commands a Mubaah act, obeying him is Waajib. However, if he commands a Makrooh act, obeying his command is not obligatory.

“With Mubaah, Makrooh is excluded (from being obeyed), for example, he commands abstention from the Rawaatib of Fardh (Salaat). It is not waajib to obey him in this regard, neither externally (zaahiran) nor internally (baatinan) as long as fitnah is not feared. (Hawaashish Sherwaani, Vol.3, page 71)

Abstention from the Sunnat Salaat attached to the Fardh is not Makrooh Tanzeehi.

*“(Among the Makrooh acts) are Salaat at the time when the Imaam mounts the mimbar for the Jumuah Khutbah, and at the time of Salaat beginning.What is Karaahaah (in this context) Karaahah Tahreem or Tanzeehiyyah? There are two views. The most authentic view of the two as mentioned in Ar-Raudhah Sharh Al-Muhazzab in this matter is **Tahreem** (i.e. Makrooh Tahreemi). And, Imaam Shaafi' has explicitly stated so in Al-Risaalah. And he has authenticated it hereand in Kitaabul Ishaaraat it is mentioned that the Karaahah (here) is Karaahah Tanzeehiyyah).....” (Kifaayatull Akhyaar, Vol.1, page 128)*

The classification of Makrooh into Tahreem and Tanzeeh is stated with clarity here.

“Therefore, the meaning of La yajoozu tarkuha (i.e. It is not jaaiz to abstain from it) is La yubaahu tarkuha (i.e. It is not permissible to omit it).’ But it (abstention from it) is Makrooh.”

(Haashiyah Al-Jamal ala Sharhil Minhaj, Vol.2, page 107)

Thus, ‘Not permissible’ is Makrooh. Makrooh is never permissible as Maqdisi has endeavoured to prove.

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*“...A wasiyyat to suffice with only sufficient (kafan cloth) to cover the satr is not valid because it is Makrooh as it has been narrated that he says that a wasiyyat to abstain from the second and third cloth (of the male’s kafan) is valid despite it being khilaaful afdhal (in conflict with the best method). He responded that khilaaful afdhal is not Makrooh in the Istilaah (terminology of the Fuqaha, hence the wasiyyat is correct regarding the second and third cloth). I say that this (argument) is of no benefit because it is Makrooh according to the Mutaqaddimeen (Shaafi’ Fuqaha), and merely the conflicting terminology of the Muta-akh-khiroon is of no benefit. The meaning of the Ashaab (Fuqaha) that Karaahat in their statement: ‘It (wasiyyat) is not valid with Makrooh’, is **Karaahah Shadeedah**, not khafeefah which the Muta-akh-khiroon designate ‘Khilaaful Aula’, is far-fetched.....*

(Haashiyah Al-Jamal ala Sharhil Minhaj, Vol.2. page 159)

It is also confirmed from this difference of opinion among the Shaafi’ Fuqaha that there are two types of Makrooh – Karaahah Shadeedah (Makrooh Tahreemi) and Karaahah Khafeefah (Makrooh Tanzeehi).

“If he (the deceased) had made wasiyyat to omit the second and third cloth (of the kafan), then the wasiyyat is valid. This has been objected to from the angle of it being khilaaful aula that it is appropriate that the wasiyyat should not be valid because Makrooh in the word of the Ashaab: that “Wasiyyat is not valid with Makrooh”, includes khilaaful aula because to interpret it to mean Karaahah Shadeedah, not Khafeefah which the masses call khilaaful aula, is far-fetched.....” (Haashiyah Al-Jamal, Sharhil Minhaj, Vol. 2, page 160)

This argument too confirms the existence of the two types of Karaahat in the Shaafi’ Math-hab.

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*“If the second Wali, not the first wali demands qisaas from the killer, then the Imaam executes him on the demand of the second wali while he did not consult with the first wali to ascertain whether he too demands qisaas, or he forgives (the killer), then this (execution) is Makrooh **Tahreemi** (Kuriha tahreeman). “ (Asnal Mataalib, Vol.4, page 36)*

The category of Makrooh Tahreemi is stated with clarity.

*“And, it is Makrooh **Tahreemi** (kuriha tahreeman) by virtue of **Ijmaa’** for anyone of those who are present (in the Musjid) to perform NafI after the Khateeb has mounted the mimbar....” (Hawaashi Sherwaani, Vol.2, page 455)*

Makrooh Tahreemi is conspicuously confirmed here.

*“.....Yukrahu **tahreeman**, i.e. Karaahatun **Tahreemun** (Makrooh Tahreemi). And it has been said that it (the issue being discussed) is Makrooh Tanzeehi. However, on the basis of both (i.e. whether the act is Makrooh **Tahreemi** or Makrooh Tanzeehi) the Salaat is not valid. And that is because when the Nahyi (prohibition) is directed to acts of ibaadat, it demands fasaad (invalidity) regardless whether it (the act) is (Makrooh) **Tahreem** or Tanzeeh, and the one who does it is a sinner.” (Nihaayatul Muhtaaj, Vol.2, page 321)*

Regardless of whether the perpetrator commits a Makrooh Tahreemi or Tanzeehi act relative to Salaat, he is guilty of sinning. The emphasis and the two classes of Makrooh are emphatically confirmed here.

“And, if we say that the Karaahah here (in this mas’alah of performing Salaat in the Makrooh time) is for Tanzeeh in view of its accompaniment with a faasid ibaadat, then too, he sins since the ibaadat is discharged in a Makrooh time.....” (I’aanatut Taalibeen, Vol.1. page 121)

The classes of Makrooh are confirmed.

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“The difference between Karaahah Tahreem and Karaahah Tanzeeh is that the effect of the first one (Makrooh Tahreemi) is sin while the second one (Makrooh Tanzeeh) does not effect sin. And, here (in this mas’alah) he sins even on the basis of the view that it is (Makrooh) Tanzeehi.” (I’aanatut Taalibeen)

*“The difference between Karaahah **Tahreem** and Haraam despite the effect of both being sin is that Karaahah Tahreem is established by such a daleel which has the possibility of being interpreted while Haraam is established by means of Daleel Qat’i from the Qur’aan or Sunnah or Ijma’ or Qiyaas, which precludes Ta’weel (interpretation)*

(I’aanatut Taalibeen, Vol.2, page 87)

*“(His qaul: Wa tukrahu **tahreeman**) – i.e. it is Makrooh Tahreemi.....In At-Tuhfah it (i.e. Karaahah Tahreem) is interpreted as Hurmat (being haraam).....Between Karaahah **Tahreem** and Haraam there is a difference even though both demand the effect of sin. That difference is that Karaahah **Tahreem** is established by such a daleel which has the possibility of interpretation whereas Hurmat is establish with Daleel Qat’i.” (I’aanatut Taalibeen, Vol.2, page 87)*

The very bottom of Maqdisi’s *ghutha* claim denying existence of Makrooh Tahreemi in the Shaafi’ Math-hab is knocked out.

*“It is Makrooh **Tahreemi** without exception on whom Jumuah is obligatory, and (also) on those on whom Jumuah is not obligatory, that is on a slave or a traveller or a woman.”*

(I’aanatut Taalibeen, Vol.2. page 87)

*“At the time of midday Salaat is Makrooh **Tahreemi**.” (Sirraajul Wahhaaj, Vol.1, page 36)*

*“And it is Makrooh Tanzeehi as mentioned in Al-Majmoo’, not (Makrooh) **Tahreemi**....”*

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(*Nihaayatul Muhtaaj*, Vol.5, page 440)

A clear distinction is made between Makrooh Tahreemi and Makrooh Tanzeehi.

*“And wisaal (continuity in fasting) is Makrooh (in the class of) Karaahah **Tahreem** according to the authentic version, and this is the clear Nass (explicit statement) of Shaafi’ (rahmatullah alayh).”* (Raudhatut Taalibeen, Vol.1. page 159)

On this mas’alah Makrooh is explained with clarity to mean Makrooh Tahreemi.

With regard to kissing during fasting, Maqdisi says: *“The great scholar of exacting verification, Jalal al-Mahalli, said in his commentary on the Minhaj in the Book of Fasting during his discussion on matters that are recommended for a fasting person to avoid.....and for him to refrain from cupping and kissing – the Muharrar’s describing it as disliked without any further qualification, which is understood as referring to non-prohibitive dislikeness...”*

This is baatil – baseless. The Shaafi’ Fuqaha do not understand the act of kissing to be ‘non-prohibitive dislikeness’ as Maqdisi alleges. Despite the unrestricted usage of the term, *Karaa-hah*, it is regarded to be Makrooh Tahreemi:

*“Kissing (whilst fasting) is Makrooh.....I say that it (Makrooh in this context) means Karaahah **Tahreem** according to the **asah** (most authentic) version.”* (Siraajul Wahhaaj, Vol.1, page 159))

This debunks Maqdisi’s claim. There are innumerable cases in which the term *Makrooh* which is used without qualification is described as Makrooh Tahreemi by the Shaafi’ Fuqaha. All of these examples we are presenting here confirm the correctness of our contention, and the manifest error and deception of Maqdisi.

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On the mas'alah of making Tawaaf on a camel, it is said: *"If he mounts (a camel) during his tawaaf, it is khilaaful aula when there is no fear of talweeth (i.e. the animal excreting/urinating), otherwise it is Makrooh Karaahah **Tahreem**."*

(Siraajul Wahhaaj, Vol.1, page 159)

*"It is Makrooh to use utensils of gold and silver.....Is this Karaahah Tanzeeyyah or **Tahreem**? There are two views. In the Qadeem view it is Karaahah Tanz-eeh.....In the Jadeed view it is said: 'It is Makrooh Karaahah **Tahreem**, and this is the authentic view." (Al-Majmoo, Vol.1, page 302)*

Note the *idhtiraab* (confusion and perplexity) of this mas'alah among the Shaafi' Fuqaha, and the metamorphosis of the word *Makrooh*:

*"The use of gold and silver utensils is haraam in terms of the Saheeh Mash-hoor Math-hab. And the Jamhoor have ruled absolutely on this view. However, the author and others (among the Fuqaha) of the Iraaqis and Al-Qaadhi Husain and his two companions narrated the qaul qadeem (the old/original version) that it is Makrooh Tanzeehi, not haraam. The majority of the Khuraasaanis reject this view while some of them interpreted that it means that the drink inside the utensils is not haraam (but the utensils are haraam).....This is not correct. On the contrary it demands **Tahreem**.....Al-Qaadhi Abu At-Teeb said: 'This what they narrated of the Qadeem demands **Tahreem** just as it effects **Tahreem** for silk.*

*Our (Shaafi') Ashaab said: "There is Ijma' of the Ummah on the **Tahreem** of eating and drinking and other uses of such utensils (of gold and silver) except what has been narrated from Daawood and Shaafi's Qadeem qaul..... (Al-Majmoo', Vol.1, page 305)*

*"It is Makrooh Tanzeeh, and it has been said (Makrooh) **Tahreem**, and on it (the view of Makrooh Tahreemi) are most (of the Fuqaha of the Shaafi' Math-hab). And, it is the Mukhtaar view*

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in terms of daleel and narrations.” (Al-Minhaajul Qaweem, Vol.1, page 254)

“Salaat for which there is no sabab is Makrooh Tahreemi.....(Fathul Mu-een, page 23)

The kutub of the Shawaafi’ are cluttered with masaa-il establishing the clear distinction between Makrooh Tahreemi and Makrooh Tanzeehi. In innumerable masaa-il, the prohibition on the same issue is described differently by different Fuqaha. Some say that the act is Makrooh Tanzeehi while others label the very same act Makrooh Tahreemi. It has been made abundantly clear by the Shaafi’ Fuqaha that commission of Haraam and Makrooh are both sinful. The difference in the technical designations is of academic import only. It has no relationship to *amal* (practical implementation). Both acts – Haraam and Makrooh Tahreemi – are strictly prohibited and sinful.

It should now be clear to any doubter or anyone who is perplexed by the difference in classification of the prohibited act of shaving the beard between Imaam Shaafi’ and his vastly junior, Imaam Nawawi that the difference pertains to the academic realm. Imaam Nawawi and all the later Shaafi’ Fuqaha who classified beard-shaving (*jubbuth thakar*) as a Makrooh act, intended Makrooh Tahreemi which has the same effect as haraam relative to practical implementation. It is precisely for this reason that Ibnul Mulaqqin in his *Al’I’laam bi Fawaaid Umdatil Ahkaam*, adopting the stance of Imaam Al-Halimi, likens shaving the beard to *jubbuth thakar*. Surely *jubbuth thakar* is not a permissible act! Perhaps it is for the *mukhann-athur rijaal* (male hermaphrodites).

The foregoing masaa-il randomly extracted from the Shaafi’ kutub make a mockery of Maqdisi’s claim that Makrooh Tahreemi is peculiar with only the Hanafi Fuqaha and that there is no such classification in the Shaafi’ Math-hab. His stupidity and extremely deficient research of the Shaafi’ kutub are the effects of the divinely cast *Rijs* on his brains.

TWO CLINCHING ARGUMENTS

An argument which decisively demolishes Maqdisi's contention that by *Makrooh* Imaam Nawawi intended *Tanzeeh* is the ruling pertaining to plucking out white hairs from the beard. Discussing this prohibition, Imaam Nawawi states in his *Al-Majmoo'*:

"Plucking out white hairs (from the beard) is Makrooh because of the Hadith..... Similarly our Ashaab say that it is Makrooh. Al-Ghazaali has explicitly stated so as well as Al-Baghawi and others (among the Shaafi' Fuqaha). And, if it is said that it is haraam because of the explicit prohibition, it will not be far-fetched. " (Al-Majmoo', Vol.1, page 344)

In *Fathul Baari*, Ibn Hajar states:

*"Nawawi has narrated from Ghazaali.....he said: 'Regarding the beard ten acts are Makrooh – dying it with black dye.....and plucking out white hairs. And Nawawi has made tarjeeh (preferred) **Tahreem** (i.e. it is haraam to pluck out the white hairs from the beard) by virtue of the warning confirmed (in the Hadith)....." (Fathul Baari, Vol.19, page 351)*

The *Tahreem* 'recension' of Imaam Nawawi debunks the following claim of Maqdisi:

"It is clear from the above that large groups of scholars were aware of hadiths about beautification and cleanliness (khisal al-fitra) that were transmitted in the form of a command, and yet they did not understand that the command implied obligation. Instead they understood the command was issued in order to establish recommendation or to merely give advice."

This averment is not only erroneous, it is blatantly false – a deliberate lie concocted by Maqdisi. It is clearly stated in the Shaafi' kutub that of the ten acts pertaining to the beard, the one is worse than the other. The *Karaahah* is incremental with each act. Thus Imaam Nawawi labelled as haraam the acts of plucking out hairs from the beard and dying the beard black.

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Now any person whose brains are not polluted with the concoctions of western liberalism, will readily comprehend that when plucking out a couple of hairs from the beard is such a Makrooh described even as Haraam, then to a greater degree will the prohibition of *hurmat* apply to shaving off the entire beard.

Furthermore, it is blatantly baseless to contend that the other *khisaal-e-fitrah* such as removing the underarm and pubic hairs, and clipping the moustache are recommended acts. The Shaafi' Math-hab too stipulates that it is compulsory to remove these hairs after 40 days have lapsed. Furthermore, even the acts of *fitrah* which are not Waajib (compulsory) are *Muakkad (Emphasized)* to the degree that no one among the Fuqaha of any Math-hab contend that abstention from the acts of *fitrah* is permissible (*mubah*). Those acts of *fitrah* which are not compulsory, abstention from them is *Makrooh*, and *Makrooh* be it of the *Tanzeeh* category is *Ghair Jaaiz* (not permissible) according to the Shaafi' Math-hab. Maqdisi's contention of 'recommendation' is therefore highly misleading and deceptive.

Another clinching argument is the fact that there exists *Ijma'* of the Shaafi' Fuqaha on the *hurmat* of *Tashabbuh bil kuffaar*. The official view of the Math-hab is that it is haraam. Thus any act executed in emulation of the kuffaar is haraam. Rasulullah (sallallahu alayhi wasallam) has specifically mentioned the element of *Tashabbuh bil Majoos* and has explicitly commanded opposition to the Yahood by means of lengthening the beard and shortening the moustache. Thus the *illat (raison d'etre)* of *Tashabbuh (emulation)* is *Mansoos*. It logically and Islamically follows that the motivation for shaving the beard is *Tashabbuh bil kuffaar*. It is therefore quite simple to understand that shaving the beard is haraam beyond the slightest vestige of doubt, and that Imaam Nawawi by the word *Makrooh* intended *Tahreem*. To say the least, the contention that it is Makrooh Tanzeehi to shave the beard is egregiously stupid and slanderous.

BLACK DYE – ANOTHER ARGUMENT

In his *Al-Majmoo'*, Imaam Nawawi states: *"The Fuqaha have unanimously condemned dying the head or the beard with black dye. Ghazaali said in Al-Ihya, and Baghawi in At-Tahzeeb, and others from the (Shaa'fi) Ashaab: 'It is Makrooh.' The apparent meaning of their statements is that it is Karaahah Tanzeehiyyah. (However) the Saheeh (authentic) and Sawaab (proper) view is that it is **haraam**. The author of Al-Haawi is among those who have explicitly stated **Tahreem**.....The daleel of its **Tahreem** is the Hadith of Jaabir (radhiyallahu anhu)....."*

The *Karaahah* of dying the beard black is explicitly stated by Imaam Nawawi as **Tahreem**. What then does the intelligence demand and conclude regarding the designation of the *Karaahah* of imitating the kuffaar, opposing the Rasool, opposing the Sahaabah, opposing the Ambiya and opposing the Ummah by shaving the beard? Only brains corrupted with the malady of *jubbuth thakar* will interpret Imaam Nawawi's *Makrooh* designation of the prohibition to be *Makrooh Tanzeehi*.

ABSTENTION FROM DYING THE HAIR

Dying the hair red is permissible. Black dye is *haraam*. Regarding hair-dying, Maqdisi, in his attempt to find support for his beard-shaving *ghutha*, says: *"It is farfetched that the companions who did not dye their hair would not be aware of the fact that the Prophet (Allah bless him and give him peace) used to dye his hair and that he commanded Muslims to dye their hair in order to be different from the Jews and Christians. Despite this, we find that not only did they not hold dyeing to be obligatory, but they did not dye their hair at all..."*

There is no capital for Maqdisi in abstention from dying the hair. *Amr* (Command) is not always for *Wujoob* (Compulsion). The

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Sahaabah and the Aimmah Mujtahideen of the Taabi-een era were the best authorities to decide this issue. What they ruled to be *Wajib*, the Ummah accepted it as such. When they ruled a specific *Amr* to be for *Istihbaab*, the Ummah accepted it such. Characters of this era such as Maqdisi, do not have any entitlement to extract a rule from its context and to apply it to justify their whimsical rubbish. It is most unintelligent to argue a *haraam/makrooh hukm* on the basis of an *Amr* injunction whose consequence the Fuqaha say is *Istihbaab*.

Abstention from dying the hair is on account of the *Amr* (*Command*) being for a *Mustahab* act while the *Amr* to lengthen the beard is unanimously for *Wujoob*. The Shaafi' Fuqaha who describe the prohibition with the term *Makrooh*, i.e. *Makrooh Tahreemi*, do not hold the view that the command to lengthen the beard is for *Istihbaab*. If they had understood the command as being for *Istihbaab*, Imaam Shaafi', Imaam Qaffaal, Imaam Halimi and countless other Fuqaha, both of the former and later eras, would not have contended that shaving the beard is Haraam, nor would the later Shaafi' Fuqaha have said that shaving the beard is Makrooh intending thereby Makrooh Tahreemi as it has been proven in this treatise beyond the slightest vestige of doubt.

By the employment of skulduggery, Maqdisi seeks to pull wool over the eyes of the ignorant ones. He attempts to confuse people with the issues which are effects of commands which have different technical designations. The Sahaabah were in the best position to understand the meaning of Rasulullah's commands. Hence, we find that while many Sahaabah abstained from dying their hair despite the 'command', not a single one ever shaved his beard since they all understood the *Wujoob of the latter command, and the Istihbaab of the former*.

Furthermore, with regard to the Sahaabah abstaining from dying their hair despite the command, they understood that the command in this regard was for a specific purpose and time, hence they abstained. The Sahaabah were not men who abstained from a

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command even if it was for *Istihbaab* because they understood that abstention from *Mustahab* is also reprehensible and is the effect of deficiency of love for Rasulullah (sallallahu alayhi wasallam). As far as the Sahaabah were concerned, practical implementation of every preference of Rasulullah (sallallahu alayhi wasallam) was incumbent. Highlighting this attitude of love of the Sahaabah, Ibnul Mulaqqin, the great Shaafi' authority states in his *Al-I'laam bi Fawaa'id Umdatil Ahkaam*, Vol.4, page 467:

“With regard to amal (practice), they (the Sahaabah) did not differentiate in Makrooh. They totally abstained from Makrooh whether Tanzeehi or Tahreemi.”

The concept of permissibility to abstain from *Istihbaab* and to perpetrate Makrooh Tanzeehi are the understanding of the *jubbuth thakar clique*. There is absolutely not a straw of assistance in this mas'alah for the *ghutha* of Maqdisi.

THE 'LEVELS OF THE SCHOLARS' AND MAQDISI'S IGNORANCE

In another bamboozling stunt, Maqdisi states: *“As for the statement of the questioner that some scholars say that the relied-upon position in the Shafi' school is that it is unlawful to shave or shorten the beard, its incorrectness has been explained above. It is a well-known fact that the relied-upon position of any school of law is taken from the reliable scholars of that school itself.....It has been made clear above that the position that is deemed strongest by the two shaykhs, Nawawi and Rafi', is the official, relied-upon position of the school of Imam Shafi'.”*

The very first deception which is to be exposed, and which we have already done, is that the difference between *Shaikhain* (Imaam Nawawi and Imaam Rafi') on the one side, and Imaam Shaafi', Imaam Qaffaal, Imaam Halimi and many other senior

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Shaafi' Fuqaha is a technical issue. But Maqdisi has cunningly laboured to pull wool over the eyes of the unwary by creating the idea of a major difference. Both groups of Shaafi' Fuqaha are in agreement that shaving and shortening the beard are prohibited. They differ only in the degree of the evidence to substantiate their respective views. While Imaam Shaafi' and the other senior Fuqaha label the prohibition 'haraam', Shaikhain describe it (the prohibition) with the term 'makrooh'. We have already explained the meanings and effects of the term Makrooh.

The term Makrooh in the context of shaving and shortening the beard means Makrooh Tahreemi which is tantamount to haraam.

Secondly, Shaikhain appeared on the scene four centuries after Imaam Shaafi'. They are vastly junior to Imaam Shaafi' in every aspect. While Imaam Shaafi' is the Mujtahid Imaam of the Math-hab, Shaikhain are his Muqallideen (followers). The type of selected blind obedience proffered by Maqdisi is baseless. It is irrational and preposterous to accept that the views of Shaikhain who appeared 6 centuries after Rasulullah (sallallahu alayhi wasallam) represent the final word of the Shariah, and all views of all the most senior Fuqaha of the Khairul Quroon should be discarded.

It has already been explained that numerous Shaafi' Fuqaha of both eras uphold the *Tahreem* view of Imaam Shaafi'.

Thirdly, it is manifestly clear that in offering a view in conflict with Imaam Shaafi' and the other senior Shaafi' Fuqaha, Imaam Nawawi has erred. Irrespective of his lofty status, he too erred. Imaam Abdul Wahhaab Sha'raani who is a senior authority of the Shaafi' Math-hab said: *"Whoever adheres to the obscurities (and errors) of the Ulama, has made his exit from Islam."*

Taqleed does not permit the Muqallideen Ulama to adopt such blind following which negates the well-established *ahkaam* of the Shariah as presented by the Aimmah Mujtahideen. It is therefore improper to follow the glaringly incorrect 'recension' of Imaam

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Nawawi in view of the conflict with Imaam Shaafi' and the other senior Shaafi' Fuqaha whose views are corroborated by all the Fuqaha of the other three Math-habs.

Ulama are supposed to employ their intelligence, and not blindly follow error simply because the originator of the error happens to be an authority of lofty status. We reiterate that the difference between Imaam Nawawi and Imaam Shaafi' is peripheral, and has no effect on the severity of the prohibition of shaving the beard.

Fourthly, Maqdisi has conveniently selected this specific view of Imaam Nawawi for the purpose of creating a basis on which to develop his baatil idea of beard-shaving. He ignores Imaam Nawawi's explicit use of the term *Tahreem* to describe plucking of white hair from the beard. This haraam description by Imaam Nawawi totally debunks Maqdisi's stupid view.

Fifthly, there is no obligation to follow the glaring errors of the Muqallideen Ulama. Those who irrationally submit to such jahaalat, come within the scope of the Qur'aanic aayat:

"They (Bani Israaeel) took their Ulama and their Mashaaikh as gods besides Allah..."

It is ludicrous to abrogate the *Nass* of Imaam Shaafi' on such a vital, Waajib issue as the beard and to present a slightly different view which is then subjected to *Ta'weel Baatil (Baseless interpretation)* to fabricate a view which contradicts a ruling which has existed in Islam for six centuries from the age of the Sahaabah.

Sixthly, the effect of Maqdisi's contention implying that Imaam Shaafi's view is erroneous, is that for six centuries which includes the *Khairul Quroon* epoch, from the very inception of Islam, the Ummah had dwelt in error on the beard issue, and it was only during the 7th century that the truth became manifest. In other words the *hukm* pertaining to the beard was unknown to even the Sahaabah. The Aimmah Mujtahideen were the Students of the Sahaabah and some were the Students of their Students. It is ridiculous to proffer the stupid theory that the Aimmah Mujtahideen of the Khairul Quroon era lacked such knowledge of

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the Shariah which Imaam Nawawi discovered many centuries later. Nothing of Islam was lost during the initial stage of the Deen.

The claim that Imaam Halimi's *Tahreem* position is weak is utterly baseless. Senior Shaafi' Fuqaha have authenticated the *Tahreem* view. Islamic logic and simple intelligence demand that Imaam Nawawi's position on this issue be declared 'weak', not the position of Imaam Shaafi', Imaam Qaffaal, Imaam Halimi, Imaam Ibn Rif'ah, Imaam Azra'i, and many other Shaafi' Fuqaha of both the Mutaqaddimeen and Muta-akh-akhireen eras.

The *Nusoos* of the Shariah substantiate the view of these great Shaafi' Aimmah, not the view of Imaam Nawawi and those who have blindly adopted his error. Again we emphasize that despite the error, Imaam Nawawi and all Fuqaha of the Shaafi' Math-hab affirm the prohibition of shaving, in fact of even cutting the beard. The authenticity of the Shariah is not reliant on the views and technical designations attributed to the *ahkaam* by two Ulama who appeared on the scene six centuries after Rasulullah (sallallahu alayhi wasallam) regardless of their lofty status.

MAQDISI'S ALLEGED IMPERMISSIBILITY OF AMR BIL MA'ROOF ON THE BEARD ISSUE

In this regard, Maqdisi avers: *"I would like to conclude this answer by mentioning that the rulings of commanding the right and forbidding the wrong only apply to matters that are agreed upon among scholars as being obligatory or unlawful. As for something that is differed upon, such as the issue under discussion, it is not permissible to condemn someone for doing it.*

.....it is therefore not permissible for a follower of the Hanafi school to condemn a follower of the Shafi school for eating a lizard, a hyena, or meat upon which the name of Allah was not pronounced even though such matters may be unlawful in the Hanafi school."

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This is *baatil*. The entire institution of Amr Bil Ma'roof Nahy Anil Munkar will have to be abrogated if this ludicrous stance is adopted.

Hanafis do not condemn Shaafis for acting in accordance with the permissibilities granted by their Math-hab. We do not condemn Shaafis who consume lizards, reptiles, hyenas, foxes and the like. We merely warn Hanafis to be on their guard and not consume meat foods prepared by Shaafis who consume such meats. It is our Waajib duty to forewarn Hanafis because such meat is absolutely haraam in terms of the Hanafi Math-hab.

We do not condemn Shaafis for the innumerable differences with the Hanafi Math-hab on a range of issues. But as far as the beard is concerned we say that any Muslim, be he Hanafi, Shaafi, Maaliki or Hambali who shaves his beard, is a faasiq, a mal-oon and an enemy of Rasulullah's Sunnah. There is complete *Ijma' of the Ummah of all Four Math-habs* on the prohibition of shaving the beard, and what Maqdisi and the *jubbuth thakan clique* propagate is *haraam ghutha – absolute rubbish, false and baatil*. There is no scope in any Math-hab for permissibility of perpetrating the kuffaar practice of shaving the beard.

It must be emphasized again that the views of all Shaafi Fuqaha including Shaikhain, coincide with the view of their Mujtahid Imaam Shaafi' regarding the prohibition of shaving the beard. Maqdisi has employed stupid mental gymnastics around a technical word to create a smokescreen for the rubbish he has spawned and disgorged in the names of Imaam Nawawi and Imaam Rafi'.

We also reject with contempt Maqdisi's contention regarding consumption of meat on which the Name of Allah Ta'ala is not taken at the time of slaughtering the animal. The permissibility of consuming such meat according to the Shaafi' Math-ha is not unrestricted. There is no blanket permission for consuming such meat which in terms of the Hanafi Math-hab is carrion. Imaam Shaafi' states in his *Kitaabul Umm*: "*If the Tasmiyah is omitted*

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istikhfaafun, the slaughtered animal shall not be consumed.” Imaam Shaafi’ also emphasizes:

“If he (the slaughterer) intentionally omits Tasmiyah, I consider it Makrooh to consume it....”

Istikhfaaf is to regard an act as being insignificant and of hardly any importance.

Imaam Ghazaali, a leading authority of the Shaafi’ Math-hab says in his *Ihyaal Uloom*:

“.....Because the aayat (of the Qur’aan) is explicit (obvious) in making the Tasmiyah Waajib, and the Ahaadith in this regard are Mutawaatirah.....And thabah with Bismillah is well-established, and all of this reinforce that Tasmiyah is a (compulsory) shart (condition) for the validity of thabah.”

Shaikh Abul Futooh Muhammad Bin Muhammad Bin Ali Tai of the later Shaafi’ Fuqaha, in his kitaab, *Arba-een*, has adopted the view that abstention from Tasmiyah renders the animal unlawful.

Abstention from Tasmiyah in this era of mass slaughter in the kuffaar killing facilities is *Istikhfaafan and Tahaawunan*. In fact it is neglected with scorn. Imaam Nawawi states in his *Sharhul Muslim*: *“Verily, Muslims have enacted Ijma’ on Tasmiyah at the time of irsaal (letting loose the trained animal) in pursuit of a wild animal, and at the time of thabah and nahr.”*

Imaam Shaafi’ stipulates even the recitation of Durood on our Nabi (sallallahu alayhi wasallam) at the time of thabah. He brands abstention from Durood at the time of slaughter an act of shaitaan. Thus, he mentions in *Kitaabul Umm*: *“I fear that shaitaan will influence some ignoramuses to neglect the mention of the name of Rasulullah (sallallahu alayhi wasallam) at the time of thabah.”*

It is therefore no longer permissible for Shaafis to consume meat on which Tasmiyah was not recited even if the slaughterer is supposed to be a Shaafi’. It is therefore valid and imperative for a Hanafi to execute the obligation of Amr Bil Ma’roof by

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condemning the wholesale, wanton and scornful abandonment of Tasmiyah which is being perpetrated nowadays.

Furthermore, if a Shaafi' omits Tasmiyah intentionally, albeit without the element of *Istikhfaaf*, then whilst Shaafis may consume such meat, it will remain haraam carrion for Hanafis, and Amr Bil Ma'roof will be directed to Hanafis to abstain from such meat.

If Maqdisi and the *jubbuth thakar clique* believe that they have licence to discard Imaam Shaafi's categorical ruling, viz. shaving the beard is haraam, what restrains us and others from ignoring Imaam Nawawi's advice on the issue of Amr Bil Ma'roof? If the *jubbuth thakar clique* believes that they have the entitlement to reject the *Ijma'* of the Ummah on the haraam beard-shaving issue, why would it be improper for others who prescribe to the *Ijma'* to submit to the personal advice of Imaam Nawawi with regards to Amr Bil Ma'roof?

The foregoing discussion in this treatise establishes beyond every vestige of doubt that the Shaafi' view on the beard is the strongest and most uncompromising. Whilst the other Math-habs permit cutting the beard beyond the fist length, the Shaafi' Math-hab does not allow it, even if the beard has to hang on to the ground. Plucking out a couple of white hairs from the beard has been explicitly condemned as Haraam (not Makrooh) by Imaam Nawawi. How is it then possible for Imaam Nawawi to describe shaving the whole beard as a makrooh tanzeehi act devoid of sin? Men who are able to condone *jubbuth thakar* are capable of arriving at such preposterous conclusions.

Almost every mas'alah in the Shaafi' Math-hab is the victim of intense difference. It is therefore incorrect to maintain that Amr Bil Ma'roof should terminate on issues simply on account of disagreement. He who substantiates a case for *hurmat*, is entitled to promote his position and reject the opposite view of permissibility.

Rasulullah (sallallahu alayhi wasallam) condemned beard-shaving as the act of the fire-worshippers and of the Yahoood. He turned his mubaarak face away in disgust when his eyes fell on to

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the clean shaven faces of the Persian emissaries. He commanded in many Ahaadith lengthening of the beard. No one has the right to suggest to us to abstain from perpetuating this Amr Bil Ma'roof Nahy Anil Munkar commanded by Rasulullah (sallallahu alayhi wasallam). Neither Imaam Ghazaali nor Imaam Nawawi has the right to impose such a ban on any one, least of all on the Ahnaaf.

Rasulullah (sallallahu alayhi wasallam) said that the one who does not clip/shorten his moustache is *"not from among us"*. The Shawaafi' accept the authenticity of the Hadith and support the case for the WujooB of cutting the moustache. No one has the right to advise the Ahnaaf to refrain from condemning a Muslim who emulates kuffaar style moustaches. We shall state unequivocally that such a faasiq *"is not from among us"*.

In his attempt to bolster his baatil Maqdisi says: *"Imam Nawawi said in his commentary on Sahih Muslim, Scholars only condemn what is agreed upon. As for something that is differed upon, it may not be condemned...."*

There is no support for Maqdisi in such generalities which break down and flounder with almost every act. Imaam Nawawi, himself, states in the commentary of Sahih Muslim: *"Verily, Makrooh will be condemned just as haraam is condemned, and verily, whoever sees an evil (committed) and he has the ability of changing (preventing) it with his hand should change it by virtue of the Hadith of Abu Saeed Al-Khudri (radhiyallahu anhu). Verily, Khabrul Waahid is acceptable (and one can act on its basis)."*

It is a known fact that *Makrooh* in the Shaafi Math-hab is an extremely elusive creature. Despite the definition posited for Makrooh Tanzeehi, it simply flounders and crashes just as the waves crash and break on the sea shore. With almost every action described as Makrooh in the unrestricted sense of the word whose effect is Tanzeeh, develops the Tahreem angle from another source. The confusion regarding *Makrooh* is extreme among the Shaafi' Fuqaha, hence their perplexity. They find *Makrooh* very vexatious, and this constrained the Author of *Al-Burhaan fi Usoolil*

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Fiqh to say: “*The Usooliyyoon are confused regarding the meaning of Makrooh.....Therefore, the Ulama became perplexed after having despaired regarding the meaning of Makrooh.....*” (Vol.1, page 215)

There is neither a uniform definition for Makrooh nor a comprehensive concept of it in the Shaafi’ Math-hab. A variety of meanings has been proffered, and the meanings vary with the different examples of deeds. One definition indicates that when the term Makrooh is mentioned unrestrictedly, the effect is Tanzeeh. However, despite the word being used without any qualifying condition, the Fuqaha interpret it as Karaahah Tahreem depending on the type of abomination the deed happens to be. In the many examples we have mentioned in the foregoing pages, this oscillation between extremes can be ascertained. The same act will be Tanzeeh according to a Faqeeh whilst others label it Tahreem.

Similar is the position with the general statements pertaining to Amr Bil Ma’roof Nahy Anil Munkar. The intensity of the differences of the plethora of *ahkaam*, effectively preclude adherence to the advice tendered on the issue of Amr Bil Ma’roof regarding issues on which there exist disagreement. Such disagreement is the lot of almost every rule. The fact that Imaam Nawawi states that Makrooh should be condemned just as haraam is condemned should suffice for debunking what Maqdisi has contended.

“*Abu At-Teeb and a group of the Shafi’iyyah unequivocally stated that the moaning of a sick person is Makrooh whereas Nawawi said that this is weak (dhaeef) or baatil because Makrooh is that which is affirmed by a definite prohibition....*” While a group of the Shaafi’ Fuqaha proclaims an act Makrooh, Imaam Nawawi says that their ruling is baseless. In rejecting their ruling, Imaam Nawawi implied that these Shaafi’s were unaware of the definition of Makrooh. This is just one example tendered as a sample of the huge conflict among the Shaafi’ Fuqaha regarding the meaning of Makrooh.

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According to one definition, it is waajib (compulsory) to abstain from Makrooh. In this regard, it appears in *Fathul Baari, Vol.13, page 263*: “*On the basis of it (i.e. the Qur’aanic verse) it has been deducted that it is incumbent to abstain from Makrooh by virtue of the general import (umoom) of the (Qur’aanic) command to abstain from prohibition.....*” Then this definition is assaulted and negated, and so it proceeds in a tunnel without the end being visible.

In view of such a deluge of differences on the masaa-il and deeds, the advice pertaining to abstention from Amr Bil Ma’roof cannot be afforded general application. The whole institution of Amr Bil Ma’roof Nahy anil munkar will simply shut down, terminate and recede into oblivion should the general advice of Imaam Nawawi, Imaam Ghazaali and others be rigidly implemented.

Attention is again drawn to Maqdisi’s lizard and hyena insinuation. The Ahnaaf never bring such issues within the ambit of their Amr Bil Ma’roof when it is directed to followers of the Shaafi Math-hab. Can Maqdisi cite just one example where the Hanafi Ulama criticized Shaafis for availing themselves of any Shaafi permissibility such as consuming lizards, reptiles, hyenas, etc.? The beard is completely excluded from the scope of Shaafi’ permissibility. We do not accept the stupid rubbish disgorged by the *jubbuth thakar clique* on the beard issue. Any practicer of *jubbuth thakar* (beard-shaving) who professes to be a Muslim, shall be severely reprimanded regardless of which Math-hab he follows. No Math-hab offers immunity for the dastardly act of *jubbuth thakar* which Maqdisi has so laboriously, but abortively, attempted to elevate to the pedestal of permissibility.

If one sees a Muslim trampling on a grave, shall he abstain from Amr Bil Ma’roof, maintain silence and enjoy the scene because it is reported in the kutub that Amr Bil Ma’roof should not be directed at issues which are the effects of ‘disagreement’? In terms of the Shaafi’ Math-hab, trampling on a grave is Makrooh, and

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Makrooh is a multifaceted, elusive creature with a voracious appetite for consuming disagreement and difference. There is *nass* of Imaam Shaafi' that it is Makrooh to even lean against a grave and to sit on a grave. Sleeping in the qabrustaan is Makrooh. Al-Mahaamili said that sitting on a grave is '*Laa Yajoozu*', i.e. *It is not permissible*. It has also been argued that what is not permissible is also Makrooh, and what is permissible can also be Makrooh. And, some issues which are Makrooh Tanzeehi according to one version are also Makrooh Tahreemi according to other versions.

According to some Shaafi' Fuqaha it is permissible to recite *Salaat* (i.e. *blessings*) on others besides Rasulullah (sallallahu alayhi wasallam). Commenting on this issue, Imaam Nawawi says in his *Al-Majmoo*', Vol.6, page 156: "*Verily, most (of the Fuqaha) have categorically said that it is Makrooh to recite Salaat on those who are not Ambiya.....Al-Mutawalli said: 'Salaat initially is not permissible on anyone besides the Ambiya. The demand of his statement is Tahreem (i.e. it is haraam). However, the Mash-hoor (popular) view is that it is Makrooh. It has also been said that it is khilaaf-e-aula, and it is not designated makrooh. Thus, four views are the effect. The most authentic is that it is Makrooh. The second view is that it is haraam. The third view states khilaaf-e-aula, and the fourth view is Mustahab. Then Ar-Raafi' collected the statement of Imaamul Haramain and of all the Ashaab on this issue (for producing a reconciliation)...*"

The ruling for the same issue oscillates between Haraam and Mustahab. It is irrational to expect an issue to be Mustahab and Haraam at the same time. In a Math-hab there has to be a *Mufta Biha* final version to which the Muqallideen of the Math-hab will have to incumbently submit. Then whoever among the Muqallideen of the Math-hab acts in violation will be the subject of Amr Bil Ma'roof. Maqdisi's conception of abstention from Amr Bil Ma'roof on the basis of 'disagreement' in views presupposes abrogation of the institution of Amr Bil Ma'roof Nahy Anil

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Munkar. But this institution shall remain operative until the Day of Qiyaamah. Bygone nations who had abandoned this Waajib institution were obliterated by the *Athaab* of Allah Azza Wa Jal.

The authorities in charge of the Muslim nation have the incumbent obligation of *Amr Bil Ma'roof* and to condemn, warn and apprehend even the violators of Makrooh and Mandoob. Thus, the following appears in *Haashiyah Qalyubi, Vol.4, page 215*: “*It is for the Muhtasib to condemn the perpetrator of Makrooh and the one who abstains from Mandoob.*” The Ulama, parents, Mashaaikh, Asaatizah, husbands, wives and everyone who has jurisdiction over people are obliged by the Shariah to diligently discharge the duty of *Amr Bil Ma'roof Nahy Anil Munkar*.

SHAAFI' AUTHORITIES WHO EXPLICITLY DECLARED SHAVING THE BEARD HARAAM

Among the Shaafi authorities (Aimmah-e-Mujtahideen and Fuqaha) who explicitly described shaving the beard as Haraam are the following:

- (1) Imaam Shaafi' 150 – 204 Hijri
- (2) Imaam Qaffaal As-Shaashi 291 -365 Hijri
- (3) Imaam Abu Abdullah Haleemi 338 – 403 Hijri
- (4) Shaikh Ibnur Rif'ah 645 -710 Hijri
- (5) Shihaabul Azra'i 708 – 783 Hijri
- (6) Imaam Abu Hafs Ansaari Ibnul Mulaqqin 723 - 804
- (7) Ibn Hajar Haitami 909 – 973 Hijri
- (7) Shaikh Zainuddeen Al-Maleebaari - d.987 Hijri
- (8) Shaikh Ahmad Bin Qasim Abbaadi – d.992 Hijri
- (9) Shaikh Shareef Hadhrami 13th century Hijri (Author of Bughyatul Mustarshideen)
- (10) According to Shaikh Zainuddeem Al-Maleebaari who was the student of Ibn Hajar Haitami, the majority of the Muta-

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akh-khireen Shaafi' Fuqaha held the view of *Hurmat*, i.e. it is haraam to shave the beard. (*Fathul Mu-een*, Vol.4, page 168)

A search of the kutub will most probably reveal numerous more names of Shaafi' Fuqaha who adhere to the ruling of Imaam Shaafi' and the early Aimmah and Fuqaha of the Shaafi' Math-hab.

MAQDISI'S ADMISSIONS AND INCONGRUITIES

Despite Maqdisi's insane effort to attribute Shar'i permissibility to the kuffaar practice of *jubbuth thakar*, the stark reality of the absolute (*Qat'i*) prohibition compels him to begrudgingly concede as follows:

(1) "It is important at the outset to know that (a) keeping a full-length beard is a sunna that is established from both the **practice** and **command** of the Prophet (Allah bless him and give him peace), that (b) keeping a beard is a **distinctive** mark of Muslim men, especially the scholars and the righteous among them, and that (c) there is scholarly agreement that to completely shave off the beard without any excuse (*i.e. without a valid Shar'i reason*) is blameworthy."

(2) "I know of no Muslim scholar of any of the four school's – whether an early scholar or a late scholar – or of any other school who ever said that it is unconditionally permissible to shave one's beard." (*This is a loud admission of the impermissibility of shaving the beard. This one statement of Maqdisi debunks his entire redundant and baseless argument to substantiate permissibility.*)

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(3) “The majority of scholars have understood that the above-mentioned hadiths – all of which command Muslims to grow full beards – in their immediately obvious sense, coming to the conclusion that it is unlawful to completely shave the beard. This position has been transmitted from the imam of our school, Imam Shafi’ (May Allah be pleased with him and have mercy on him), and a number of Shafi’ scholars – both early and late – have adopted it as their preferred position. Among the early Shafi’s who held this position are the two great imams, Qaffal al-Shashi and Abu Abdullah al-Halimi. Among the late Shafi’s who held this position are the two imams, Ibn al-Rif’ah and Shihab al-Adhra’i.”

The contention that this is the view of the ‘majority’, is a blatant lie. It is the view of 100% of all the Fuqaha of all Math-habs. Maqdisi has engaged in skulduggery on the issue of technical nomenclature. His mission is only to confuse and mislead the unwary masses. View his ‘majority’ claim in the light of his admission in No.2, above, and the incongruency will be manifest.

(4) “It is, however, disliked to shorten or shave the beard because **it contravenes the prophetic command to grow a full beard.**”

Despite acknowledging that shaving the beard is in contravention of Rasulullah’s command, Maqdisi, resorting to chicanery and deception struggles to ‘prove’ that it is permissible to shave the beard even without any valid reason. Again his stupid incongruity is conspicuous.

(5) “The position of our Shafi’ imams regarding growing a full beard is similar to the above (i.e. to the view of the other three Math-habs). In other words, they hold that to grow a full beard is a confirmed sunna because of the Prophet’s (Allah bless him and give him peace) command to lengthen it thereby be different from the Magians and the polytheists, and because it comprises imitating

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his blessed practice (may the choicest blessings and peace be upon him and his folk). Imam Nawawi even held the opinion that the sunna is to completely leave the beard alone and not to trim it at all.....”

The Shaafi’ Math-hab is the strictest and most uncompromising on the issue of the beard. It does not allow shortening in any way whatsoever as is permissible according to the other three Math-habs. Whereas the Hanafi, Maaliki and Hambali Math-habs allow cutting the beard if it is longer than a fist length, the Shaafi’ Madh-hab disallows it. And, whatever Maqdisi spawns on this issue is manifest baatil and a portrayal of his jahalat.

(6) “It is important to point out that someone who shaves his beard in order to turn away from the sunna, or with the intention of imitating non-Muslims or people of disobedience out of admiration for them, then this is completely unlawful without any scholarly disagreement whatsoever. Rather, if someone does this in order to mock the blessed and pure sunna of our Prophet (Allah bless him and give him peace) then – and Allah is our refuge – this would constitute disbelief and would take one out of the fold of Islam.”

Despite the gravity of the practice of shaving the beard and its awful consequences of even expelling the perpetrator of jubbuth thakar out of the fold of Islam, Maqdisi has insanely laboured to ‘prove’ that it is permissible to shave the beard. All the evil factors which motivate the vile act of jubbuth thakar (shaving the beard), mentioned by Maqdisi above, are in fact the motive for shaving the beard. There is no other motive other than the evil factors mentioned by Maqdisi.

(7) “I am only drawing attention to this point (of kufr mentioned in No.6 above) because I see that many ignorant Muslim have been duped by un-Islamic cultural practices that have invaded their

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societies: such people should realize the danger of their ways and fix themselves by turning to the Sacred Law of the Messenger of Allah (Allah bless him and give him peace).”

He acknowledges here the adoption of western/kuffaar culture by Muslims; he is aware that millions and millions of Muslims shave their beards in emulation of the kuffaar practice, yet he has managed the audacity and contumacy of contending that it is permissible to shave the beard even without valid reason.

(8) “Therefore anyone who shaves or shortens his beard without an excuse will not be sinful, but will have committed something disliked because of his contravention of the prophetic command that has been established in rigorously authenticated hadiths, and his contravention of the established practice of the Prophet (Allah bless him and give him peace).

This is a master act of skulduggery. The stupendous self-contradiction is the effect of la’nat (curse) on the brains of a man who seeks to establish a satanic, vile, mal-oon kuffaar practice in the name of the Shariah, and to crown the accursed rubbish he cites Imaam Nawawi and other Shaafi’ Fuqaha in substantiation. Just imagine! Contravention of the Prophetic command is tolerable and not sinful! He is scraping the very dregs of the barrel of ignorance and treachery against Rasulullah (sallallahu alayhi wasallam).

***“And the Haqq has come, and baatil has vanished, for verily, baatil by its very nature must perish.”
(Surah Israa’ aayat 81)***

***“In fact, We fling the Haqq against baatil, smashing its brains. Then suddenly it (baatil) disappears. Destruction for you for what you are concocting.”
(Surah Al-Ambiyaa, aayat 18)***

I'FAA-UL LIHYAH—LENGTHENING THE BEARD

By

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I'faa-ul Lihyah means: leaving it (the beard) to hang and allowing it to grow. It (*I'faa*) is derived from *'afash-shay-u*, said when something becomes abundant and increases. Thus, Allah Ta'ala says: "*Hatta 'afaww*", meaning: "until they swelled (in number and wealth)."

It is used transitively with and without a Hamzah: *A'faytuhu* and *Afaytuhu* are said.

Lihyah, with a *kasrah* on the *Laam*, means: that which grows on the cheeks and chin (that is the beard). Its plural is *lihan* with a *kasrah* on the *Laam*, and *luhan* with a *dhammah* on it; like *sidrah* and *sidar/sudar*; *hilyah* and *hilan/hulan*.

Thaqan (chin) is the place where the jaws meet.

I'faa-ul Lihyah in the Ahaadith

The Ahaadith are replete with narrations on *I'faa-ul Lihyah* or "leaving the beard to grow fully". Some of these narrations are cited below.

1. Ibn Umar reports from Nabi (sallallahu alayhi wasallam) that he said:
 "*Defy the mushrikeen! Grow full beards and trim the moustaches considerably.*" --- Bukhari
2. Ibn Umar reports that Rasulullah (sallallahu alayhi wasallam) said:
 "*Remove moustaches and grow full beards.*" --Bukhari and Aimmah Sittah

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3. It is reported from Ibn Umar that Rasulullah (sallallahu alayhi wasallam) said:

“Trim the moustaches considerably and allow the beards to grow.” --Muslim

4. Another narration from Ibn Umar mentions that Rasulullah (sallallahu alayhi wasallam) said:

“Defy the mushrikeen! Trim the moustaches considerably and grow the beards fully --Muslim

5. Abu Hurairah reports that Rasulullah (sallallahu alayhi wasallam) said:

“Trim the moustaches, let the beards hang and oppose the Majoos (fire worshippers).” –Muslim

6. Nabi (sallallahu alayhi wasallam) said:

“Oppose the fire worshippers! Grow full beards and cut much of the moustaches.”

--Ahmad, Bukhari and Muslim

There are other clear-cut and authentic Ahaadith as well instructing *I'faa-ul Lihyah* or growing full beards. Citing them will be too tedious.

Shaving the Beard

A command in principle denotes obligation. *Daleel* (proof) is required for diverging (from the principle), as confirmed in *Ilmul Usool* (the Science of Juridical Principles). Thus, shaving the beard is haraam (forbidden and outlawed) according to the Aimmah Mujtahideen: Ábu Hanifah, Maalik, Shaafi, Ahmad, and others. Some citations from the Math-habs are presented here.

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The Hanafi Math-hab

❖ In *Kitaabus Saum* of the Hanafi book, *Ad-Durrul Mukhtaar* it is stated:

“Oiling the moustache is not makrooh, provided that it is not for beauty purposes, nor for lengthening the beard when it (the beard) has reached the *masnoon* length which is a fist-length.

In *Nihaayah* it is unequivocally stated that to cut the excess of a fist-length is *waajib*. This essentially means that it is sinful to leave it (the excess of a fist-length uncut), unless *wujoob* is taken to mean ‘confirmation’.

Trimming the beard less than that (a fist-length), as some westerners (the overwhelming majority of westerners in our times) and bisexual males (moffies - hermaphrodites) do is not permitted by anyone.

Shaving off the entire beard is the act of the Hindus and fire worshippers.”

In *Al-Bahrur Raaiq* it is stated:

“It is *mustahsan* (meritorious) to oil the moustache provided that it is not for beauty purposes as it is akin to dying (the hair), and (provided) it is not done to lengthen the beard when it (the beard) has grown to the *masnoon* length which is a fist’s length. Abu Dawood reported it in his *Sunan*. The Hadith of *Sahihain* (Bukhari and Muslim) reported by Ibn Umar from Nabi (sallallahu alayhi wasallam): “*Trim the moustaches considerably and grow the beards fully*”, applies to taking most or all off as is the practice of the *Majoos*. It is their practice of shaving their beards. In this way the narrations are reconciled.

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“Insofar as trimming it is concerned, which is less than that (shaving), as some westerners and bisexual males perpetrate, no one has declared it lawful”.— *Fat-hul Qadeer*

And similarly is it mentioned in *Sharhuz Zailai'Alal Kanz, Haashiyatush Shurumbulali Alad Durar* and other kutub of the honourable Hanafiyyah.

The Shaafi' Math-hab

Allaamah Shaikh Ahmad Bin Qasim Abbaadi said in the end of the section on *Aqeeqah* of his marginal notes on *Tuhfatul Muhtaj Bisharhil Minhaaj*, rebutting those Shaafi' Ulama who aver that the *hurmat* (unlawfulness) of shaving the beard is contrary to the official position:

“In the *Haashiyah* of *Al-Kaafiyah*, Ibnur Rif'ah objected to it by stating that Shaafi' (radhiyallahu anhu) explicitly declared *tahreem* (being haraam) in *Al-Umm*.

Zarkashi added: ‘And so did Al-Haleemi in *Shu'abul Imaan* and his Ustaaz, Al-Qaffaal Ash-Shaashi in *Mahaasinush Shariah*'. Azrai' said: ‘The correct view is *tahreem* of shaving it all off without valid reason.”

Similar to the above is mentioned in *Haashiyatul Allaamah Shaikh Abdul Majeed Shirwani* of the abovementioned kitaab. From this you will understand that Imam Shaafi' himself explicitly declared shaving the beard to be haraam, and that the view of *karaahat* is erroneous, as Azrai' stated: “*The correct view is tahreem of shaving...*”

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The Maaliki Math-hab

Allaamah Shaikh Ahmad Nafraawi Maaliki said in *Baabul Fitrah Wal Khitaan* of his *Sharah* on the *Risaalah* of Imaam Ibn Abi Zaid:

“Trimming the moustache and growing a full beard are in opposition to the practice of the non-Arabs, for they would shave their beards and grow bushy moustaches. The House of Kisra (the Persian king) would also shave their beards and leave the moustaches.

Thus, the practice of the army in our times of instructing its personnel to shave their beards and leave their moustaches is undoubtedly haraam according to all the Aimmah for it is in defiance of the Sunnah of Mustafa (Sallallahu Ta’ala alayhi wa aalihi wasallam), and furthermore it is in accord with the practice of the non-Arabs and fire worshippers.

It is not permissible to practice norms and customs unless there is an explicit contradictory declaration from the Shariah. (In other words, when there is no Sharí declaration refuting the non-permissibility of a custom then it will be permissible to follow the norm or custom.) Otherwise (that is, in the absence of the Sharí declaration of permissibility), norms and customs will be *faasid* (corrupt and invalid). It will be haraam to adopt them.

Consider the act of zina (fornication) and drinking liquor being in vogue among people. No one (that is, no authority in the Shariah) has said that it is permissible to commit these acts.”

Continuing, he (Shaikh Nafraawi Maaliki) states: “Nabi (Sallallahu Ta’ala alayhi wa aalihi wasallam) instructed *I’faa-ul Lihyah*, as in *Muwatta*, that is to let the beard grow full and leave it without removing anything of it. The obvious purport of ‘instructed’ is *wujoob* (obligation). And it is such, for it is haraam for a man to shave his beard. Trimming it, if it is not long, is the

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same, (that is, it is haraam). If it is very long, the ruling is as alluded to by his statement as follows:

‘Maalik (radhiyallahu anhu) stated: ‘There is no harm in shortening its length when it has grown excessively long’; more than what is normal for most people. Thus, the excess should be trimmed in view of its retention being unsightly. The ruling of this trimming is *nudb* (recommended).....

Al-Baaji said: ‘Trim what is in excess of a fist-length.’ This is evidenced by the practice of Ibn Umar and Abu Hurairah (radhiyallahu anhum). They used to trim their beards in excess of a fist-length.

The purport of: ‘...its length’ (in Imaam Maalik’s statement) is the length of the hairs, thus including the sides. There is no harm, therefore, in trimming the sides as well (when longer than a fist-length).

This recommendation of trimming the excessively long beard was declared prior to Imaam Maalik by a number of Sahaabah and Taabi’een (Radhiyallahu Ta’ala anhum). Thus, the *raajih* (superior/preferred) view is just this. It does not clash with the *riwaayat* (report) from Imaam Maalik of leaving its length until it reaches an offensive limit. The latter is an exposition of the excessive length, as a general statement is interpreted in the light of a defined one.”

Continuing with his dissertation, he (An-Nafraawi) says: “The apparent text of the author (Ibn Abi Zaid) evinces that it is not permissible to trim more than what is the norm. It is understood from this that it is not permissible to shave that (hair) which is under the palate (that is the hair between the chin and the neck). And it is so, for its karaahat (reprehensibility) is reported from Maalik. He went to the extent of saying that it is the practice of the Majoos.

It is reported from some Shuyookh that shaving it (the hair between the chin and neck) is beauty, and its removal will therefore be part of *fitrat* (natural appearance).

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I say that merging the two views is possible by taking Imam Maalik's statement to be when maintaining it (the length of the beard) does not result in personal harm and despoiling of appearance, whilst the other statement is taken to mean: that amount which results in its maintenance producing an ugly appearance and harm to the person.

Indeed it is reported that Rasulullah (sallallahu alayhi wasallam) used to trim his beard in length and breadth. He would furthermore instruct taking from the beard inwards.

In regard to the hair of the cheeks, Ibn Arafah adopted the view of its removal being permissible.

Some Ulama have viewed the trimming of nasal hairs, not plucking, as mustahab in view of its retention being a safeguard against leprosy. Plucking it causes gangrene.

It is haraam to remove the tuft of hair below the lower lip just as it is haraam to remove the hair of the beard.

We have confined it (the ruling) to males in view of it being waajib for females to remove all hair excluding the hair of the head. *End of An-Nafraawi's dissertation.*

Allaamah Shaikh Ahmad Al-Faasi, popularly known as Zarrooq, said in his commentary on the statement of Ibn Abi Zaid: "He (Nabi sallallahu alayhi wasallam) instructed leaving the beard to grow fully and not to shorten it. Maalik said: 'There is no harm in shortening its length when it has grown excessively long. This was declared by a number of Sahaabah and Taabi'een':

'The instruction is by Nabi (Sallallahu Ta'ala alayhi wa'ala aalihi wasallam) in the Hadith: *'Remove moustaches and grow full beards'*. In other words: Leave the beard to grow fully.

Nawawi mentioned two views in regard to the *Hamzah* of *a'fu* and its deletion. *Toofaru* means: 'to leave it (the beard) as it is without shortening', for it is the dignity and beauty of man. Shaving it, shaving the grey hairs from it and plucking them out

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are forbidden acts. It is haraam to tie it (the beard) and to plait it on account of that being disfigurement.

It is mustahab to comb it for it is beautification. It has also been said that it is neither makrooh nor mustahab.

Imam Maalik said: ‘there is no harm in shortening its length.’ Al-Baaji said: ‘What is in excess of a fist-length will be trimmed.’

It is reported from Imaam Maalik that it is makrooh to shave the hair beneath the chin. He said: ‘It is the practice of the Majoos.’

He viewed the shaving of the eyebrows and nape as makrooh, saying: ‘I do not see it haraam. I am not aware of anything (that is any Hadith or ruling) regarding the surrounding areas of the beard on the face. However, it is beauty.’ In contrast to this is the command of *I’faa*. Refer to it.”

In *Sharhu Abil Hasan* of *Ar-Risaalah* and its marginal notes by Al-Adawi something similar is mentioned.

The Hambali Math-hab

In *Baabus Siwaak* of *Sharhu Mukhtasaril Muqni’* of the honourable Hanaabilah (Hambali Ulama) it is stated: “The beard should be grown fully. It is haraam to shave it. Shaikh Taqiyyud Deen stated this. It is not makrooh to trim that which is in excess of a fist-length and beneath the throat. The moustache should be trimmed considerably. This is better than slight cropping.”

Allaamah Shaikh Mansoor Bin Idrees Hambali said in the virtues of combing, etc. in his kitaab, *Kash-shaaful Qina ‘ala Matnil Iqna’*:

“Growing the beard in full is by not trimming anything of it. In the (Hambali) Math-hab it is stated that as long as its length is not considered disgusting. Shaving it is haraam. Shaikh Taqiyyud Deen stated this. It is not makrooh to trim the excess of a fist-

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length. The text reads: ‘There is no harm in trimming it’, nor trimming beneath the throat in view of the practice of Ibn Umar. However, he only did it in Hajj or Umrah. Bukhari reported it.

Allaamah Shaikh Muhammad As-Safaarini Hambali said in his kitaab, *Ghithaa-ul Albaab Lisharhi Manthoomatil Aadaab*:

“The official position in the math-hab is hurmat of shaving the beard. It is stated in *Al-Iqna*: ‘It is haraam to shave it. It is mentioned so in *Sharhul Muntaha*, etc. In *Al-Furoo*’ it is stated: ‘It is haraam to shave it. Our Shaikh mentioned it.’

It has been mentioned in *Al-Insaaf* without recording any difference on the matter.

In *Sahihain* (Bukhari and Muslim) it is reported from Ibn Umar (Radhiyallahu Ta’ala anhum) that Rasulullah (Sallallahu Ta’ala alayhi wa’ala aalihi wasallam) said: ‘*Oppose the mushrikeen! Grow the beards fully and trim the moustaches considerably*’.

Imam Bukhari further stated: ‘When performing Hajj or Umrah Ibn Umar would hold his beard and trim what was in excess.’”

SUMMARY

We have mentioned these citations so that one who is guided by Allah practices the Deen and takes note that the statements of the Fuqaha who undertook the task of formulating Ahkaam, are unequivocal in **tahreem** (pronouncing as haraam the shaving of the beard), as the Ahaadith essentially demand. Thus, the demand of the Ahaadith should be heeded in view of the obligation on the *mukallaf* (one bound by the Ahkaam of Islam), particularly those associated with *Ilm* – he should not deviate from practising the Ahkaam emanating from the tongue of Rasulullah (Sallallahu Ta’ala alayhi wa’ala aalihi wasallam) via the agency of *Wahy* (Revelation) from Rabbul Aalameen. Allah Ta’ala declares: “What

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the Rasool gives you, grab hold of it. And what he prohibits you from, abstain from it.”

In this is their (those associated with Ilm and Deen) honour and their virtue.

Many students of Ilm in these times have become careless, thus shaving their beards and growing bushy moustaches. A group among them imitate certain kuffaar shaving the sides of the moustaches and enlarging the hair beneath the nose. Many a *jaahil* (ignoramus) have fallen prey to their deception

When a beard grows on a woman she is required to efface it. So, do those (men) who shave their beards believe that they are women carrying out what is required of females? *Wa laa haula walaa quwwata illa Billaahil Aliyyil Atheem! Inna Lillaahi wainna ilaihi raaji'oon!*

*RETROSPECT
WITH FURTHER
ARGUMENT FOR
BETTER
COMPREHENSION*

THE INCONGRUITIES AND CONCOCTIONS OF THE MODERNIST DEVIATES

In this era of *fisq* and *fujoor*, western liberalism and modernism, the Muslim community abounds with modernist deviates who have set themselves up as 'authorities' of the Shariah. In this treatise we concern ourselves with a particular brand of deviates who have assumed upon themselves the task of expounding certain aspects of the Shaafi' Math-hab. Despite their extremely loose association with the Shaafi' Math-hab which they have acquired by way of birth, their nominal and hollow profession of being Shaafi's has emboldened these deviates with superficial textual knowledge corrupted by the lack of understanding of the objective of the *ahkaam* of the Shariah, to present such interpretations of the rulings of the Shaafi' Fuqaha which amount to egregious abuses of the Shariah.

To forge and impose their convoluted opinions, these deviates exsanguinated the illustrious Shaafi' Fuqaha, even their glorious Imaam Shaafi' (rahmatullah alayh) of credibility. Lost in a cesspool of religious iniquity, these deviated modernists demoted Imaam Shaafi' and all the illustrious Mutaqaddimeen Shaafi' Fuqaha such as Qaffaal As-Shaashi, Abu Abdullah Haleemi, and numerous others who flourished in the golden epoch of Islam known as *Khairul Quroon – the Noblest of Ages* – to whose nobility Rasulullah (sallallahu alayhi wasallam) had testified – they demoted these illustrious Giants who strode the firmament of Shar'i Uloom to occupy a rank lower than their muqallideen who appeared on the scene several centuries after them. Thus, these *juhhaal* pseudo Shaafi' quacks and cranks of our time, in effect transformed their Aimmah-e-Mujtahideen of the *Khairul Quroon* era into muqallideen of their own muqalliddeen who flourished many centuries after them. We thus find these stupid pseudo-Shaafi's who in reality are not faithful followers of Imaam Shaafi'

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or muqallideen of the Shaafi Math-hab, making Imaam Shaafi' and others in the bracket of his lofty status, subservient to Imaam Nawawi and Imaam Raafi' who appeared on the scene during the 7th century of the Hijri era.

While these ignoramuses exhausted their efforts in the abortive attempt to solidify in the minds of the ignorant masses the utterly despicable notion that Imaam Shaafi' and his illustrious companions had committed a grave error in having ruled that it is haraam to shave the beard, they have miserably failed to produce a single logical and Shar'i *daleel* for their corrupt and baseless view made arbitrarily. They seek to purvey this baatil notion by portraying a superficial technical point of *ikhtilaaf* developed by Imaam Nawawi centuries after Imaam Shaafi', as the holy writ. They are at laborious pains to equate Imaam Nawawi's error – the error of the *ikhtilaaf* which he created with Imaam Shaafi' – to the pedestal of *Wahi*, and whilst they are NOT genuine Muqallideen of either Imaam Shaafi' or of Imaam Nawawi, they fraudulently and deceptively in order to mislead, proffer the pretence of being 'blind' followers of Imaam Nawawi and Imaam Raafi' – two Shaafi' Fuqaha who are vastly junior to Imaam Shaafi' in every respect.

The truth of the sordid *baatil* they are peddling is that their 'taqleed' of Imaam Nawawi is extremely selective as well as incongruous and dishonest, which we shall, Insha'Allah demonstrate further on. On the issue of *jubbuth thakar* (*shaving the beard*), they purport to be following Imaam Nawawi. They perpetrate their despicable deception on the basis of the superficial difference of technical designations. Whilst Imaam Shaafi', all the Mutaqaddimeen Shaafi' Fuqaha of the centuries preceding Imaam Nawawi, and all the Fuqaha of all Math-habs, and all the Sahaabah, Rasulullah (sallallahu alayhi wasallam) and all the Ambiya (alayhimus salaam) by word and deed commanded lengthening the beard and prohibiting shaving the beard – whilst they all unanimously decreed shaving the beard to be Haraam, Imaam Nawawi appearing in the seventh century committed the

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grave error of designating the haraam act of beard-shaving with the technical term of prohibition, viz., Makrooh Tahreemi.

The pseudo-Shaafi' morons of our age, like leeches, latched onto this error of Imaam Nawawi, tearing the technical term (Makrooh) out of its context and meaning and portraying the *prohibition* as a permissible and 'not sinful' act whilst this is furthest from the meaning intended by Imaam Nawawi. In the preceding pages we have already explained that *Makrooh* in the context of beard-shaving, is understood by all Shaafi' Fuqaha unanimously to mean *Makrooh Tahreemi* which in terms of practical implementation has the exact consequence of Haraam. There is absolutely no difference in terms of *amal* (practical implementation) between *Makrooh Tahreemi* – the *Makrooh* stated by Imaam Nawawi – and Haraam. They mean the same thing. The difference between the two terms is merely of technical and academic import and has no truck with every day practical life. It has no bearing on the objective of the *ahkaam* of the Shariah – and that objective is to implement every teaching of Islam to gain Allah's Pleasure, Thawaab and Salvation in the Aakhirah, and this is possible only by adoption of the Sunnah.

The *jaahil* quacks and cranks have perpetrated two huge blunders which are testimony for the coprophilic substances contaminating their thinking process. These two blunders are:

- (1) That *Makrooh* in the context of *jubbuth thakar* is *Makrooh Tanzeehi*.
- (2) That *Makrooh Tanzeehi* means permissible, hence beard-shaving is not sinful.

Both these suppositions are vile canards totally unexpected of men who profess to be 'scholars'. They wander aimlessly in a jungle of confusion and *nafsaaniyat*, hence are capable of the kind of stark incongruities and stupidities which they display in their writings on the topic of the Beard.

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One charlatan among this conglomerate of pseudo-Shaafi' *juhhaal* exhibiting his stupendous *jahl-e-muraqqab* (compound ignorance) which is Qur'aanically termed *rijs*, promoted that 'Makrooh' used by Imaam Nawawi, in fact by all Shaafi' Fuqaha, in the context of beard-shaving means *Makrooh Tanzeehi* which is not a sinful act. They peddle this figment of their hallucination by outrightly denying the existence of the class of prohibitions which are described as *Makrooh Tahreemi*. Thus, the moron, quite shamelessly because of his ignorance, avers:

"The concept of prohibitive dislikeness (karaahah tahrimiyyah) belongs to the nomenclature of the great and respected scholars of the Hanafi school... but it is foreign to the nomenclature of the Shafi' school."

The moron then complicates and aggravates his incongruity with the averment: *"Although some Shafi's have described certain actions as being prohibitively disliked (makruh tahriman), they do not mean what the hanafis mean when they use the term."*

Both these claims are absolutely *baatil*. The ignorance of this so-called scholar beggars credulity. In the preceding pages we have already adequately dismissed these stupid assertions. It has been conclusively shown that the technical term *Makrooh Tahreemi* is not peculiar to the Hanafi Fuqaha nor do the Shaafi Fuqaha utilize this term in a meaning other than the meaning and consequence attributed to it by the Hanafi Fuqaha. To refreshen memory, we reiterate, the Shaafi' position unequivocally stated by the Shaafi' Fuqaha.

Presenting the meaning of *Makrooh Tahreemi*, it is mentioned in *I'aanatul Taalibeen*, Vol.1, page 121:

"The difference between Karaahah Tahreem and Haraam despite the consequence of both being sin, is that Karaahatut Tahreem is established by a daleel having the probability of ta'weel (interpretation) while Haraam is established by daleel qat'i (absolute certitude) which precludes the probability of

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ta'weel. (Such daleel qat'i) is from the Kitaab (Qur'aan), the Sunnah, Ijmaa' or Qiyaas."

The following example of a *Makrooh Tahreemi* act illustrates the severity of the prohibition:

"(His statement: It is Makrooh Tahreemi) – i.e. Karaahah Tahreem, and he (the author) in At-Tuhfah has interpreted it with (the term) hurmat (being haraam).....and between Karaahatut Tahreem and Haraam there is a difference although the consequence of both is sin....." (I'aanatul Taalibeen, Vol. 2, Page 87)

Noteworthy is the fact that the Shaafi' definition of the term *Makrooh Tahreemi* corresponds with the Hanafi definition. The Shaafi' kutub, contrary to what Maqdisi has fabricated, are literally cluttered with acts which are described *Makrooh Tahreemi* and *Makrooh Tanzeehi*. Maqdisi's claim that the Shaafi' usage of *Makrooh Tahreemi* does not convey the same meaning and effect of its Hanafi counterpart is bunkum, and his statement in this regard is skulduggery to confuse and mislead the masses.

The pseudo-Shaafi' juhhaal also perpetrate deception with the deliberate design of misleading by bandying the idea that *Makrooh* in the Shaafi' Math-hab is confined to the definition of *Makrooh Tanzeehi*. Thus, we find all of these morons excreting from their mouths the *ghutha* that shaving the beard is not sinful. The gross deficiency of their research of the Shaafi' kutub is conspicuously portrayed in their lack of a panoptical presentation of the concept and definition of *Makrooh* in terms of the Math-hab which they falsely claim to follow. Thus, we see these morons being aware of only one meaning of Makrooh, and that is *Makrooh Tanzeehi* which panders their corrupt and haraam understanding of Rasulullah's *Wajib* command to lengthen the Beard and the Shariah's prohibition of shaving it, for in their understanding lengthening the beard is a *mere* recommendation, and shaving it is *only* Makrooh Tanzeehi.

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Another member of the conglomerate of pseudo Shaafi' buffoons, echoing the *ghutha* of Maqdisi, and another modernist 'sheikh', Akiti, the Oxford orientalist, says in an article: *"....the official position of the madhab is the one espoused by Imam Nawawi and Imam Rafi', which is that shaving and trimming are not haraam but makruh, and therefore not sinful acts."*

The first averment of chicanery and falsehood which this character fabricates in the names of Imaam Nawawi and Imaam Raafi' is his canard: *"and therefore not sinful acts."* Nowhere did Imaam Nawawi and Imaam Raafi' or any other Shaafi' Faqeeh of former or later times contend that shaving and trimming the beard are NOT SINFUL ACTS. This is a blatant lie which Akiti and Taha Karaan have attempted to vomit into the mouths of Imaam Nawawi and Imaam Raafi'.

How is it ever possible for Imaam Nawawi to have made this blatantly false and haraam contention, when he has explicitly stated:

- That it is haraam to pluck even a few white hairs from the beard
- That shaving the beard is in emulation of the kuffaar
- That *Tashabbuh bil Kuffaar* is by consensus of all the Fuqaha of all Math-habs haraam
- That it is the Sunnah not to cut anything whatsoever from the beard, hence cutting even to the extent ascribed to by the other Math-habs is NOT permissible by virtue of the express command of Rasulullah (sallallahu alayhi wasallam) and the other aforementioned factors.
- That the Hadith on which the other three Math-habs base the validity and permissibility of cutting the beard after it has traversed the one fist-length lacks the ability for being a *mustadal*, hence the Sunnah-cutting view of the other Math-habs is not valid.

These deviates have failed to present even a single *daleel* to bolster their corrupt incongruous view of the permissibility of

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shaving/cutting the beard, and for their falsehood that *Makrooh* in this context is *Makrooh Tanzeehi*. Even a layman who intelligently scrutinizes the evidence will conclude that the *Karaahah* mentioned by Imaam Nawawi is *Karaahah Tahreemi*.

And by what stretch of logic, rational or religious, could shaving the beard be described as *Makrooh Tanzeehi* when Imaam Shaafi', all the Mutaqaddimeen Shaafi' Fuqaha, the majority of the Mutaakh-khireen Shaafi' Fuqaha and all the Fuqaha of the three Math-habs unanimously proclaim *jubbuth thakar* to be haraam? Only brains calcified by western indoctrination are capable of such retrogressive and upside-down thinking.

DIVINELY IMPOSED RIJS, THE OBJECTIVE AND THE LIHYAH

"And, Allah casts rijs on those who have no aql (who lack intelligence)."
(*Qur'aan*)

Rijs means filth (najaasat). Men who fabricate *baatil* in the name of the illustrious Fuqaha betray the *rijs* which Allah Ta'ala has cast on their brains. The effect of this *rijs* is convolution in the thinking process. The intelligence is exsanguinated of the *Noor* of Imaan and the consequence is spiritual vermiculation. It is therefore not surprising when these morons disgorge shockingly despicable fabrications which they seek to proffer to the Ummah in the guise of Shar'i hues.

Whilst their arguments may appear specious to the masses due to the nascence of the latter, the spurious nature of the figments of hallucination proffered by the juhhaal is conspicuous to even laymen of intelligence.

Every Mu'min can easily understand that the objective of Rasulullah's commands and *ta'leem* is *amal* (practical

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implementation) in daily life for gaining *thawaab*, *najaat* and *ridha-e-ilaahi* (Allah's pleasure). The commands and prohibitions issued by Rasulullah (sallallahu alayhi wasallam) were not meant to be smothered, minimized, neglected, flouted and abandoned, irrespective of the Fiqhi (juridical) classification which the illustrious Fuqaha assigned to the thousands of Shar'i *ahkaam*. Furthermore, it was never the intention of the Fuqaha to detract from the vital importance of the *ahkaam* by means of classification. The process of classification had its specific objective, and whatever that objective is, it never is to create a picture of insignificance for the Sunnah of Rasulullah (sallallahu alayhi wasallam) as these pseudo-Shaafi' morons are guilty of in this day and age.

When Rasulullah (sallallahu alayhi wasallam) commanded lengthening of beards, thereby opposing the Majoos, Yahood, Nasaara and the Mushrikeen, he did not mean anything other than growing full beards. These emphatic commands mentioned in numerous Ahaadith were addressed to the masses of the Ummah – to all Muslims in general. Hence, Rasulullah (sallallahu alayhi wasallam) structured his commands in a manner which the masses understood. So, when he said: Oppose the Majoos – Oppose the Mushrikeen – Lengthen the beards – Clip the moustaches – the Beard is the Noor of the Mu'min – Lengthening the Beard is Fitrah, etc., he did not mean anything else. He did not mean any technical nomenclature which would develop centuries later.

He meant exactly what he said, and all Muslims understood exactly what Nabi-e-Kareem (sallallahu alayhi wasallam) conveyed by these commands and exhortations. It was furthest from the mind of Rasulullah (sallallahu alayhi wasallam) that his commands and prohibitions be made a target for stupid mental and technical gymnastics by morons who lack adequate comprehension of the technical terms they utilize to bamboozle stupid laymen who are wallowing in the cauldron of western immorality.

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When Rasulullah (sallallahu alayhi wasallam) commanded: "*Lengthen the lihyah (beard)*", he did not mean the warped definitions which these morons proffer for the beard, nor did he relate the *lihyah* to any technical Fiqhi or lexical meaning. He meant the *lihyah* which all and sundry in the Ummah understood. Thus, when it is said 'beard', all minds uncontaminated by the rubbish which these moronic philanderers of *fisq* and *fujoor* promote, understand the obvious meaning. They understood the beard to be all facial hair minus the moustaches, eyebrows and eyelashes. They do not require the lexicon nor the kutub of Fiqh to understand the meaning of the beard in order to adopt the Sunnah. It is precisely for this reason that the Fuqaha defined *lihyah* as "*the (hair) which grows on the cheeks and the chin*". (Fathul Baari, Vol. 10, page 350)

Substantiating the popular understanding of the meaning of the beard and the meaning to which Rasulullah (sallallahu alayhi wasallam) directed his command, the Fuqaha have included the *ithaarain* (the hair in line with the ears), the *aarithain* (sideburns), the *anfaqah* (the hair below the lower lip) and the hair under the chin within the popular meaning. The correct description is *the popular understanding* by the masses because Rasulullah (sallallahu alayhi wasallam) was speaking to the entire Ummah, not to a select group of Fuqaha or lexiconists.

"It is Makrooh (i.e. Makrooh Tahreemi) to take from (i.e. to cut, etc.) the sides of the lihyah, the moustache and the anfaqah (the tuft of hair between the lower lip and the chin) whether by shaving, cutting or plucking, etc. Whilst the meaning is the same, the karaahah of plucking is the severest."

(Bughyatul Mustarshadeen, Vol.1, page 81)

Adding to the meaning of the beard, "*Al-Adhrai' explicitly said that shaving the hair on the throat is Makrooh.*" (Bughyatul Mustarshadeen, Vol.1, page 81)

Also clarifying that the command is directed to the popular understanding of the beard, Imaam Nawawi citing Imaam

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Ghazaali, states: *"It is Makrooh (i.e. Makrooh Tahreemi) to increase the beard or to decrease it..... Therefore he should not change anything (of the beard, i.e. the beard as understood by all and sundry)." (Al-Majmoo', Vol.1, page 358)*

An adequate definition of the beard is given by the Imaam of the Shaafi' Math-hab, viz., Imaam Shaafi' himself. Defining the beard he states: *"The beard comprises two elements: (1) Ithaar of the lihya connected to the sudghain (temples).....(2) Anfaqah (the hair below the lower lip) and thaqan (the hair on the chin) including the hairs on both jaw bones whose confluence is the chin." (Kitaabul Umm, Vol.1, page 25)*

This then is the meaning of the beard to which Rasulullah (sallallahu alayhi wasallam) directed the command of lengthening. Confound the technical meaning which is meaningless in the mirror of Rasulullah's command.

Therefore the contention of the pseudo-Shaafi' morons that the command to lengthen the beard applies to only the stupid, kuffaar-style disfigured, *mal-oon* 'goatee' beard is pure satanism. It comes within the Qur'aanic proscription of acts described as *Taghyeer li khalqillaah* (changing the natural creation of Allah), and the Qur'aan attributes such disfigurement to shaitaan. Hence all these morons who advocate the permissibility of shaving any part of the Sunnah beard are followers of Iblees La-een.

Clarifying the popular meaning of the beard, Imaam Nawawi states: *"The hair of the al-aaridhain is that which is below the ithaar as explained by Al-Mahaamili, Imaamul Haramain, Ibn Sabbaagh, Ar-Raafi' and others besides them.....The Saheeh (correct view) is what has been determined by the Jamhoor that for it (the hair of aaridhain –sideburns) is the hukm of the lihyah..." (Al-Majmoo', Vol. 8, page 149)*

"The amount (of hair) in line with the ear is like the lihyah in everything that has been mentioned....." (Mughnil Muhtaqj, Vol.1, page 52)

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"It is Makrooh (i.e. Tahreemi) to pluck the beard, to shave it, to pluck out white hairs...to pluck the sides of the anfaqah...to increase in the athaarain and to decrease in them....(Nihaayatul Muhtaaaj, Vol.8, Page 149)

"It is haraam to take from the hairs such as the lihyah (beard) and the eyebrows.....and it is Makrooh (Tahreemi) to pluck the white hairs from a man's beard and to take from the hair of the cheek, neck and to cut the beard."

(Haashiyah Qalyoobi, Vol.1, page 208)

Condemning the act of plucking out even a few white hairs from the beard, Ibn Hajar says: *"(It is Makrooh Tahreemi) to pluck out white hairs because, verily, it is Noor. In fact, he (Imaam Nawawi) said in Al-Majmoo': If it is said to be haraam, it will not be far-fetched, and it (being haraam) has been explicitly mentioned in Al-Umm (of Imaam Shaafi')." (Al-Minhajul Qaweem, Vol.1, page 26)*

In this regard, Ibn Hajar states: *"...and plucking out white hairs (from the beard) – Nawawi has made tarjeeh (given preference) to its Tahreem because of the confirmation of its condemnation."* (Fathul Baari, Vol.10, page 351)

Only a moron, a deceit or a confounded liar will have the audacity to interpret *Makrooh* in this context to be *Makrooh Tanzeehi*, when Imaam Nawawi himself prefers the designation of *Tahreem*.

SHAVING THE BEARD AND TA'ZEER

Ta'zeer is punishment which the Qaadhi metes out according to his discretion for crimes for which the Shariah has not prescribed specific punishment.

Does the Qaadhi have the right to order a man's beard to be shaved off as a punishment for his crimes? Let us see what the Shaafi' Fuqaha have to say on this issue.

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"Ta'zeer shall be effected with imprisonment, lashesIt is not permissible (for the purpose of Ta'zeer) to shave the beard."
(Haashiyah Ameerah, Vol. 4, page 206)

"Not with shaving, i.e. Ta'zeer is not permissible with shaving the beard."
(Hawaashi As-Shirwaani, Vol.9, page 375)

"The beard shall not be shaved. If he (the Imaam/Qaadhi) executes it (Ta'zeer) with it (shaving the beard), it is haraam.....Thus, Ta'zeer is not permissible with shaving the beard. (Al-Jamal Sharhul Minhaj, Vol. 5, page 164)

"The beard shall not be shaved, i.e. it is not permissible, and if he (the Imaam) effects it, it is haraam.....(Haashiyatul Bujairmi, Vol. 4, page 236)

"The obvious meaning of the prohibition of Ta'zeer with shaving the beard is the hurmat of shaving it for this purpose. The prohibition of Ta'zeer with shaving demanding Tahreem is based on the view of the hurmat of shaving (the beard).....He said in An-Nihaayah: Ta'zeer shall not be effected with shaving the beard even if we say that it (shaving the beard) is Makrooh, and that is the Asah (most authentic view). "

(I'aanatut Taalibeen, Vol.4, page 168)

*"(Ta'zeer shall not be effected) with shaving the beard. Our shaikh (Ibn Hajar) said: 'The obvious (meaning) of the hurmat of shaving it is based on its hurmat (i.e. shaving the beard is haraam) on which view is the **majority of the Muta-akh-khireen** (Shaafi' Fuqaha)."*
(Fathul Mu-een, Vol.4, page 168)

This discussion adds considerable strength to the *hurmat* view of Imaam Shaafi' and the majority of the Shaafi' Fuqaha. And, the minimum demand of this discussion is that the *Karaahah* view of Shaikhain is *Makrooh Tahreemi* , never *Tanzeehi*.

THE SELECTIVE TAQLEED OF THE MORONS

The pseudo-Shaafi' morons have exhausted all the energy of their brains to create the impression that they are the staunchest followers of Imaam Nawawi and Imaam Raafi'. They deceptively cultivated the idea that the word of Shaikhain is on par with the Wahi of the Qur'aan, and that the word of Shaikhain abrogates the entire Shariah which existed for six hundred years prior to their advent. Yet, even a perfunctory examination will reveal that these morons are dishonest quacks who have no regard for Shaikhain. Their stupid 'taqleed' is restricted to only the *Makrooh* classification which Shaikhain attribute to the act of shaving the beard. Their pretence of taqleed is a despicable canard designed to dupe the ignorant and unwary masses.

In the preceding pages, it was shown that according to Shaikhain and all the Shaafi' Fuqaha, the Sunnah regarding the Beard is to allow the beard the fullest latitude to grow irrespective of the length it attains. Shaikhain sternly prohibit cutting or trimming anything whatsoever of the Beard. They refute the validity of the Ahaadith which mention the permissibility of cutting the Beard beyond the fist-length. On account of the 'weakness' of the Hadith, the Shaafi' Fuqaha do not regard the permissibility of cutting to be Masnoon as the other three Math-habs advocate. The *Karaahat* which Shaikhain ascribe to shaving the beard also applies to cutting the beard in any way whatsoever.

Despite the categorical ruling of prohibition (*Karaahah Tahreemiyyah*) of Shaikhain on the issue of cutting the beard down to a fist-length, and despite the vociferous claims of the morons regarding the 'immutability' of the 'recensions' and fatwas of Shaikhain, these self-same morons refute Imaam Nawawi's view which is the *Ijmaa-ee* view of all Shaafi' Fuqaha on this issue.

Refuting Imaam Nawawi and Imaam Raafi', Maqdisi says in his article of *ghutha* : "*It has been rigorously authenticated in a hadith by Ibn Hibban that "the Prophet (Allah bless him and give*

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him peace) used to trim his beard from its bottom and its sides." This appears to be the basis of Ibn Umar's practice...." This 'rigorously authenticated' view and other similar Hadith narrations are presented by modernist pseudo-shaafi's in refutation of Imaam Nawawi's categorical condemnation of cutting anything whatsoever from the beard, even if the beard reaches the length of a couple of metres.

The other modernist, Taha Karaan, also presents the same Hadith – 'Dhaeef' to Tirmizi and Imaam Nawawi and the Shaafi' Fuqaha in general – to refute Imaam Nawawi and the Shaafi' stance on the prohibition of cutting anything whatsoever from the beard. Thus he says: *"One is reminded here also of the hadith that states that Rasulullah sallallahu alayhi wasallam shortened his beard by grasping it with his hand and removing the excess. The hadith states that this was done for both the length and breadth of the beard. The authenticity of the hadith is a matter of dispute. Among our Fuqaha Ibn Hajar al-Haytami affirms that it is authentically documented by Ibn Hibban (though I must confess I have not yet located it in his Sahih). The question to be considered here is this: How does one trim the excess from the breadth of the beard to a fist-length when the beard is only that which grows on the chin?"* Taha made this observation in refutation of Akiti's contention that 'beard' refers to only a 'goatee' beard – only the hairs on the chin.

The juxtaposition of this Hadith by Taha Karaan, (rejected by the Shaafi' Fuqaha for the purpose of *Istidlaal* on the basis of its assumed '*dhu'f*' – weakness) around the focal point of this discussion, viz. the Shaafi' technical definition of *lihyah*, is deceptively fortuitous. He impalpably presents it in refutation of the view of the very Shaikhain whom he has extolled and elevated to the level of the Qur'aan for extrapolating the corrupt and utterly baseless view that shortening and shaving the beard are not sinful on the basis of the *Karaahah* view of Shaikhain,

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permissibility of the commission of these dastardly acts being a necessary corollary of the 'not sinful' idea.

While we have already elaborated on these incongruities elsewhere in this treatise, the reason for mentioning Karaan's 'fortuitous' juxtaposition of the hadith is to show that these hybrid morons whilst purporting to be the ardent and blind followers of the Shaafi' Math-hab, resemble the holy bulls of Hindu India – the bulls let loose in the names of idols to wander around putting their mouths into the basket of this one and that one and occasionally getting whacked by the very idolaters who worship them (the holy bulls and cows). This is the condition of these modernist pseudo-shaafi's. They cite the Shaafi' Fuqaha only in such issues in which they discern some leeway for *baatil ta'weel* to gratify the inordinate baatil views of their nafs.

A Shaafi' who elevates Imaam Nawawi to the pedestal to which these morons have done in the flotsam which their vermiculated brains have disgorged, has no right to present as a *mustadal* a Hadith set aside by Imaam Nawawi and the Jamhoor Shaafi' Fuqaha. He has to incumbently remain on course following the main highway, and not branch off into alternative routes to avoid paying the road toll.

Anyhow, be that as it may. What the Ahnaaf can extravasate from Karaan's citation of the 'Dhaeef' Hadith is that it (this Hadith) makes nonsense of the technical definition of the *lihyah* proffered by some Shaafi' Fuqaha. While the technical definition restricts the *lihyah* to only the chin hairs, Karaan has aptly demonstrated the invalidity of this definition by presenting the Hadith in refutation of the deplorable *ghutha* excreted by the other pseudo-Shaafi', some sheikh Akiti. The whole miserable lot of miscreants trying to speak in the name of the Shaafi' Math-hab, stupidly utilize the wagon of Taqleed selectively to eke out support for their baseless ideas of liberalism. But their arguments from the platform of Taqleed are devoid of consistency, hence they find themselves

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refuting the very Shaafi' authorities whom they present in substantiation of their shenanigans.

The morons who dishonestly purport to be followers of Shaikhain present Hanafi *dalaa-il* to refute Imaam Nawawi's rejection of the 'weak' Hadith narrations. After rejecting Imaam Nawawi's claim, they proclaim the validity of the view of the other three Math-habs on the issue of shortening the Beard to the Masnoon length. But, alas! These cranks and quacks whilst accepting the view of the other Math-habs on the issue of cutting the Beard, reject the view of the *hurmat* of shaving the Beard which is a view of not only the other three Math-habs, but of their own Imaam Shaafi' and the Mutaqaddimeen Shaafi' Fuqaha and the majority of the later-era Shaafi' Fuqaha. The devil has indeed convoluted their brains.

BASELESS MORONIC CONTENTIONS

Afifi-al-Akiti, the orientalist, in an article observes: *"It is well-known that the Shafi's hold the most lenient position concerning the beard."* This contention is devoid of Shar'i substance and is utterly baseless. On the contrary, the Shaafi' stance on shaving/cutting/trimming the beard is uncompromising in the rigidity of the prohibition which applies to facial hair.

Facial hair comprising of the Sunnah *lihyah*, excluding the moustaches, eyebrows and eyelashes embraces all hairs growing on the face, and is not restricted to the technical definition of *lihyah* proffered by the Shaafi' Fuqaha for an entirely different purpose. Since the morons pretend not to understand that the Shar'i *lihyah* is the entire Sunnah beard to which the *hukm* of prohibition applies, Akiti states: *"Dhaqan or what grows on the chin is the real or 'legal' beard, while what grows on the 'aridan or lateral hairs is the pseudo-beard.....The fiqhi ruling that it being Makruh to remove in any way, applies only to what is the legal minimum, namely, the lihya and not to any of the 'arid."*

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This too is baseless. Regardless of the 'legal', fiqhi, lexical or any other definition attributed to the *lihyah*, the issue to ascertain is the Shariah's ruling pertaining to the facial hairs regardless of these hairs being constituents of the 'legal' definition or not. Thus, to argue that it is permissible to pluck out the hairs from the nostrils because these hairs are not part of the 'real' or 'legal' beard is moronic. For ascertaining the *hukm* applicable to the hair in the nose, it will be scraping the very bottom of the barrel of *jahaalah* to determine the ruling on the basis of the relationship of these hairs with the *lihyah*. The Shariah has an independent ruling for plucking out the hairs of the nostrils.

Now when it is argued that according to the Shariah it is haraam to pluck out these hairs, only morons will say that it is not so because these hairs are not part of the *lihyah*, hence neither the *Karaahah* nor the *Hurmat* ruling applies.

While the issue pertaining to the sideburns, etc., is no problem for the followers of the three Math-habs since there exists no conundrum regarding the meaning of the *lihyah* in their circles, the followers of the Shaafi' Math-hab have been cast into a cauldron of stupidities and confusion by moron modernist 'scholars' who are subservient to their bestial desires. Their haraam manipulation of the technicalities of the Fuqaha has caused much confusion and consternation to the masses of Shaafi's.

In an unequivocal rejection of the moronic claim of the Shaafi' Math-hab being the 'most lenient' on the beard issue, Imaam Nawawi says:

"The meaning of 'lengthening the beard' is 'its taufeer' (i.e. to allow it to grow in abundance to whatever length it may reach).....It was of the practices of the Persians (Fire-Worshippers) to cut the beard. Therefore the Shariah prohibited it (cutting).

The Ulama have narrated ten acts regarding the beard, the evil of some of these acts being worse than others. (Among these evil acts are):plucking out white hairs (from the beard).....and

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plucking the hairs on the sides of the anfaqah (i.e. the tuft of hair on the lower lip), and other hairs besides this.....and shaving it except if it grows on a woman, then it is preferable for her (to shave it).

The meaning of 'lengthening the beard' is to leave it (to grow) abundantly and fully and not to cut from it.

The Mukhtaar (adopted/preferred) view is to leave the beard in its (natural) state and not to interfere with it by means of cutting anything whatsoever."

(Sharah of Saheeh Muslim of Imaam Nawawi)

Imaam Nawawi further states: *"Lengthening the beard is of Fitrah. It means to leave it to grow abundantly without cutting. It is Makrooh (Tahreemi) for us to cut it. Cutting the beard is like the practice of the A-ajim (the kuffaar). It was of the style of Kisra (the king of Persia) to cut the beard....."* (Al-Majmoo', Vol. 1, page 357)

Does this convey the idea of Makrooh Tanzeehi? Refuting Imaam Ghazaali's view of the permissibility of cutting the beard when it is longer than a fist-length, Imaam Nawawi says: *"This is the view of Ghazaali. The Saheeh view is the Karaahah (Tahreemiyyah) of cutting anything from it whatsoever."* (Al-Majmoo', Vol.1, page 357)

Continuing with the Shaafi' exposition, Imaam Nawawi says: *"On the contrary it (the beard) shall be left in its (natural) state as it may be because of the Hadith: "Lengthen the beards." Regarding the Hadith of Amr bin Shuaib that Nabi (sallallahu alayhi wasallam) would cut from the breadth and length of his beard, Tirmizi has narrated it with a Dhaeef Isnaad. With it deductions cannot be made (i.e. a hukm of the Shariah cannot be issued on its basis.)* (Al-Majmoo', Vol.1, page 358)

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"It is Makrooh (Tahreemi) to pluck (the hairs) on the sides of the anfaqah....and (also) increase and decrease in the ithaarain..." (Mughnil Muhtaaj, Vol.4, page 297)

"And the beard inclusive of the aaridhain as mentioned by Ibn Seedah.... (Haashiyah Qalyoobi, Vol.1, page 55)

*"It is **haraam** to take (cut, shave, etc.) from the hairs such as the beard and the eyebrows.....and it is Makrooh to pluck the white hairs even from the beard of a man and from the hair on the cheek and cutting the beard. (Haashiyah Qalyoobi, Vol.1, page 208)*

"It is Makrooh (Tahreemi) to pluck the hairs on the sides of the anfaqah and the sides of the hairs of the lihyah.....and increasing and decreasing in the ithaarain from the temples..... (Asnal Mataalib, Vol.1, page 551)

"The lihyah is the hair which grows on the chin and like it is the aaridh (sideburn). Ibn Seedah added to this the hairs of the cheeks." (Faidhul Qadeer, Vol.1, page 198)

"Lihyah is a noun for the (hair) growing on the cheeks and the chin." (Fathul Baari, Vol. 10, page 350)

The foregoing explanation, description and definitions of the beard extracted from the kutub of the Shaafi' Math-hab, effectively debunk the two contentions of the morons, viz., (1) The Shaafi' position on the beard is the most lenient, and (2) The beard applies to only the hair growing on the chin.

Further evidence to refute these baseless contentions is the Hadith which mentions that Rasulullah (sallallahu alayhi wasallam) used to cut from the length and the breadth of his Beard. If *lihyah* in the meaning understood by the Sahaabah and the Ummah since time immemorial, was confined to the hair on the

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chin, cutting from the breadth of the *lihyah* would be meaningless. It is mentioned in *I'aanatut Taalibeen*, Vol. 2, page 340: "*It is authentically narrated by Ibn Hibbaan that Rasulullah (sallallahu alayhi wasallam) used to cut from the length and breadth of his Lihyah.*"

In the Hadith narration of Humaid cited above, the description of Rasulullah's *Lihyah* is portrayed with the terms, "*from here to there*", or "*from this side to that side*", and in one Hadith, the narrator indicated with his hand from one side to the other, i.e. he included the *aaridhain* (*sideburns*).

It is downright, deliberate stupidity induced for creating obfuscation to ignore the popular understanding of the meaning of *lihyah* for the purpose of *amal* (practical implementation) of the Sunnah of Rasulullah (sallallahu alayhi wasallam). The description of Rasulullah's Beard by the Sahaabah is inclusive of the full Beard – the hair on the chin, the sideburns, the hair on the cheeks and below the lower lip. *Lihyah* as is abundantly clear from the description proffered by the Sahaabah consisted of length and breadth, not only chin hairs.

If any follower of the Shaafi' Math-hab who has become confused by the skulduggery explanations of the pseudo-Shaafi' morons, wishes to understand the manner of keeping a beard, he only has to follow the instructions of Imaam Shaafi', Imaam Nawawi, Imaam Raafi' and all the Shaafi' Fuqaha, and he will be rightly guided to understand the Haqq. All authorities of the Shaafi' Math-hab will unanimously proclaim what Imaam Nawawi says: "*The beard should be left to grow in its (natural) state without cutting anything whatsoever from it.*" The Shaafi' Math-hab prohibits cutting from both the length and the breadth of the beard, and the Sunnah definition of the beard for even the Shaafi's is the description of Rasulullah's blessed Beard presented by the Sahaabah.

Any definition which negates the Sunnah definition of the Beard must be incumbently rejected. When the Sahaabah and all

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the Fuqaha of all Math-habs, referred to the Sunnah *lihyah*, they unanimously, without a single dissenting voice, meant the blessed Sunnah Beard of Rasulullah (sallallahu alayhi wasallam). The accursed goatee style of the kuffaar was the furthest from their minds.

The technical, i.e. fiqhi, definition, of *lihyah* offered by some Shaafi' Fuqaha, was not in relation to the *Lihyah* whose lengthening was commanded. They simply classified the Sunnah *lihyah* into several constituents consisting of the technical *lihyah* (chin hairs), sideburns, cheek-hairs, and the hair on the lower lip. The intention for the division of the Sunnah *lihyah* into different parts was NOT for abrogating the Sunnah Beard. The design was never to substitute the Sunnah *lihyah* with the accursed kuffaar goatee 'beard'. Only the morons of this age, dishonestly proclaiming themselves 'Shaafi'is', are peddling the idea of the permissibility of the *mal-oon* goatee beard.

The objective of the Fiqhi definition of the beard in terms of the Shaafi' Math-hab is *Tahaarat* – the application of water during wudhu on only the surface of the beard or to reach the skin under the hairs. The Fiqhi definition of the *lihyah* has no relationship with the Sunnah *lihyah*.

THE SHAAFI' MATH-HAB AND THE HANAFI ULAMA

In the attempt to nullify the Haqq which is the official position of the Shaafi' Math-hab, and which the Hanafi Ulama of this age propagate to followers of the Shaafi' Math-hab, Dean Maqdisi says: "*Before a jurist (mufti) who is an expert in one school can convey the position of another school regarding a matter, he must first learn about the relative levels of the scholars of the school, about the scholars who are given precedence when there is disagreement, and about the books that explain the differences*

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within the school and which of the conflicting opinions is strongest position in the school. Otherwise the jurist will fall prey to error, spread strife among Muslims, and will merely be following his own desires."

The very first victim of error in this issue is Maqdisi who is spreading *fitnah* (strife and mischief) among Muslims with his *jubbuth thakar* propagation. In this satanic propagation he is a victim of his bestial desires. Furthermore, our advice to him and to all other so-called 'scholars' of his ilk is to take the route back to Madrasah to acquire adequate grounding in the Shaafi' Math-hab to enable them to comment with some responsibility. Thereafter they should search for a Shaikh of Tasawwuf whose *suhbat* they should covet in order to gain moral purification. Minus these two fundamental aspects, they will remain followers of Iblees propagating *jubbuth thakar*.

Relevant to what Maqdisi has said in the aforementioned statement are the following facts:

Firstly, the principles enumerated above are not cloaked with immutability. None of the kutub is on par with the Qur'aan and Ahaadith.

Secondly, due to his inexpertise, extremely deficient research of the Shaafi' kutub, and his lack of understanding of the objectives of the *ahkaam* of the Deen, Maqdisi is in no position to offer this advice. The detrimental consequences of corrupt and deficient scholarship which he has enumerated above, are all applicable to him. With his kufr view of the permissibility of shaving the beard, he is guilty of creating *fasaad*, *fitnah*, *fisq* and *fujoor* in the Ummah. In fact, he is close to decollating his very Imaan with a view which is so starkly in refutation of the clear and emphatic commands of Rasulullah (sallallahu alayhi wasallam).

Thirdly, his audacious abnegation of the existence of the technical class of *Makrooh Tahreemi* in the Shaafi Math-hab, and his baseless contention that the technical designation of *Makrooh Tahreemi* is exclusive to the Hanafi Math-hab are loud evidence

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for Maqdisi's *jahl* (ignorance). Whilst he is desirous of implanting the idea that he is a 'mujtahid', he lacks the expertise of even a Muqallid Aalim of the Math-hab. His stupid and brazen denial of the existence of the *Makrooh Tahreemi* category of *ahkaam* in Shaafi' fiqh boggles the mind. We have already debunked this *jahaalat* in the preceding pages.

Fourthly, his understanding that the effect of Makrooh Tanzeehi is permissibility, conspicuously advertises his ignorance.

Fifthly, these pseudo-shaafi' morons and miscreants are not experts of the Shaafi' Math-hab. Their knowledge of even textual Shaafi' Fiqh is appallingly deficient, and their total lack of spiritual understanding (*noor-e-fahm*) is even worse.

Sixthly, they should understand that the Hanafi Ulama of Haqq are more equipped and better grounded in the comprehension of the Shaafi' Math-hab than the conglomerate of morons who purport to be followers of the Math-hab. As such the Hanafi Ulama have assumed it upon themselves to defend the Shaafi' Math-hab against the nafaani depredations of these *zindeeqs*.

Alhamdulillah, the process of dissection and evaluation of the views and rules of the Shaafi' Math-hab, is adequately and proficiently discharged in this era by the Hanafi Ulama-e-Haqq. It is a virtual impossibility in this age in which we dwell, to find Ulama-e-Haqq of the Shaafi' Math-hab. The vast majority of Shaafi' claimants are cranks, quacks, miscreants and morons who prostitute isolated views of the Shaafi' Fuqaha, and by a process of stupid baatil interpretation render the masaa-il of the Math-hab subservient to their inordinate nafaani craving.

In the scenario we find ourselves, we know of no Shaafi' Ulama-e-Haqq to keep aloft and defend the Sunnah of Rasulullah (sallallahu alayhi wasallam). Thus, this obligation in this age has devolved on the Hanafi Ulama-e-Haqq. It is our incumbent obligation to keep the followers of the Shaafi' Math-hab apprized and informed of the requisites of their Math-hab. In the effort to defend and promote the Sunnah, no kitaab and no muqallid jurist

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will be accorded the status of the Qur'aan, Ahaadith and Ijma' of the Ummah. Any opinion clashing with these criteria of Islam shall be set aside regardless of the quarter of emanation.

THE SUNNAH BEARD - THE BLESSED BEARD OF RASULULLAH (Sallallahu alayhi wasallam)

Allah Ta'ala says in the Qur'aan Majeed:

"Verily, for you in the Rasool of Allah is a beautiful pattern of life, for him who has hope in Allah and the Last Day, and he remembers Allah much." (Ahzaab, aayat 21)

Once Rasulullah (sallallahu alayhi wasallam) whilst walking at a distance behind a Sahaabi, observed that his (the Sahaabi's) *izaar* (lungi/lower garment) was hanging below his ankles on to the ground. Rasulullah (sallallahu alayhi wasallam) called to him: *"Raise your izaar, for it is purer (closer to Taqwa) and more preserving (for the garment)!"*. Not understanding the implication of Rasulullah's call, the Sahaabi responded that his *izaar* was old and worn out thereby implying that it matters not if it even drags on the ground, and it is not a source of pride for him.

Rasulullah (sallallahu alayhi wasallam) perceiving that the Sahaabi did not understand the import the command, said: *"Is there not an example in me for you?"* The Sahaabi said: 'When I looked, I saw Rasulullah's *izaar* midway between his knees and ankles.' He then raised his *izaar*.

This is just one example of the importance of emulating Rasulullah (sallallahu alayhi wasallam) in all aspects of life. However, in our era we find moronic so-called 'scholars' promoting the very antithesis of the Qur'aanic command to emulate the *Uswah Hasanah* of Rasulullah (sallallahu alayhi wasallam). This blessed Code of Life in terms of external appearance is

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mirrored in Rasulullah's command: *"Raise your izaar. Is there not a sufficient example for you in me?"*

Now whose beard-style is a Muslim supposed to emulate? While the Qur'aan commands emulation of Rasulullah's styles and ways, these pseudo-Shaafi' morons are promoting emulous imitation of kuffaar styles, among which are the shaving of the entire beard and the keeping of the hideous, *mal-oon* goatee style, etc. An abominable face sporting a haraam goatee beard drips with *la'nat*. Can you, O Mu'min! visualize Rasulullah (sallallahu alayhi wasallam) or any Nabi or Hadhrat Abu Bakr or Hadhrat Umar or any Sahaabi, or Imaam Abu Hanifah or Imaam Shaafi, etc. with a hideous moronic goatee 'beard'? Can you even hallucinate such a shaitaani scenario? You will have to resort to some sort of substance abuse to succeed in inducing such a vile figment of hallucination.

Warning those who emulate the ways, styles and practices of the kuffaar, the Qur'aan Majeed states: *"Do not **incline** towards those who commit zulm (i.e. the kuffaar in the first instance), for then the Fire (of Jahannum) will apprehend you, and there will be no friends for you besides Allah. Thus, you will not be aided."* (Hood, aayat 113)

Even the mere 'inclination' towards the ways and styles of the kuffaar are prohibited. The consequence of even inclination towards them is the Fire of Jahannum. What should now be said about actual adoption of the *jubbuth thakar*, *mal-oon* practice which disfigures the Mu'min's face to make it resemble a skinned pig? It is a practice which Rasulullah (sallallahu alayhi wasallam) himself designated *Tashabbuh bil kuffaar*. Emulation of the kuffaar is unanimously haraam in all Math-habs.

If Rasulullah (sallallahu alayhi wasallam) was today in our midst and if he had to see a Muslim with a *mal-oon* goatee beard or with an ugly shaven-face, will he not proclaim: *"Is there not a sufficient example for you in me?"* Will the criminal be able to justify his kaafir face with Imaam Nawawi's 'Makrooh' designation? Consult

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your heart and your conscience, and you will, Insha'Allah, obtain the correct fatwa because Nabi-e-Kareem (sallallahu alayhi wasallam) said: "*Seek a fatwa from your heart.*"

It should be obvious to all unbiased Muslims that these morons promoting kuffaar beard shaving – *jubbuth thakar* – are plagued by the divinely afflicted malady and curse of *rijs on their aql*.

When a Mu'min desires to submit to the Shariah, he will ascertain the style of Rasulullah (sallallahu alayhi wasallam). Confound the entire technical and moronic argument centering around the beard, and look at the *mubaarak* Beard of Rasulullah (sallallahu alayhi wasallam) and the Sahaabah. What is the description of the *mubaarak* Beard of Nabi-e-Kareem (sallallahu alayhi wasallam)? In this regard the following appears in the Shaafi' kutub:

"It is appropriate to say that the Beard of Rasulullah (sallallahu alayhi wasallam) was glorious and majestic, and it should not be said that it was bushy or thick."

(*Haashiyah Ash-Shabraamilisi ala Nihaayatil Muhtaaj*, Vol. 1, page 170)

"Know that, verily, the Liyah of Rasulullah (sallallahu alayhi wasallam) was glorious, and it should not be said thick because in such a description is ugliness. And, the number of hairs of his Beard was 124,000 which was the number of the Ambiya (alayhimus salaam)." (*I'aanatut Taalibeen*, Vol. 1, page 39)

The *mubaarak Liyah* of Rasulullah (sallallahu alayhi wasallam) even symbolized the number of Ambiya (alayhimus salaam). The Beard was the Sunnah of every one of the 124,000 Ambiya (alayhimus salaam).

"And, the Liyah of Rasulullah (sallallahu alayhi wasallam) was graciously full." (*Al-Iqnaa' lish-Sharibeeni*, Vol.1, page 42)

"Humaid narrates: 'The beard of Rasulullah (sallallahu alayhi wasallam) filled up the space from this side to that side.' Another

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narrator indicated with his two hands (that his full beard) extended from one side to the other - from aaridh to aaridh."

(Jam'ul Wasaa-il fi Sharhish Shamaa-il, Vol.1, page 45)

" It is mentioned in the description of Rasulullah (sallallahu alayhi wasallam) that he was a person with a thick beard. Similarly was Abu Bakr. The Beard of Uthmaan was long and tapering. The Beard of Ali (radhiyallahu anhu) was so broad that it filled the space between his shoulders (i.e. the Beard was luxuriously full, broad and long). It has been said that the people of Jannat will be without Beards except Haaroun, the brother of Musaa (alayhimas salaam). Verily, he shall have a Beard reaching to his chest in his honour and significance." (Qutul Quloob)

The aforementioned descriptions of the glorious and blessed Beard of Rasulullah (sallallahu alayhi wasallam) are extracts from the Fiqh kutub of the Shaafi' Math-hab. These are not the description of Sufis or from the kutub of Tasawwuf.

To understand what the Beard is, the Muslim has no alternative but to ascertain the description of Rasulullah's blessed Beard, then emulously imitate the mubaarak style. To follow the Sunnah – a following which is Fardh, and repeatedly commanded in the Qur'aan and Ahaadith – the incumbent need is to understand the Sunnah in the mirror of Rasulullah's *Uswah Hasanah*, and only those who have genuine hopes of meeting Allah Ta'ala in Qiyaamah, and who engage in abundance of Thikrullah will understand and appreciate the Sunnah. But those who view the *ahkaam* with squint-eyed vision, looking at the Sunnah obliquely through western kuffaar eyes as these morons who corrupt the Deen are perpetrating, they will interpret the Sunnah and the Shariah in the light of their westernized brains. And, to achieve this devilish objective, they search for academic loopholes and technical incongruities, obscurities, and errors of the Ulama. About these moron 'scholars', the Shaafi' authority, Allaamah

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Abdul Wahhaab Sha'raani (rahmatullah alayh) said: *"Those who grab hold of the obscurities (and errors) of the Ulama, make their exit from Islam."*

The sincere Muslim eager to emulate the Sunnah of Rasulullah (sallallahu alayhi wasallam) is not in need of any fanciful definition of the beard. He only has to know how Rasulullah (sallallahu alayhi wasallam) kept his blessed Beard. Do the *mal-oon* goatee beard and the other accursed kuffaar beard-styles resemble the full and glorious style of the blessed Beard of our Nabi (sallallahu alayhi wasallam)? Now if anyone follows these pseudo-Shaafi' morons and keeps a *mal-oon*, kaafir goatee beard or perpetrates *jubbuth thakar* by shaving off his whole beard as the jaahil miscreants promote, whom will he be following? Rasulullah (sallallahu alayhi wasallam) or the shaitaan?

Now after having been apprised of the style of the blessed Beard of Rasulullah (sallallahu alayhi wasallam), if any Muslim persists in the obduracy of seeking guidance from the descriptions and interpretations of the *Ahl-e-Hawa (the people of bestial lust)* such as these deviated, moronic so-called 'scholars', then he should understand that in terms of Rasulullah's Hadith he belongs to the class of souls who were decreed to be *shaqi (miserably unfortunate)* whilst they were still in the wombs of their mothers. About such unfortunate persons, Rasulullah (sallallahu alayhi wasallam) said: *"A shaqi is one who has been decreed to be a shaqi in the womb of his mother."*

Innumerable Muslims because of having been exposed to western indoctrination and western lifestyle since childhood shave their beards out of ignorance, not because they are intentionally rebellious against the Sunnah. Such persons should hasten to Taubah (Repentance) and resolve to give practical expression to this Waajib Sunnah practice of keeping a proper Sunnah Beard. On the Day of Qiyaamah, Rasulullah (sallallahu alayhi wasallam) will then recognize you by the dazzling *Noor* which will, Insha'Allah, be radiating from your face. May Allah Ta'ala bestow the taufeeq

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of *Ittibaa'-e-Sunnah* to all of us, including to our unfortunate brothers whom we have been compelled to castigate and severely reprimand in this treatise.

IMAAM NAWAWI AND THE MEANING OF MAKROOH

Totally bankrupt in *Shar'i dalaal-il* to substantiate the haraam *jubbuth thakar-beard-shaving* permissibility contention, the moron pseudo-Shaafi'i so-called 'scholars', like a drowning man clutching at passing straws, latched on to the Makrooh designation with which Imaam Nawawi describes the prohibition of shaving the beard.

In the abortive attempt to vindicate their haraam position, they contend that according to Imaam Nawawi it is *only Makrooh Tanzeehi* to shave the beard, hence it is permissible since there is no sin in the perpetration of Tanzeehi acts of abomination. However, this averment is furthest from the truth. It is inconceivable that the vile kuffaar act of shaving the beard was ever regarded permissible by Imaam Nawawi, and that by Makrooh he meant Tanzeehi. It is just logical from the avalanche of Shar'i evidence on which the *hurmat* of shaving the beard is based that by Makrooh Imaam Nawawi clearly meant *Makrooh Tahreemi* which is a sinful, prohibited act on par with haraam. There are a number of reasons for concluding that according to Imaam Nawawi the meaning of Makrooh in the context of *jubbuth thakar* is *Makrooh Tahreemi*. The grounds for this contention are as follows:

(1) Refuting Imaam Ghazaali and the three Math-habs (Hanafi, Maaliki and Hambali), Imaam Nawawi maintains that it is not permissible to cut anything whatsoever from the beard regardless of the length the beard reaches. The beard should be allowed to

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grow in its natural state to whatever length has been divinely ordained for it. Thus, Imaam Nawawi states: *"This (act of cutting the beard after it has grown longer than one fist) is in conflict with the obvious meaning of the **command (Amr - which is primarily for Wujoob)** in the Hadith to lengthen the beard. The Mukhtaar (adopted/preferred) view is to leave the beard (to grow) in its (natural) state, and not to interfere with it by cutting it, etc."* (Fathul Baari and Al-Majmoo')

When Imaam Nawawi uses the technical term, *Mukhtaar* to prefer and adopt a version, he does so on the basis of the *daleel being explicit (Sareeh) for the view to be preferred (Raqjih)*. He thus establishes the command of the Hadith to lengthen the beard. Conflict with the Command does not produce the effect of *Tanzeeh*.

Now when cutting the beard to the size which the three Math-habs and Imaam Ghazaali and others of the Shaafi' Math-hab regard to be Sunnah by virtue of the practice of Rasulullah (sallallahu alayhi wasallam) and the Sahaabah, is intolerable to Imaam Nawawi, by what stretch of intelligent reasoning and Imaani logic could it be claimed that shaving the beard according to him is not sinful – that it is Makrooh Tanzeehi and not Tahreemi?

(2) In his *Al-Majmoo'* Imaam Nawawi enumerates ten abominable (Makrooh) acts related to the beard as narrated by Imaam Ghazaali in his *Ihyaaul Uloom*. One of these evil acts mentioned is *"plucking out white hairs from the beard"*. Commenting on this specific Makrooh act, Ibn Hajar al-Asqalaani states: *"Nawawi has made tarjeeh of its Tahreem on account of the confirmation of the condemnation in the Hadith."* (Fathul Baari, Vol.10, page 351)

"Plucking out white hairs (from the beard) is Makrooh because, verily, it is Noor. In fact, he (Imaam Nawawi) said in Al-Majmoo': 'If it is said to be haraam, it will not be far-fetched', and in Al-

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Umm, Shaafi' has explicitly said that it is haraam." (Al-Minhaajul Qaweem, Vol.1, page 26)

"It is Makrooh for a man to take (remove, cut, etc.) hair from the sides of the anfaqah, beard and brows. So is it stated in At-Tahqeeq (of Imaam Nawawi) and in other (kutub) besides it because, verily, it (removal of hairs) is the meaning of tanmees which has been prohibited." (Tanmees is to remove hairs from the eyebrows) (Nihaayatul Bayaan Sharah Zaid Ibn Raslaan, Vol.1, page 40)

Now when it is haraam according to Imaam Nawawi to pluck out even a few hairs from the beard, then to a greater degree will it be haraam to shave off the entire beard. Since the brains of these moron 'scholars' are contaminated with coprophilic substances, they deliberately refuse to understand and acknowledge this simple logic which confirms that Makrooh in the context of *jubbuth thakar* means nothing other than Makrooh Tahreemi according to Imaam Nawawi. Cutting and shaving the beard and even from only the hair on the sides of *anfaqah* (the tuft of hair on the lower lip) are likened to *at-tanmeesul manhiy anhu* (*tanmees which is prohibited in the Hadith*). It is therefore inconceivable that such prohibitions described with the term Makrooh mean Tanzeehi.

The act of *tanmees* (*removing hair from the eyebrows*) is *mal-oon*, i.e. Rasulullah (sallallahu alayhi wasallam) mentioned the *La'nat* of Allah Ta'ala on those who perpetrate it. It is clearer than daylight that Imaam Nawawi's intention was Makrooh Tahreemi. Cutting the beard has been assigned to the category of *tanmees* which is *mal-oon* and *manhi anhu* by the Shaafi Fuqaha. How is it then possible to understand from Imaam Nawawi's usage of the term Makrooh in this context to mean Tanzeehi?

(3) Imaam Nawawi records the various Ahaadith which command that the kuffaar be opposed by means of lengthening the beard. Among these narrations are:

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* "Oppose the mushrikeen – clip the moustaches and lengthen the beards."

* "Clip the moustaches, lengthen the beards and oppose the Majoos (fire-worshippers)."

* "Cut the moustaches, lengthen the beards and oppose the Ahl-e-Kitaab."

The command to oppose the kuffaar and to abstain from emulating them is given clearly in these Ahaadith, and the opposition is to be implemented by way of lengthening the beard.

In his Sharah of Saheeh Muslim, Imaam Nawawi states: *"The meaning of I'faa-ul lihya is taufeer (i.e. to let it grow abundantly), and this is the meaning of 'Aful luha' in another narration. And it was of the practice of the Persians (Fire-Worshippers) to cut the beard. Therefore the Shaar'i (i.e. Rasulullah - sallallahu alayhi wasallam) prohibited it. The Ulama have mentioned regarding the beard ten Makrooh acts, some severer in abomination than others. One is to dye the beard black.....The fourth (Makrooh act) is plucking and shaving the beard. The fifth (Makrooh act) is to pluck out the white hairs (of the beard).....to pluck the hairs on the sides of the anfaqah.....The eleventh (Makrooh act) is to shave the beard except if it grows on a woman, for then its shaving off is Mustahab for her."*

Note: Although Imaam Nawawi makes reference to "ten" Makrooh acts pertaining to the beard, he actually enumerates twelve such acts. It appears that when Imaam Nawawi was compiling this particular passage, he had Imaam Ghazaali in mind, hence he mentioned 'ten' acts. However, he enumerated the twelve Makrooh acts which appear in *Qootul Quloob* of Abu Taalib Al-Makki, and which Imaam Ghazaali also lists in his *Ihya*.

(4) *Tashabbuh bil Kuffaar* is unanimously haraam according to all Math-habs. According to Imaam Nawawi too, *Tashabbuh bil kuffaar* is haraam. It is obvious from the Ahaadith that shaving the beard is *Tashabbuh bil Kuffaar* which according to Imaam Nawawi

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is haraam. The *illat (raison d'etre)* for the prohibition of shaving and for the command to lengthen the beard is *Mansoos*. In other words, Rasulullah (sallallahu alayhi wasallam) himself mentions the *illat* in several Ahaadith. How then could it be rationally concluded that according to Imaam Nawawi, shaving the beard in kuffaar style is Makrooh Tanzeehi and not sinful? It is abundantly clear that by Makrooh, Imaam Nawawi means *Makrooh Tahreemi*.

With regard to the gravity of the prohibition of *Tashabbuh bil Kuffaar*, in *Al-Haawil Kabeer* of Al-Maawardi (died 450 Hijri), it is stated: "*Using utensils of gold and silver is haraam because of the narration of Muhammad Bin Seereen who narrated from Anas that, verily, Nabi (sallallahu alayhi wasallam) forbade the use of utensils of gold and silver, and because in such use is waste and pride, and verily, it is of the style of the Kisras (Persian kings) and the ajamis (non-Arab kuffaar). And, Rasulullah (sallallahu alayhi wasallam) said: 'Whoever emulates a nation, he is of them.'*"

There is hardly a mas'alah on which there is no difference in terms of the Shaafi' Math-hab. An issue can have several dimensions according to the Shaafi' Math-hab. Thus, even *Tashabbuh bil Kuffaar* will be Makrooh according to some Shaafi' Fuqaha. However, for the benefit of these moron pseudo-shaafi' 'scholars', it will be salubrious to know that their much vaunted idea of the immutability of Imaam Nawawi's 'recension' expertise clinches the issue. Refuting the contention that *Tashabbuh bil Kuffaar* is *Makrooh*, Imaam Nawawi states in his *Al-Majmoo'*: "*It is not as they (i.e. the Author of Al-Mu'tamad and Raafi') have said. On the contrary, the Sawaab (correct view) is that Tashabbuh of men with women and vice versa is haraam by virtue of the Hadith: 'Allah curses those men who emulate women and those women who imitate men.'*"

It is noteworthy that in his refutation of the view of Imaam Raafi' and Saahibul Mu'tamad, Imaam Nawawi uses his technical phrase, *As-Sawaab* which denotes the untenability and flimsiness of the rejected version. In other words, the version presented by

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Imaam Raafi' is baseless. The technical term Imaam Nawawi uses here to refute Imaam Raafi, is an honourable way of refutation – a methodology which in this age cannot be utilized when refuting the *jubbuth thakar* 'fatwas' of morons. This is mentioned merely as a diversionary point of interest.

One of the vital elements of prohibition stated here is *Tashabbuh of the kuffaar Persian kings and Ajamis*, and the effect of this prohibition in the technical sense is *Haraam*. Do correlate with this element of prohibition the following which Imaam Nawawi states in his *Sharah Saheeh Muslim*, Vol.3, page 149: "*The meaning of I'faaul Lihyah is to let it grow abundantly...and it was of the practice of the Persians to cut the beard, hence the Shara' prohibited it.*" Now, by what logical, Shar'i argument is it valid to venture the ludicrous claim that by Makrooh in the context of *jubbuth thakar* Imaam Nawawi intended Tanzeeh and not *Tahreem*?

(5) In his *Sharah of Saheeh Muslim* and also in his *Al-Majmoo'*, Imaam Nawawi says that the act of dyeing the beard black is *Makrooh*. However, in his *At-Tahqeeq* he states explicitly: "*Dyeing with black the hair of a man and woman is **haraam**.....and dyeing with black, tatreef of the fingers and plaiting the hair are **haraam**.*" (*Tatreef is to dye the fingertips black*).

Emphasising the *hurmat* of dyeing the beard black which he described with the word *Makrooh* in his *Sharah of Saheeh Muslim*, Imaam Nawawi states in his *Al-Majmoo'*: "*They (the Fuqaha) have enacted unanimity on the condemnation of dyeing the head and beard black. Ghazaali said in Al-Ihya, Al-Baghawi in At-Tahzeeb and others of the Ashaab that it (dyeing with black) is Makrooh. The apparent meaning of their statements is that it is Karaah Tanzeehiyyah. However, the Saheeh, in fact the Sawaab is that, verily, it is **haraam**. Among those who have explicitly said that it is*

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Tahreem are Saahibul Haawi in the chapter on Salat The Muhtasib should prevent people from dyeing white hair with black..."

Imaam Nawawi's *tarjeeh* (recension in Maqdisi's nomenclature) of Tahreem for his Makrooh description in this context is explicit and emphatic. It categorically rejects the *Tanzeeh* view of the *Makrooh* acts pertaining to the beard. Now that he has himself explained the category which the term *Makrooh* occupies in the context of the Makrooh acts related to the beard, it will be dishonest, chicanery and pure humbug to maintain that he meant *Makrooh Tanzeehi*.

Even Ibn Hajar Haitami labels this act to be haraam: "*Dyeing black the white hairs is **haraam**."* (*Al-Minhaajul Qaweem*)

It is thus clear that Imaam Nawawi utilized the words *Makrooh* and *Haraam* interchangeably in the context of cutting, shaving and dyeing the beard. The interchangeable use of these terms - Makrooh for Haraam and vice versa – clinches the argument and knocks out the bottom from the claim that *Makrooh* as used by Imaam Nawawi in the context of *jubbuth thakar* means Tanzeehi. This contention is utterly ludicrous and an insult to the claimant of 'scholarship'.

(6) In a detailed explanation on the various words of the Ahaadith which command lengthening of the beard, Imaam Nawawi states in his *Sharh Saheeh Muslim*: "*The meaning of Aufoo is: 'Utrukoo waafiyatan kaamilatan laa taqus-sooha.'* (Leave the beard to grow abundantly and fully, and do not cut from it.)'Thus, five narrations have been acquired: *u'foo, aufoo, arkho, arjoo and waf-firoo*. The meaning of all of them is to leave the beard (to grow) in its (natural) state. This is the obvious meaning from the Hadeeth. Its words demand this (lengthening in abundance)."

It is inconceivable that Imaam Nawawi would fly in the face of all these Commands of Rasulullah (sallallahu alayhi wasallam) and say the very opposite of what the Commands in the Ahaadith

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explicitly mean. It is unacceptable that Imaam Nawawi meant that it is not sinful to shave the beard when he himself confirms on the basis of these positive Commands of Rasulullah (sallallahu alayhi wasallam) that it is essential to leave the beard to grow abundantly and fully without the least interference by means of cutting, plucking and shaving. By Makrooh he obviously and quite clearly meant *Makrooh Tahreemi*.

(7) If it was an issue of Tanzeeh, Imaam Nawawi would not have engaged in such elaborate explanations to substantiate the view that nothing whatsoever of the beard should be cut or shaved nor would he have lumped these acts together with black dye which he clearly labelled **haraam** despite also saying that it is Makrooh.

(8) Imaam Nawawi was well aware of the explicit ruling of *hurmat* of his Mujtahid Imaam, viz., Imaam Shaafi', and of the explicit rulings of the most senior Shaafi Fuqaha of the Mutaqaddimeen era such as Qaffaal Shaashi, Abu Abdullah Haleemi, etc. It is therefore inconceivable that Imaam Nawawi the junior Muqallid (junior in relation to Imaam Shaafi and the other senior Fuqaha) would have adopted such an extreme position which would have placed him in diametric confrontation with his Mujtahid Imaam.

The implication of the Tanzeehi view is that Imaam Shaafi and the other senior Shaafi Fuqaha had committed the grave blunder of not having understood the issue, and that their stance was devoid of *daleel*. There is simply no reconciliation between haraam and Makrooh Tanzeehi. On the contrary, Imaam Nawawi's Makrooh Tahreemi view can be simply reconciled to bring it in line and into subservience of Imaam Shaafi's *hurmat* ruling.

The reconciliation is simply that both views practically mean 'strictly prohibited'. The different terminology is of mere academic import. Furthermore, regarding the technical difference, Imaam Nawawi is clearly in error for having departed from the five century stance of the Shaafi' Math-hab – a stance adopted by

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Imaam Shaafi' and the most senior Shaafi Fuqaha of the Mutaqaddimeen era. *Sawaab* (rectitude/ correctness) is obviously with Imaam Shaafi because his stance on the beard issue coincides with the view of all the Fuqaha of all other Math-habs and with the relevant Ahaadith commanding very forcefully the lengthening of the beard with its necessary corollary of the *hurmat* of shaving the beard.

(9) Rasulullah (sallallahu alayhi wasallam) invoked Allah's curse on men who emulate women. In a Hadith which appears in numerous Hadith kutub and cited in the Shaafi kutub of Fiqh, the following statement of Rasulullah (sallallahu alayhi wasallam) is recorded: *"Allah curses.....men who imitate women...."* (*Al-Bayaan fi Math-habish Shaafi'*)

Shaving the beard is to project a face in emulation of women. It is thus a *mal-oon* act. How could Imaam Nawawi ever have categorized such an accursed major sin as being Makrooh Tanzeehi?

(10) Rasulullah (sallallahu alayhi wasallam) said: *"Do not pluck out white hairs (from the beard), for verily it is the Noor of the Muslim on the Day of Qiyaamah."* Tirmizi has recorded this Hadith and has authenticated it with the category of *Hasan*. The Shaafi' kutub of Fiqh in general cite this Hadith for the prohibition of plucking the white hairs from the beard.

In *Asnal Mataalib Sharah Raudhat Taalib*, after having mentioned this Hadith, the Author states: *"He (Imaam Nawawi) said in Al-Majmoo': 'If it is said that (plucking out the white hairs of the beard) is haraam, it will not be far-fetched."* Now how can it be honestly contended that according to Imaam Nawawi, ripping out, cutting, shaving, etc. the entire beard is not sinful and that it is Makrooh Tanzeehi?

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(11) Refuting Ibn Hibbaan's authentication of the Hadith which mentions that according to Ibn Umar (radhiyallahu anhu) Rasulullah (sallallahu alayhi wasallam) used to cut from the length and breadth of his beard, Imaam Nawawi says: *"But in Saheehain (Bukhaari and Muslim) is confirmed the command to lengthen the beard abundantly, i.e. not to take anything whatsoever from it. And, this has priority because, verily, it is more authentic."*

(I'aanatut Taalibeen, Vol. 2, page 340)

The meaning of Tanzeehi is completely negated by this stance and refutation of Imaam Nawawi. It is absolutely clear that by Makrooh in the context of the abominable acts related to the beard, Imaam Nawawi meant *Makrooh Tahreemi*.

(12) According to the Shaafi' Math-hab, and also Imaam Nawawi, it is not permissible for the ruler/qaadhi to effect the punishment of *Ta'zeer* by means of shaving the beard of the criminal. *"The obvious meaning of prohibiting Ta'zeer with shaving the beard is that the hurmat of shaving it is because of it (i.e. because it is haraam to shave the beard).....In Nihaayah he (the Author) says: 'Ta'zeer shall not be meted out with shaving the beard even if we say it (i.e. shaving the beard) is Makrooh. And this is the Asah (most authentic) view.'" (I'aanatut Taalibeen, Vol.4, page 168)*

In terms of both views, i.e. *Hurmat* of shaving the beard and *Karaahat* of shaving the beard), there is consensus of the Shaafi' Fuqaha or at least of their Jamhoor, that *it is not permissible* to effect *Ta'zeer* with shaving the beard. Imaam Nawawi was fully aware of this position of the Math-hab. It is therefore not conceivable that he had meant Tanzeehi by describing as Makrooh the vile, abominable act of shaving the beard which Shaikh Haleemi and Ibn Mulaqqin likened to *jubbuth thakar*. When Imaam Nawawi was aware that Shaafi Fuqaha vastly superior to him likened shaving the beard to *jubbuth thakar*, he would not have been so brazen as to scorn their stance and impalpably refute this extremely strong and severe position by describing the major

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sin with the term *Tanzeehi*. *Makrooh Tahreemi* is thus the inevitable conclusion.

(13) Reinforcing the claim of *Tahreem* is the following discussion of Imaam Nawawi in his *Al-Majmoo'*, Vol. 1, page 358: *"However, if a beard grows for a woman, then it is mustahab for her to shave it. Al-Qaadhi Husain and others have explicitly mentioned this. Similarly (is the ruling pertaining) to the moustache and anfaqah of a woman. This (says Imaam Nawawi) is our Math-hab. And, Muhammad Bin Jareer said: 'It is not permissible for her to shave anything of this (i.e. the beard, moustache and anfaqah) nor to change anything of her natural creation by means of increasing or decreasing.'*

However, (says Imaam Nawawi) taking (i.e. cutting/shaving) from the eyebrows (by a woman) when these have become long, I have not seen anything (i.e. ruling) of our Ashaab (the Shaafi' Fuqaha). (Nevertheless) it is appropriate that it be Makrooh because, verily, it is taghyeer li khalqillaah (changing the creation of Allah). Nothing has been confirmed in this regard (i.e. cutting the eyebrows when they have become very long), hence it is Makrooh.

Some of the Ashaab of Imaam Ahmad (Bin Hambal) mentioned that there is nothing wrong with it (i.e. cutting very long eyebrows), and Imaam Ahmad used to do it. This has also been narrated from Al-Hasan Al-Basri."

To understand the usage of the term *Makrooh* in the context of cutting the beard and facial hairs, the aforementioned discussion of Imaam Nawawi is of considerable significance. Note the following facts embedded in this discussion:

* According to Imaam Nawawi he is not aware of any Shaafi' ruling regarding cutting by a female of her very long eyebrows.

* Although he endorses the permissibility and validity of a woman's shaving her beard, etc., he differentiates between the

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female's beard and her excessively long eyebrows. Whilst the former is permissible, the latter is Makrooh.

* Both acts – the female shaving her abnormal beard, and her act of cutting her excessively long eyebrows – are *Taghyeer li khalqillaah* which the Qur'aan brands satanic.

* For permissibility, in fact for *Istihbaab*, of the former act of *taghyeer li khalqillaah*, Imaam Nawawi relies on the explicit ruling of Qaadhi Husain and some others whom he does not name.

* Purely on the basis of the ruling of Qaadhi Husain and some unknown others, Imaam Nawawi declares that this permissibility is 'Our Math-hab'. But he does not proffer the *dalaa-il* of the Shaafi' Math-hab on this issue. It is indeed peculiar to rely on the ruling of another Math-hab on such a simple issue as is being discussed.

* Regarding the act of cutting the long eyebrows, Imaam Nawawi, despite having no narrational evidence and admitting that he is unaware of any ruling on this issue by the Shaafi' Fuqaha, nevertheless, deemed it appropriate to brand the act Makrooh on the basis of it being *taghyeer li khaliqillaah*.

* However, Imaam Nawawi records that Imaam Ahmad Bin Hambal and Hasan Basri used to cut from their presumably long eyebrows. But, the effect of his utilization of the term '*Hukiya*' (*It has been narrated*) to describe the act of Imaam Ahmad and Hasan Basri is his honourable way of dismissal. That is, he dismisses this as baseless, thus confirming his view of *Makrooh* on the grounds of it being *Taghyeer li khalqillah*.

Now the question which develops is: What does Imaam Nawawi intend by Makrooh in this context? Tanzeeh or Tahreem? He states the *illat* for his Makrooh ruling with clarity, viz. *taghyeer li khalqillah* which according to the Qur'aan is the perpetration of shaitaan. Is the commission of a shaitaani act – shaitaani according to the Qur'aan – Makrooh Tanzeehi or Makrooh Tahreemi? There is much food for thought in this ruling of Imaam Nawawi. The fact that he labels it a satanic act is confirmation for the *Tahreemi* import of the term Makrooh in this context.

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Despite lacking in entirety narrational evidence, neither an explicit Hadith nor an explicit statement from the senior Shaafi' Fuqaha who preceded him, Imaam Nawawi labels the cutting of excessively long eyebrows by a woman as being Makrooh. The aforementioned explanation largely establishes that he means Makrooh Tahreemi. The factor of *Taghyeer li khaliqillah* constrained him to reject even the practice of such giants of Uloom and Taqwa as Hadhrat Hasan Basri and Imaam Ahmad Bin Hambal.

It was expected that in the absence of any evidence of his Math-hab, Imaam Nawawi should have upheld the permissibility on the basis of the practice of Hasan Basri and Imaam Ahmad. After all, he accepted the ruling of Qaadhi Husain on several acts of *Taghyeer li khalqillaah* relative to a woman, viz., shaving the beard, the moustache and the anfaqah. On what basis did he then differentiate between the beard and the eyebrows? He does not explain. He simply says that he is not aware of any ruling by the Fuqaha of the Shaafi' Mat-hab on this specific act of *taghyeer*.

We venture to suggest the factor which could have influenced Imaam Nawawi to differentiate between the two acts. Rasulullah (sallallahu alayhi wasallam) had informed that Allah's curse settles on a *naamisah*. A *naamisah* is a woman who removes hair from her eyebrows. However, if our suggestion has any validity, the question arises: Why did Imaam Nawawi not cite this fact for his Makrooh ruling? Perhaps he reasoned that the abnormality of the length of the eyebrows excludes her from this divine curse.

Be this as it may. The incontrovertible fact remains that he labelled the shaving of the abnormally long eyebrows to be Makrooh on the basis of it being a satanic act of *taghyeer li khaliqillah*. He made a clear distinction between abnormal beard (i.e. for a female) and very long eyebrows which he does not regard to be abnormal, hence the difference in the rulings.

Now despite the lack of any narrational evidence for damning an act – neither Hadith nor a ruling from a senior Faqeeh of the Math-

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hab – Imaam Nawawi deemed it proper to brand the act Makrooh - and the Karaahat is Tahreem on the basis of the *illat* being the satanic perpetration of *taghyeer li khalqillaah*, what is the demand of an *Aql* not deranged by divinely imposed *rijs* regarding an act (shaving the beard by a male) on the prohibition of which there exists a deluge of narrational and rational evidence of the Shariah? Numerous Ahaadith on the lengthening of the beard, the unanimous ruling of *hurmat* of the Four Math-habs (The Shaafi' Math-hab is included, because *hurmat* was also its unanimous ruling until the seventh century Hijri), *Tashabbuh bil kuffaar*, *Tashabbuh bin nisaa'*, *Taghyeer li khalqillaah*, *muthlah* (*disfigurement*) and the perpetration of a misdeed in conflict with *Fitrah* constitute the formidable grounds for the ruling of the *hurmat of shaving the beard*.

There is simply no scope whatsoever for the Tanzeeh suggestion in the context that Imaam Nawawi uses the word Makrooh.

KARAAHAH AND HARAAM IN THE SHAAFI' MATH-HAB

In the classification of the *ahkaam* of the Deen, especially the classes designated *Makrooh* and *Haraam*, there exists profound and extreme *Idhtiraab* (*confusion/perplexity*) among the Shaafi' Fuqaha. The kutub of the Shaafi' Math-hab are a real minefield in this regard.

The technical classifications of the innumerable Shar'i laws simply crash and break down on individual classification rulings just as the waves crash and break up when they reach the shore. Consider the following few examples taken at random:

(1) Ibn Umar narrated: "I heard Rasulullah (sallallahu alayhi wasallam) prohibiting *qaza'*." This means to shave portions of the head. Imaam Nawawi commenting on this Hadith of explicit

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prohibition, states: *"The Ulama have enacted Ijma' (Consensus) on the Karaahah of qaza'. And this (Karaahah) is Tanzeehi. (Sharah Muslim)*

This prohibition issued by Rasulullah (sallallahu alayhi wasallam) is recorded in both Bukhaari and Muslim. Despite the acknowledged authenticity of the Hadith and the fact that the prohibition was issued by Nabi-e-Kareem (sallallahu alayhi wasallam), Imaam Nawawi assigns the prohibition of *qaza'* to the category of Tanzeeh, the commission of which is not sinful while abstention is praiseworthy.

The Qaadhil Qudhaat (the Chief Qaadhi) who was a great Shaikh of the Shaafi' Math-hab proffers a definition for *Makrooh*. Before stating his definition, it will be appropriate to mention this great Faqeeh's full name and litany of impressive titles so that readers gain a better understanding of the *Idhtiraab* existing in Shaafi' quarters regarding the concept and meaning of *Makrooh*. We now draw off the curtain from the formidable list of impressive names and titles. In *Al-Ibhaaj, Vol.1, page 3*, the curtain is lifted as follows:

"Said Ash-Shaikh Al-Imaam Al-Aalim Al-Qudwatul Muhaqqiq Al-Haafiz Shaikhul Islam Baqiyyatul Ulama-il-A'laam Qudwatul Aimmah Aakhirul Mujtahideen Hujjatullaah alal Aalameen Sayyiduna wa Maulana Qaa-dhil Qudhaat Taqiyyuddeen Abul Hasan Ali Bin Abdil Kaafi Bin Ali Bin Ali Bin Tamaamibni Sawwaaribni Sawwaaribni Miswaaril Ansaarlil Khazraji Ash-Shaafi' – May Allah maintain fresh his countenance – the Qaad-hil Qudhaat of the Protected Land of Shaam (Note – Shaam was protected in days gone by):

Then on page 59 of Vol.1 of *Al-Ibhaaj*, this honourable, Giant of Ilm who strode the firmament of Islamic Uloom, says:

"And Makrooh is such an act for which the one who abstains from it is praiseworthy, and the perpetrator of it shall not be criticized. Thus with his statement 'yumdahu' (is praiseworthy/will be praised) are excluded Waajib, Mandoob and Mubaah. And with

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his statement, 'la yuthammu faa-iluhu' (its perpetrator shall not be criticized), haraam is excluded.Neither is it good nor bad. And, there are three technical meanings for the term Makrooh.

*One of the three is **Haraam**. Thus (when) Imaam Shaafi' says: 'I regard as Makrooh this and that,' he means thereby **Tahreem** (that it is haraam). And, this (i.e. using Makrooh to mean **Haraam**) was the preponderate usage of the Mutaqaddimeen (Shaafi' Fuqaha). (They resorted to this methodology) in order to guard against Allah's statement (in the Qur'aan): 'And, do not say for the lies which your tongues fabricate, 'this is halaal and that is haraam'." Thus they (the Mutaqaddimeen Shaafi' Fuqaha disliked the word Tahreem.*

*The second technical meaning of Makrooh is that which has been **prohibited**. In other words Tanzeeh prohibition, and that is the intention here (i.e. in the aforementioned definition).*

The third meaning is Tarkul Aula (i.e. to abandon what is best), e.g. to abstain from performing Salaatudh Dhuha. (It is Aula) because of the abundance of significance in its performance....."

We have cited the above by way of sample. The discussion on Makrooh requires a bulky volume. It is a sojourn through a labyrinthal maze of minefields. The above definition requires some comment.

(a) The Honourable Qaa-dhiul Qudhaat's definition is incomprehensive and extremely narrow in that it applies to only one dimension of Makrooh, and that is *Tanzeeh*.

(b) Whilst presenting a definition which is supposed to be comprehensive and all-embracing of all angles of the concept, he applies the word to **haraam** as well. He is constrained to bring in this dimension despite his definition not catering for it in any way whatsoever. However, the copious utilization of this term by the Shaafi' Fuqaha and the abundance of usage of the term Makrooh in the meaning of Tahreem/Haraam do not permit ignoring it. The reality on the ground compels acknowledgement.

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(c) The reason which the Honourable Faqeeh proffers for the supposed paucity of the use of the term *haraam* by the early Shaafi' Fuqaha, is not valid. Facts simply do not bolster what the Honourable Shaikh has averred. The statements of the early Shaafi' Fuqaha, including those of Imaam Shaafi' abound with the explicit term, *haraam* for even such acts which are the effects of Qiyaas (Shar'i analogical reasoning) which by the way also constitutes *Daleel Qat'i* in the Shaafi' Math-hab. At this juncture, to curtail the scope of this treatise, we shall refrain from substantiating these claims with copious examples. However, if challenged, then Insha'Allah, we shall be found to be accommodating.

The technical definition of *Makrooh Tahreemi* which the Shaafi' Fuqaha as well as the Hanafi Fuqaha discharge in abundance with the term 'haraam', not used in the technical sense, is as follows: "*Verily, Karaahah Tahreem is substantiated by such daleel which admits the probability of ta'weel (interpretation).*" There is a possibility of another effect. And, the definition of Haraam in the technical sense is: "*Haraam is that which is substantiated by such Daleel Qat'i which does not admit the probability of ta'weel. (Such Dalaail Qat'i is from the Kitaab (Qur'aan) or the Sunnah or Ijma' or Qiyaas.*"

(I'aanatut Taalibeen, Vol.1, page 116)

There is a clear technical distinction between Haraam and Makrooh Tahreemi although both terms are utilized synonymously for purpose of practical abstention from abominable and sinful deeds. Since both Makrooh Tahreemi and Haraam have the same consequence in terms of the Aakhirah, viz., the effect of both is sin and Hell-Fire, the Fuqaha freely use the word 'haraam' for an act which is technically described Makrooh Tahreemi.

There is also a vast chasm between Makrooh Tanzeehi and Makrooh Tahreemi. "*The difference between Karaahah Tahreem and Karaahah Tanzeeh is that the consequence of the former (i.e.*

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Makrooh Tahreemi) is sin, whilst the effect of the latter (i.e. *Makrooh Tanzeehi*) is not sin" (*I'aanatut Taalibeen*, Vol.1, page 116).

Let us now revert to Imaam Nawawi's label of *Makrooh Tanzeehi* for the act of *qaza'* which Rasulullah (sallallahu alayhi wasallam) had stringently prohibited, and on which prohibition Imaam Nawawi records *Ijma'*. The Ahaadith on which this prohibition is based are highly authentic, acknowledged by all authorities, including Imaam Nawawi. However, he mysteriously labels this prohibited act *Makrooh Tanzeehi*. Now view this '*tanzeehi*' prohibition in the mirror of the following prohibition:

*"A woman uses qaseerah, (i. e. short wooden stilts) for walking among tall women. The hukm (ruling) for this act is unknown in our Shariah (i.e. in terms of the Shaafi' Math-hab) If she has a reason which is valid in the Shariah..... then there is nothing wrong with it. But, if her intention is pride or to emulate women of stature to deceive males, etc., then it is **haraam**."* (*Sharah Saheeh Muslim of Imaam Nawawi*)

Despite the preponderance of Shar'i *dalaa-il* for the prohibition of *qaza'*, it is given the label of *Makrooh Tanzeehi* while the deed of walking on stilts which has no *Nass* for its prohibition, neither in the Hadith nor in the Shariah as presented by the Shaafi' Fuqaha, Imaam Nawawi labels it **haraam**. The discrepancy is self-evident.

Consider the following example: *"Al-Maawardi (who was among the early senior Shaafi' Fuqaha) said: 'Using gold and silver utensils is **haraam** because of the narration of Muhammad Bin Seereen who narrates from Anas who said: 'Verily, Nabi (sallallahu alayhi wasallam) forbade the use of gold and silver utensils."*

(Al-Haawil Kabeer of Al-Maawardi, died 450 Hijri)

Qaza' too was prohibited by Rasulullah (sallallahu alayhi wasallam) in identical word and tone, yet, it is described as a *Makrooh Tanzeehi* act.

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To display the *Idhtiraab* of the Shaafi' Fuqaha we shall here mention a Shaafi' ruling which will make the mouths of the moron fraudulent claimants of the Shaafi' Math-hab –*the promoters of jubbuth thakar* – water with nafsani gratification:

"It is haraam for a woman to raise her voice with the Athaan if there is an ajnabi (ghair mahram male) listening. However, her singing and listening to it by an ajnabi male are not haraam where there is no Fitnah...."(*Tuhfatul Muhtaaj fi Sharhil Minhaaj of Ibn Hajar Haitami with annotations by Imaam Abdul Humaidish Shirwaani and Imaam Ahmad Bin Qaasim Al-Abbaadi*).

This is not the appropriate occasion for a refutation of this baseless ruling. The purpose of mentioning these few examples is merely to illustrate the confusion (*Idhtiraab*) which reigns in the ranks of the Shaafi' Fuqaha in the spheres of *Usool*, *Juzwi masaa-il* and *technical classification of the Ahkaam*. And, this incontrovertible fact is acknowledged by the Shaafi' Fuqaha themselves.

"The Usooliyyoon (the Ulama of Usool) are perplexed regarding the meaning of Makrooh.....Defining Nahyal Karaahah has become difficult.....Hence, for this reason have the Ulama become confused after despairing from this angle with regards to the meaning of Makrooh.

Thus some opined that Makrooh is that which differs in its prohibition. However, this is spurious, for verily, Karaahah is established according to some issues despite the enactment of Ijma' on the negation of prohibition.

My Shaikh Abul Qaasim Al-Askaafi said: 'Makrooh is such an act for which punishment is feared on its perpetration.' However, this is obviously erroneous.....

(Al-Burhaan fi Usoolil Fiqh, Vol.1, page 215)

The author of this authoritative kitaab is Imaamul Haramain Abil Ma-aali Abdul Malik Bin Abdullah Bin Yusuf Al-Juwaini who was the Ustaadh of Imaam Ghazaali. After wading through the mass of confusion, Imaam Al-Juwaini said: *"The absolute truth in this*

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regard according to me is that Nahyal Karaahah is in the meaning of a Mandoob command..... and the one who is a doubter in this will be perplexed regarding the acquisition of the truth..... Now that I have fixed the basis of the confusion of the Mathaahib (on the definition of Makrooh), the way of its resolution is.....

Further, prohibitions in the category of Karaahah are in different categories..... The one who probes should reflect on this issue (to which I have alerted), and he should ponder just how the ways have become confused on the Ulama because of their perplexity of the principle of intention, and this is the secret of commands and prohibitions.

In this science (of Fiqh) Makrooh is a technical term according to the Usooliyyeen. It therefore means an act which has been prohibited (al-manhi anhu)."

(Al-Burhaan fi Usoolil Fiqh, Vol.1, page 216)

After a detailed and in-depth elaboration on this vexatious topic pertaining to the elusive culprit, viz., Makrooh, Al-Juwaini again lapses into incongruity. Repeating the error, he says: "*Mahzoor (what is prohibited) is an act against which the Shaari' (Rasulullah –sallallahu alayhi wasallam) has warned and has condemned its commission whilst Makrooh is an act against which there is also a warning, and its commission has not been condemned.*" (Al-Burhaan fi Usoolil Fiqh, Vol.1, page 216)

This is neither the occasion nor our intention to even attempt sorting out the conundrum for unravelling the mystery underlying the concept and definition of Makrooh in the Shaafi' Math-hab.

*"For us (Shaafi's) is that the Sahaabah would revert to **Tahreem** merely at a prohibition (Nahi). It has been narrated from Ibn Umar that, verily he said: 'We practised mukhaabarah (a kind of agricultural partnership) for forty years and we did not consider it to be wrong until when Raafi' Bin Khadeej informed us that Nabi (sallallahu alayhi wasallam) forbade mukhaabarh. Therefore we abandoned it because of the statement of Raafi'.Thus, this*

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*indicates that the unrestricted use of Nahi demands **Tahreem**." (At-Tabsirah, Vol.1, page 93)*

It is noteworthy that according to the general attitude of the Shaafi' Math-hab mirrored in the abovementioned statement: "*For us (Shaafi's) is that the Sahaabah would revert to Tahreem...*", Makrooh for all practical purposes is regarded to be Makrooh Tahreemi. This was the attitude of the Sahaabah, which all Fuqaha ascribe to. Muhaddith Ibnul Mulaqqin (723 – 804 hijri) states in this regard:

"From the Hadith is understood the difference between Nahyi Tanzeeh and Tahreem. This is regarding Knowledge (i.e. in terms of academic theory). However, from the perspective of amal (practical implementation) they (the Sahaabah) did not differentiate in Makrooh. They totally abstained from Makrooh whether it be Tanzeehi or Tahreemi."

(Al-I'laam bi Fawaaid Umdatil Ahkaam)

The author of *At- Tabsirah* is Al-Fairuzaabaadi Ash-Shiraazi Abu Ishaq, the author of Al-Muhazzab whose commentary, *Al-Majmoo'* is the work primarily of Imaam Nawawi.

Regarding a command of Allah Ta'ala or Rasulullah (sallallahu alayhi wasallam), he states: "*An Amr (Command) to do an act of ibaadat does not demand the rendition of that act in a Makrooh manner.....*" (*At- Tabsirah, Vol.1, page 93*)

"Makrooh consists of three things: Makrooh Tanzeehi, Tahreem and Tarkul Aula."

(Al-Mahsool, Vol.1, page 131)

*"Makrooh is a word which comprises several meanings in the terminology of the Fuqaha. One meaning is prohibition. Many of Shaafi's statements in which he says: 'I regard it to be Makrooh', mean **Tahreem** (that is it is haraam)."*

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The second meaning is Makrooh Tanzeehi.....The third meaning is Tarkul Aula.....The fourth meaning is an act in which there is doubt in it being haraam."

(Al-Mustafa, Vol.1, page 54)

"Makrooh – It has been said to be abstention from Mandoob. This is baatil....."

(Al-Mankhool, Vol.1, page 137)

Discussing a Makrooh act, whether it is Tahreemi or Tanzeehi, the following appears in *Sharhul Bahjah* on page 48: *"Is it Karaahah Tahreem or Tanzeeh? Nawawi's Tarjeeh (preference) conflicted. In Ar-Raudhah, Sharhul Muhazzab and Sharhul Waseet, Nawawi made tarjeeh of the first (i.e. Tahreem). In At-Tahqeeq, Daqaaiqul Raudhah and in Al-Kalaam anil Mushmis of Sharah Al-Muhazzab, he made tarjeeh of the second (i.e. Tanzeeh). And, he mentioned that it (the act of ibaadat) is not valid even if we say that it is Karaahah Tanzeeh because Makrooh is not within the scope of Mutlaqul Amr....."*

*"Every Makrooh is Khilaaful Aula, but not vice versa because Makrooh also applies to **Haraam**, not so the other one (i.e. Khilaaful Aula)." (Fathul Baari, Vol.1, page 285)*

"Makrooh shall be condemned just as Haraam is condemned."

(Sharah Saheeh Muslim of Nawawi, Vol.4, page 209)

"And is the Karaahah (regarding the issues which were discussed) Karaahah Tahreem or Tanzeeh? In this there are two views. The most authentic of the two (asahhu-huma) in this regard is stated in Ar-Raudhah and Sharah Al-Muhazzab, is Tahreem. And, Shaafi' has explicitly said that it is haraam in Ar-Risaalah. He (Nawawi) has authenticated in At-Tahqeeq, in Kitaabut Tahaarah and Kitaabul Ishaaraat that it is Tanzeeh. Then he (Nawawi) despite having authenticated that it is Karaahah Tanzeehiyyah, authenticated that the Salaat is not valid on the asah (most

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authentic) view. And, this (conflict) is difficult...." (Kifaayatul Akhyaar, Vol.1, page 128)

"Just as haraam is prohibited, so too is Makrooh prohibited although it (the prohibition) in the first case is Waajib, and in the second Mandoob." (Asnal Mataalib, Vol.1, page 186)

"The intention of the Ashaab (Shaafi' Fuqaha) for (the word) Karaahah in their statement: 'It is not saheeh', is Alkaraahah As-Shadeedah (severe Karaahah, i.e. Makrooh Tahreemi), not Khafeefah (i.e. not Makrooh Tanzeehi).

(Haashiyah Al-Jamal ala Sharhil Minhaj, Vol.2, page 159)

"The Muhtasib (officer of the state) has the right to prohibit the perpetrator of Makrooh and the one who abstains from Mandoob." (Haashiyah Qalyoobi, Vol.4, page 215)

Imaam Muhammad Bin Ar-Rif'ah clarifying the meaning of Makrooh in the Shaafi' Math-hab states: *"The meaning of Al-Karaahah here is At-Tahreem (i.e. Haraam). This application literally and in terms of the Shariah is valid. What! Do you not see the qawl of Imaam Shaafi': 'I regard as Makrooh wearing silk armour adorned with gold, and a cloak and izaar interwoven with gold.' ? He (Imaam Shaafi') was an expert of the language. (And do you not see) Allah's qawl (in the Qur'aan): 'The evil of all of this is Makrooh by your Rabb.'" (Al-Israa', aayat 38)* In this aayat, the Qur'aan describes the major sins of lies, gheebat and pride as being Makrooh. Obviously the connotation is not tanzeeh.

The common factor in Haraam and Makrooh is that in both, abstention is arjah (more preferable) than commission (of the deed), hence it is valid to apply the one to the other (i.e. haraam to Makrooh and vice versa)." He said: "It is haraam for a man to use silken garments.....Verily, Umar Ibnul Khattaab (radhiyallahu anhu) said: 'O Rasulullah! Should I purchase this (silken garment)

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so that you may wear it on the Day of Jum'ah when delegations meet you?' Rasulullah (sallallahu alayhi wasallam) said: "Verily, only those who have no share in the Akhirah wear this (type of garment)." (Kifaayatun Nabeeh-Sharhut Tambeeh)

Ibn Rif'ah clarifies that Makrooh and Haraam are used interchangeably. In substantiation he cites Imaam Shaafi' and the Qur'aanic aayat. The Hadith in which Rasulullah (sallallahu alayhi wasallam) rejected Hadhrat Umar's offer exudes emphasis. Thus, even if the 'well-accepted position' is *Karaahah*, it means *Tahreem*.

The objective for these random and snippet citations is not to elaborate on the definitions and concept of Makrooh in terms of the Shaafi' Math-hab. The objective is to only show the considerable *Idhtiraab* (confusion and perplexity) reigning in the ranks of the Shaafi' Fuqaha on this issue. *Makrooh* is not cast in granite stone. In Shaafi' Fiqh, *Makrooh* swings wildly between the extremes of *Haraam* and *Khilaaf-e-Aula*, the latter being the weakest form of Makrooh Tanzeehi. But in the UNANIMOUS opinion of all Shaafi' Fuqaha, *Makrooh*, even *Makrooh Tanzeehi* and *Khilaaf-e-Aula* NEVER means permissible as the *jubbe thakar* morons of our day are at pains to convey.

There is not a single Shaafi' Faqeeh in the history of Islam who has adopted the immoral, haraam position of the *jubbe thakar* miscreants who are promoting their emulous imitation of the kuffaar with the haraam 'permissibility' idea of shaving the entire beard without any valid Shar'i cause whatsoever.

REFUTATION OF SOME OF AKITI'S GHUTHA

Another deviate of our time, Al-Atiki who promotes the *mal-oon* goatee beard idea and that shaving off the whole beard is not sinful because cutting from even the *mal-oon* goatee is 'only' Makrooh, cites a view from the kitaab, *Bughyatul Mustarshadeen*. However,

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he very conveniently overlooked or ignored the following categorical averments appearing in this Kitaab:

".....even though the Ashaab (Shaaafi' Fuqaha) have explicitly said that it (cutting from the beard in any way) is Makrooh. Yes, Imaam Shaaafi (radhiyallahu anhu) has explicitly ruled that shaving the beard and plucking out hairs (from the beard) are haraam. And if it is said that plucking out white hairs is haraam, then it will not be far-fetched." (Bughyatul Mustarshideen, Vol.1, page 81)

Thus, even if the Karaahah view of the Ashaab is said to be Tahreem, it will not be far-fetched.

*"Regarding shaving the beard without valid reason, in Ar-Raudhah it is (said) to be Makrooh. The Sawaab (most authentic view) is its **Tahreem** as explicitly said by Shaaafi' and Haleemi. (Bughyatul Mustarshideen, Vol.1, page 81)*

In his goatee-beard *jubbuth thakar ghutha*, this character, Akiti by implication accuses Imaam Ghazaali of having perpetrated chicanery and fraud. His allegations against Imaam Ghazaali palpably imply that the norm of this great Imaam of Taqwa and Tasawwuf was to distort the writings of other authors to suit his (Ghazaali's) whimsical fancies. Thus, this lost soul states:

"So it should be clear to us by now that the words of al-Makki's Qut-al Qulub have been carefully and purposely emended by al-Ghazali, and in the edited version.....That is why al-Ghazali does not mention his source here (that it is from Qut al-Qulub), and specialists on Ghazalian studies will be able to confirm that this is the usual practice in all of al-Ghazali's works: not to mention the source when the carefully edited portions of the source text makes subtle but crucial departures from the original author."

While Akiti baselessly accuses Imaam Ghazaali of chicanery, he (Akiti) is guilty of wholesale dishonesty by concealing what he has read in *Qootul Quloob* of the Sunnah beard and the Shariah's rules pertaining to it. First, in total refutation of Akiti's *jubbuth*

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thakar goatee-beard haraam view, the noble Author (who was a great Wali) states in his *Qootul Quloob* under the sub-heading: *"The sins and innovated acts of Bid'ah related to the Beard: Verily, it is mentioned in some (Hadith) narrations: 'Verily Allah has some Malaaikeh who take oath (as follows): 'By (Allah) Who has adorned the sons of Aadam with the Beard'. It is said that the Beard is of the perfection of man's creation. With the Beard men are distinguished from women in outward appearance.*

It is mentioned in the description of Rasulullah (sallallahu alayhi wasallam) that he was a person with a thick beard. Similarly was Abu Bakr. The Beard of Uthmaan was long and tapering. The Beard of Ali (radhiyallahu anhu) was so broad that it filled the space between his shoulders (i.e. the Beard was luxuriously full, broad and long). It has been said that the people of Jannat will be without Beards except Haaroun, the brother of Musaa (alayhimas salaam). Verily, he shall have a Beard reaching to his chest in his honour and significance."

Enumerating the evils and haraam acts which are associated with the beard, Shaikh Abu Taalib Al-Makki, the author of *Qootul Quloob*, states:

"Regarding the beard there are hidden tendencies of hawaa (lust, bestial desire) and subtle calamities of the nafs. There are twelve innovated acts of bid'ah. Some are worse than others in abomination....."

Umar Bin Khattaab and the Qaadhi of Madinah, Ibn Abi Laila rejected the Shahaadat (testimony) of a man who used to pluck from his beard. Plucking hair from the feenakain (i.e. the hair on the sides of the tuft of hair on the lower lip) is bid'ah.

It has been narrated that Rasulullah (sallallahu alayhi wasallam) forbade plucking white hairs, and he said: 'It is the Noor of the Mu'min. Rasulullah (sallallahu alayhi wasallam) forbade the use of black dye, and he said in this regard: 'It is the dye of the people of the Fire. In another narration he said that black dye is the dye of the kuffaar.

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Rasulullah (sallallahu alayhi wasallam) instructed the father of Abu Bakr to change (the white colour) of his beard. He said: 'Refrain from black dye. And he said: 'It is the dye of the people of the Fire.'

A man married during the khilaafat of Umar Ibn Khatthaab (radhiyallahu anhu). He had dyed (his beard) with black. (After some time) the colour faded and his white hair became visible. The family of the woman complained to Umar. He then annulled the Nikah and lashed him. He said: 'You deceive the people with 'youth' and you concealed your old age from them.'..... It is said that the first person who dyed with black was Fir'oun – May Allah curse him.'

Sirri Bin Al-Mughlis said: 'In the beard are two acts of shirk: combing it for the sake of people (to show off), and to leave it dishevelled to project an image of zuhd (piety/renunciation of the world).'

'Ka'b and Abu Jald described that in the last of times (in proximity to Qiyaamah) there will be a nation who will cut their beards (so that it appears) like the tails of pigeons (Akiti's goatee beard)... They will be bereft of character.'

Saeed Bin Jubair narrated that Rasulullah (sallallahu alayhi wasallam) said: 'During aakhiruz zamaan (the last age near to Qiyaamah) there will be a nation who will dye with black.... They will not smell of the fragrance of Jannat.'

With all these facts pertaining to the Beard in front of Imaam Nawawi (and which Akiti intentionally concealed), it is inconceivable that Makrooh in the context of the malpractices listed in *Qootul Quloob, Al-Ihya, Sharah Muslim and Al-Majmmo'* carried the meaning of Tanzeeh. Furthermore, it has already been mentioned earlier that Imaam Nawawi himself made *tarjeeh of hurmat*. The stupid dispute initiated by the clique of morons promoting *jubbuth thakar* is therefore clinched. Not a single argument of the morons has any validity.

AKITI'S FALSE CHARGE AGAINST IMAAM GHAZAALI

Let us subject Akiti's canard which is his false accusation levelled at Imaam Ghazaali, to a careful scrutiny for eradicating the lie which he (Akiti) has peddled in his *jubbuth thakar* essay. The ignorant and the unwary are usually victims of the malady of deglutition of whatever *ghutha* is fed to them as long as it is adorned with deception. An adorned falsity is quickly accepted as fact by the ignorant ones, as well as by even 'scholars' who lack in expertise or whose research is deficient or who lack access to the kutub from which the citations are made.

Stating his charge against Imaam Ghazaali, Akiti avers: *"It should be mentioned here that al-Ghazali had, in fact, edited the original words of Abu Talib al-Makki. Al-Makki, for example, originally mentions that among the disliked practices relating to the beard, is to exceed it and to be deficient of it (in other words, defining the maximum and what is the less than the minimum limits of the beard), according to al-Makki (whose tariqa in fiqh was not Shafi'i, but Hanafi):*

"Among this (from the 12 Makruh (not the 10 like in the Ihya') practices relating to the beard) is its deficiency (nuqsan) and excess (ziyada). That is to say (the excess is), to exceed the lateral hairs (growing out) of the temple (bones) from the hair of the head until it goes beyond the jawbones, and that is the limit (hadd) of the beard. Or, the deficiency of the beard, is to be deficient (by omitting, not letting it grow, or trimming it) from the jawbones to halfway up the cheeks, and that is similar to (the hukm of exceeding the beard)." {al-Makki, Qut al Qulub, 3:357}

In the above *ghutha* disgorged by Akiti, he implies the commission of chicanery by Imaam Ghazaali and that he had:

- 'edited the original words of Abu Talib al-Makki'

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- mentioned only 10 of the 'Makruh' practices, not the 12 mentioned in Qootul Quloob

Furthermore, according to Akiti, Abu Talib Al-Makki's 'tariqa' was Hanafi, not Shafi'.

With regards to the allegation of implied chicanery, the following is the Arabic text of *Qootul Quloob*:

ومن ذلك النقصان منها والزيادة فيها وهو أن يزيد في شعر العارضين من الصدغ من شعر الرأس حتى يجاوز عظم اللحي وذلك هو حدّ اللحية، أو ينقص من العظمين إلى نصف الخد وذلك مثله [الأظهر أنه "مثلة". ويؤيده قول شارح الإحياء: "بل هو مثلة ، فليجتنب ذلك".] وهو نقصان من اللحية،

The following is the correct translation of this passage:

"And of these is to diminish *from* it and to increase *in* it. And it is that he increases in the hair of the *aaridhain* from the *sudgh* of the hair of the head until it goes beyond the jawbone, and that is the limit of the beard, or he diminishes from the two jawbones until half the cheek. And that is mutilation/disfigurement. And it is reduction in the beard." (Qootul Quloob)

The above is a faithful, almost verbatim translation of the text of *Qutul Quloob*, which Akiti has mutilated, interpolated and distorted in his inaccurate translation. His translation comprises of several errors as follows:

(a) Akiti translated *an-nuqsaan* and *az-ziyaadah* with the terms *deficiency* and *excess* respectively. However, in the context, related to the Beard, this translation is erroneous. The words in the context mean: *to decrease* and *to increase*. The *nuqsaan* and the *ziyaadah* come into effect as consequences of practical actions, viz. shaving/cutting.

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(b) The meaning of the act of *ziyadah* given by Akiti is extremely deficient, in fact incorrect. It is quite apparent that the statement in *Qootul Quloob* has perplexed and confused Akiti, hence he was compelled to resort to a stunt to conceal his inability and inadequacy. Instead of honourably either steering off from the attempt to translate the statement or conceding that the statement is ambiguous, he seeks refuge in the stratagem of *obscurum per obscurius*, that is, he confounds the initial ambiguity with still more ambiguity to cover up his inadequacy or perhaps *jahaalat*.

That the statement in *Qootul Quloob* is ambiguous is undeniable. The ambiguity in the initial statement constrained the Shaafi' Fuqaha to subject it to valid interpretation. While the interpretation proffered by the Shaafi' Fuqaha is valid, the translation- cum-interpretation ventured by Akiti is a display of inexpertise and inefficiency. The scenario emanating from Akiti's hybrid translation-interpretation has no practical existence whereas the interpretation presented by the Shaafi' Fuqaha is readily achievable and comprehensible.

By effecting *ziyaadah* is meant to actively increase the beard by increasing the *aaridhain*. The *aaridhain* which Akiti translates as the 'lateral hairs', are the sideburns. Defining the *aaridhain*, Imaam Nawawi states in *Al-Majmoo'*, Vol.1, page 439: "*The hair of the aaridhain: it is that which is below the al-ithaar.....*

And the al-ithaar: it is that which grows on the raised bone near to the ear....(page 438) The meaning of *sudgh* (*sudghain* for two) is: "*The sudghaan: these two are adjacent to the al-ithaar from above (i.e. from the top of the ithaar).*" –*Haashiyah Shibraamalsi ala Nihaayatil Muhtaaj*, Vol. 8, page 445) In other words, the temples.

Thus, if when shaving the head, part of the head's hair above the *aaridhain* (*sideburns*) is left, it results in 'increasing' the beard. The *ithaarain* are then amalgamated with the *aaridhain*, extending the beard beyond its Shar'i *hadd* (limit) which is the point where the *aaridhain* end, i.e. the raised bone in line with the ear. Hence,

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Qootul Quloob expressly states it to be the *hadd* (limit) of the beard. The hair of the *sudghain* is part of the hair of the head.

In *Al-Majmoo'*, Vol.1, page 439, Imaam Nawawi explicitly confirms that the hair of the *aaridhain* (sideburns) is part of the Shar'i *Liyyah*. In this regard he says: "*And the Saheeh view is that the Jamhoor have absolutely ruled that for it (the hair of the aaridhain) is the hukm of the liyyah.*"

Some crank like one of these *jubbuth thakar* promoters may stupidly by way of skulduggery argue that Imaam Nawawi said: '*For it is the hukm of the liyyah*'. He did not say that *it is part of the liyyah*. This stupid mental gymnastic stunt does not bolster the case of the *jubbuth thakar* conglomerate. Regardless of the *aaridhain* being excluded from the technical meaning of *liyyah*, they (the *aaridhain*) are positively integral parts of the Shar'i or the Sunnah Beard whose lengthening is Waajib. Thus, Imaam Nawawi extends the *hukm* of the technical *liyyah* to the *aaridhain* as well. The technical *liyyah* has been formulated for the specific purpose of deciding issues related to *Tahaarat*, hence the technical definition of the *liyyah* is discussed primarily in *Kitaabut Tahaarah*. It has no relationship with the Sunnah Liyyah to which the command of Rasulullah (sallallahu alayhi wasallam) applies.

The foregoing explanation dispels the ambiguity which Akiti had deemed expedient to leave in his explanation of *ziyaadah*. The *ziyaadah* comes into existence only if the head is shaved, for only then will the beard have an externally increased appearance. Explaining this scenario, Imaam Nawawi says: "*Ghazaali said: Ziyaadah (to increase) in the beard is Makrooh, and (also) naqs (to decrease it). And it (i.e. to increase and decrease it) is to increase in the hair of the ithaarain from the hair of the sudghain (temples) when he **shaves his head** or he **descends** (diminishes/reduces) part of the aaridhain.*" (*Al-Majmoo'*)

The condition, "*when he shaves his head*", eliminates the ambiguity and gives the correct purport of *Qootul Quloob's* statement. Logically, Akiti has to accuse Imaam Nawawi too of

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chicanery and of distorting the statement mentioned in *Qootul Quloob*. All the Shaafi' Fuqaha attach the condition of shaving the head to the *haraam acts of ziyaadah and nuqsaan* which were taken initially from *Qootul Quloob* by Imaam Ghazaali, then by all the other Shaafi' Fuqaha. In so doing, no one had committed chicanery and fraud as Akiti implies, but he despicably directs his accusation at only Imaam Ghazaali.

(c) Even in his explanation of the *nuqsaan* (to diminish or decrease) the beard, Akiti is confused, hence he attempts to present a 'credible' interpretation with the words in brackets. But he only adds to his own confusion. It is clear that he does not understand what the statement in *Qootul Quloob* means.

The stunt he utilizes is the statement: "...the deficiency of the beard, is to be deficient (by omitting, not letting it grow, or trimming it)...." What is meant by 'omitting' the beard or 'by not letting it grow'? He simply compounds ambiguity with ambiguity to conceal his lack of understanding of the issue.

The straightforward and simple meaning is what the Shaafi' Fuqaha have explained. It simply means to shave away part of the *adhaarain (sideburns)* halfway down the cheeks thereby effecting a substantial reduction in the Shar'i Beard. It is precisely for this reason that *Qootul Quloob* labels this reduction of the beard an act of *muthlah* (mutilation/disfigurement).

(d) Akiti has misread, hence misunderstood the words **وذلك مثله**. He therefore translates: "*and this is similar to (the hukm of exceeding the beard).*" This is grossly erroneous. The erroneously translated words are **وذلك مثله**. Akiti's translation/interpretation of the words is incorrect, and in the context is meaningless. The fact is that there is no pronoun being used, for the word is not *mith-lu-hu* (مثله). It is *muthlah* (مثلة). Whilst the translation of Akiti's

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mithluhu is "similarly like it", the translation of *Qootul Quloob's* word, *muthlah* is mutilation/disfigurement.

Clarifying the misconception related to this term, the *Shaarih (Commentator)* of *Al-Ihya*, Allaamah Sayyid Muhammad Al-Husaini Az-Zabee-di' said: "*In fact it is muthlah, therefore abstain from it* (that is from the haraam act of disfigurement). Words in brackets are ours. (*Ithaafus Saadatil Muttaqeen*, Vol.2, page 427)

Qootul Quloob has branded the act of shaving part of the beard to be an act of mutilation/disfigurement, hence haraam. Acts of mutilation are *taghyeer li khalqillaah* or effecting a change in the natural appearance of *insaan's* creation by Allah Ta'ala. The Qur'aan attributes such *taghyeer* to shaitaan. It is therefore a haraam abomination, and *taghyeer* here is *muthlah* (disfigurement). The Commentator of *Ihya*, Allaamah Zabeedi has branded both *ziyaadah* and *nuqsaan* as being acts of *muthlah*.

(e) Due to his deficient research, Akiti highlights what he believes is a discrepancy perpetrated by Imaam Ghazaali. He implies that Imaam Ghazaali by having 'edited' the text of *Qootul Quloob*, omitted by deliberate design two Makrooh acts from Abu Talib Makki's list of 12. This charge is baseless.

Firstly, even on conceding (temporarily) that Imaam Ghazaali had excised two acts from *Qootul Quloob's* list, he may not be accused of chicanery or fraud or dishonesty. He was under no incumbency to incorporate in his *Ihya* each and every prohibited act mentioned in *Qootul Quloob*. If on the basis of *dalaa-il* available to him, one or more of the acts were unsubstantiated, he had all the right to delete such acts. He was not writing a story book nor presenting a translation to sell for some *fuloos*. Imaam Ghazaali was a Mujaddid of Islam whose sacred obligation was to weed out *ghutha and jubbuth thakar kind of practices* which deviates had innovated and incorporated into the Deen. Thus, whatever was unsubstantiated to him, he had all the entitlement to delete.

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Secondly, the allegation of the deletion of two acts is baseless. Despite the number ten mentioned in *Ihya*, Imaam Ghazaali in fact enumerates twelve – all twelve vile acts mentioned in *Qootul Quloob*. For Akiti's edification as well as for the benefit of interested parties, we include in this treatise a table (on page 217) of the abominable, haraam acts initially mentioned in *Qootul Quloob*, and then echoed by Imaam Ghazaali and all the Shaafi' Fuqaha. While Imaam Ghazaali acted primarily as the Transmitter of the twelve acts mentioned in *Qootul Quloob*, Imaam Nawawi structured the edifice of the haraam acts on the foundation erected by Abu Taalib Al-Makki.

Although in Imaam Ghazaali's methodology of enumeration, ten numbers are listed, all twelve abominable acts are included. In *Al-Majmoo'* Imaam Nawawi enumerates twelve Makrooh acts. In his *Sharah of Saheeh Muslim*, he enumerates fourteen abominable acts. Akiti's highlighting the numbering of the acts in a bid to bring disrepute to Imaam Ghazaali is drivel and dishonourable.

The correct translation in comprehensible language of the *Qootul Quloob's* statement mutilated and distorted by Akiti is as follows:

"Of these (twelve abominable acts pertaining to the beard) is to decrease from it and to increase in it. And it (referring to both nuqsaan and ziyaadah) is to increase in the hair of the sideburns (aaridhain) from the temples of the hair of the head until (this increase) goes beyond the jawbone (i.e. where the jawbone ends by the ear). And that (i.e. where the jawbone ends) is the limit of the lihyah (the Shar'i beard). OR he decreases (the beard) from the two jawbones (descending) to halfway of the cheeks. And, that is disfigurement/mutilation. This is the decrease (nuqsaan) from the lihyah (beard)."

For Akiti's enlightenment it is of importance to note that Abu Taalib Al-Makki, Imaam Nawawi and all the Shaafi' Fuqaha who have echoed these twelve acts of abomination extracted from *Qootul Quloob*, -- all of them -- relate to the Shariah's prohibition

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of the twelve acts of the Sunnah Beard which they term the *Lihyah*. The twelve enumerated haraam acts are not restricted to the technical meaning of *lihyah* which had been cultivated by the Shaafi' Fuqaha for the *ahkaam* of Tahaarat, NOT for the purpose of the *ahkaam* applicable to the Sunnah Beard in which they all include the *aaridhain* (*sideburns*) and the hair on the cheeks.

Taha Karaan had made a weak attempt to defend Imaam Ghazaali against the haraam depredation of Akiti. Whilst a defender of an illustrious *Waarithun Nabi* (Heir and Representative of Rasulullah – sallallahu alayhi wasallam) such as the illustrious Mujaddid, Imaam Ghazaali, needs to be commended, his (i.e. Karaan's) extremely flabby, lack-lustre 'academic defense' is compellingly dishortative to our inner urge to offer him commendation. Whilst he has made a weak defense of Imaam Ghazaali and asserted the correct definition of the Shar'i Beard, he has made it crystal clear that he is a member of the *jubbuth thakar* clique of modernist deviates who are a disgrace to the Shaafi' Math-hab.

In his stupid charge of chicanery against Imaam Ghazaali, Akiti alleges that Imaam Ghazaali in the enumeration of the abominable acts acquired from *Qootul Quloob*, does not include the *aaridhain* (*sideburns*) into the beard. Akiti's stupid reason for this baseless assumption is the absence of the statement: '*Huwa haddul Lihyah*' (*And that is the limit of the beard*). On the basis of his hallucination, Akiti makes the vile accusation: "*That is why al-Ghazali does not mention his source here (that it is from the Qut al-Qulub).*"

This reasoning has no validity, and it provides no evidence for the haraam accusation against Imaam Ghazaali. Assuming that Imaam Ghazaali was in disagreement with Abu Taalib Makki on the issue of the beard's definition, he had no need to perpetrate concealment. He would have merely refuted Al-Makki's version with *daleel*. After all, if Imaam Ghazaali had without the slightest trepidation departed from the official view of the Shaafi'

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establishment on the *Qubdhah* (fist-length) mas'alah, what prevented him from refuting Al-Makki's version of the definition of *lihyah*, especially when the latter was a recluse, a lone buzug, whose body had literally become green in colour due to his Taqwa demanding only the consumption of grass? Towards the end of his life, the people of Baghdad boycotted his lectures because of his incomprehensible Sufi sayings. He was a Faqeer without an establishment and a following. Unlike the famous Fuqaha who commanded the following and respect of the Ummah, these poor Sufi Faqueers, lost in divine love, were shunted around by all and sundry. So what prevented Imaam Ghazaali from refuting Al-Makki's definition, if he was not in agreement with it as Akiti claims?

The entire Shaafi' Establishment is unanimous in the *Karaahat* of cutting anything whatsoever from the beard. Imaam Nawawi and the Jamhooir Fuqaha of the Shaafi' Math-hab refute the Hadith on which is based the permissibility of cutting the beard after it has attained the length of one fist (*qubdhah*). Despite this unique consensus of the Shaafi' Fuqaha, Imaam Ghazaali rejected it and propounded the Hanafi view of permissibility. Now when this was the independence and integrity of Imaam Ghazaali, intelligence can never condone the accusation that Imaam Ghazaali had perpetrated dishonesty and chicanery regarding the beard masaa-il he had acquired from *Qootul Quloob*.

How silly to positively contend that Imaam Ghazaali's definition of the *lihyah* differs from the meaning stated by Al-Makki, when he (Akiti) has absolutely no evidence to bolster his *ghutha*? Mere abstention from defining the beard at the juncture of mentioning the twelve haraam acts, is not evidence for contending that Imaam Ghazaali had a different definition for the beard.

Among the twelve haraam acts, Imaam Ghazaali clearly mentions *ziyaadah and nuqsaan* which are acts related to the beard as defined by Al-Makki. They are not acts germane to the

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mal-oon haraam goatee beard of Akiti. In his enumeration of the vile acts related to the *lihyah*, Imaam Ghazaali mentions clearly in his *Ihya*: "*And an-nuqsaan minha (to decrease) from it, and az-ziyaadah fiha (to increase in it)*. Both *nuqsaan* and *ziyaadah* come into existence only in an Al-Makki defined *lihyah*.

For his baseless charge of chicanery, Akiti presents another figment of his hallucination. He implies that Imaam Ghazaali had dishonestly omitted a section of Al-Makki's statement. Thus he says: "*The fact that al-Ghazali's emended discussion is now about the dislikedness of letting the 'beard' grow not to mention the conspicuous omission of al-Makki's 'nuqsan'.....*"

This 'conspicuous omission' is hallucinatory which could perhaps be the consequence of some sort of substance abuse which sets a wretched tongue vilely wagging against one of the greatest Heirs of Rasulullah (sallallahu alayhi wasallam), who had strode the Firmament of Islam. There is no 'conspicuous omission' perpetrated by Imaam Ghazaali. The problem with Akiti is that his 'expertise' in the realm of Shar'i uloom is superficial and extremely defective, and this deficiency is further corrupted by a sensorium bereft of the *Noor of Ilm*.

The fact that Imaam Ghazaali in his initial enumeration of the haraam acts clearly lists both *ziyaadah* and *nuqsaan*, is adequate for debunking Akiti's accusation. Furthermore, he did not properly understand the *ibaarat (text)* in *Ihya* which explains the meanings of *nuqsaan* and *ziyaadah*. Let us refer to Imaam Ghazaali's *Ihya* for a resolution.

In his exposition of these two terms (*nuqsaan* and *ziyaadah*), Imaam Ghazaali says:

"The seventh (abominable act) is to increase in it (the beard). And that is to increase in the hair of the aaridhain (sideburns) from the temples, and that is from the hair of the head until it (the increase) goes beyond the jawbone."

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This is an almost verbatim reproduction by Imaam Ghazaali of the first part of the statement in *Qootul Quloob*. Of significance in this statement relative to the beard are the following facts:

- (1) Imaam Ghazaali relates the 'increase' to the *lihyah*. He therefore said that the *ziyaadah* is of it (*the lihyah*).
- (2) He includes the *aaridhain* in the *lihyah*, hence he clearly states that the *ziyaadah* is effected to the hair of the *aaridhain*.
- (3) He mentions the point of transgression of the *ziyaadah* which he says is the *azmul luha* (jawbone). It is simple logic that Imaam Ghazaali did not believe that the beard extends onto the head. The demarcating point is the *ithaarain* which stem from the *sudghain*. Thus it is quite evident that according to Imaam Ghazaali the *aaridhain* on the jawbones are part of the *lihyah*.
- (4) Passing beyond the point of the jawbone clearly signifies the *hadd* (limit) of the *lihyah*. There was therefore no incumbent reason for Imaam Ghazaali to specify the *hadd* with the precise words adopted by Al-Makki.

This manner of describing the haraam *ziyaadah*, more than adequately confirms that Imaam Ghazaali's definition of the *lihyah* is the same as that of Al-Makki.

Now as far as the *nuqsaan* (reduction/to decrease) factor is concerned, the following statement in *Ihya*, immediately following on the ending of the explanation of *ziyaadah*, shows that Imaam Ghazaali did not really omit the *nuqsaan* aspect:

"And it (the nuqsaan) ends at halfway of the cheeks."

This statement clearly confirms that Imaam Ghazaali did in fact explain the *nuqsaan* aspect in the seventh of the abominable acts. However, the first part of the *nuqsaan* statement mentioned in *Qootul Quloob* is missing in *Ihya*. The conundrum in this regard is not an intractable issue. It is evidently the printer's / compiler's / typesetter's error. The one part of the *nuqsaan* statement which

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does appear in *Ihya* is meaningless if read in conjunction with the *ziyaadah* act. While the act of 'increase' is towards the head, the act of decrease (*nuqsaan*) is in the opposite direction, downwards, away from the upper *hadd* (*limit*) of the *lihyah*.

The full statement pertaining to *nuqsaan* mentioned in *Qootul Quloob* is: "*Or he decreases (the beard) from the two jawbones until halfway down the cheeks.*" While the latter portion of this statement appears in *Ihya*, the first portion is missing. This has to be attributed to an error in compilation/printing because the latter statement is meaningless in the context of *ziyaadah*. It is undoubtedly part of the *nuqsaan* abomination. Thus, Akiti's 'conspicuous omission' is a figment of his hallucination. A man of knowledge should have been able to discern the printing discrepancy.

Explaining the statement of *ziyaadah* and *nuqsaan* mentioned in *Qootul Quloob*, but which he takes from Imaam Ghazaali's *Ihyaau Uloomiddeen*, Allaamah Zabeedi introduces the missing part of the sentence to convey the correct meaning of Imaam Ghazaali's explanation of 'increase' and 'decrease' in the beard. Thus he says:

"Or he decreases from the two jawbones until it reaches halfway down the cheeks. This is the nuqsaan from the lihyah. Emphasizing the abomination, he adds: *"In fact it is muthlah (disfigurement)."* This is precisely what is mentioned in *Qootul Quloob*, and which Akiti had misunderstood.

Furthermore, throwing light on the meaning of *lihyah*, Imaam Ghazaali arguing in favour of cutting the beard after the *qubdhah* length, says in his *Ihya*:

"The matter in this regard (of lengthening the beard) is not difficult provided it (i.e. cutting below the qubdhah) does not lead to trimming the beard and rounding its sides."

(*Ithaafus Saadatil Muttaqeen*, Vol.2, page 419)

The *jawaanib* (*sides*) are included in the *lihyah*, hence he warns that no cutting and trimming of the sides should be effected. The suggestion that Imaam Ghazaali conformed to the haraam *mal-oon*

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goatee beard definition of Akiti is a preposterous lie. In fact it is blasphemous.

Regarding the *maslak/math-hab* of Abu Taalib Al-Makki, the author of *Qootul Quloob*, Akiti contends that his '*tariqa in fiqh was not Shafi, but Hanafi*'. Whilst Akiti has not presented any evidence for his claim, we shall for the purposes of this discussion accept that Al-Makki was a Hanafi or his Tariqah in Fiqh was Hanafi.

The second premises of our argument in this regard, is that Imaam Ghazaali who was a Shaafi', Imaam Nawawi and all other Shaafi' Fuqaha, structured the beard masaa-il on the foundations erected by Al-Makki the alleged Hanafi.

The third point of significance, is that Shaikh Abu Taalib, in his *Qootul Quloob*, brands all the twelve abominable acts associated with the beard as *Makrooh*. The fourth factor is that when the Hanafi Fuqaha say '*Makrooh*' , they mean *Makrooh Tahreemi*. Hence Imaam Muhammad said: "*All Makrooh is haraam.*" The logical conclusion is that all the abominable acts which Al-Makki enumerates and which all the Fuqaha of the Shaafi' Math-hab incorporated into the Shaafi' Math-hab are therefore *haraam*. Imaam Nawawi and others among the Shaafi' Fuqaha have confirmed the *Karaahah Tahreemiyyah* status of all of these abominable misdeeds to which Shaikh Abu Taalib Al-Makki (Al-Hanafi) had alerted the Ummah.

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قوت القلوب	إحياء علوم الدين	المجموع شرح المهذب	شرح صحيح مسلم	فتح الباري
خضابها بالسواد لأجل الهوى وتدليس الشيبة	الخضاب بالسواد	خِضَابُهَا بِالسَّوَادِ إِلَّا لِعَرَضِ الْجِهَادِ	خِضَابُهَا بِالسَّوَادِ إِلَّا لِعَرَضِ الْجِهَادِ	خَضْبُهَا بِالسَّوَادِ لِعَبْرِ الْجِهَادِ
وخضابها بالحمرة والصفرة من غير نية السنة تشبيهاً بالصالحين والقراء	الخضاب بالصفرة والحمرة للتشبه بأهل الدين	خِضَابُهَا بِحُمْرَةٍ أَوْ صَفْرَةٍ تَشْبُهًا بِالصَّالِحِينَ وَمُتَّبِعِي السُّنَّةِ لَا بِنِيَّةِ اتِّبَاعِ السُّنَّةِ	خِضَابُهَا بِالصُّفْرِ تَشْبِيهاً بِالصَّالِحِينَ لَا لَاتِبَاعِ السَّنَةِ	خَضْبُهَا بِعَبْرِ السَّوَادِ إِيهَامًا لِلصَّلَاحِ لَا لِقَصْدِ الْإِتِّبَاعِ
وتبييضها بالكبريت وغيره	تبييضها بالكبريت استعجلاً وغيره	تَبْيِيضُهَا بِالْكِبْرِيتِ أَوْ غَيْرِهِ اسْتِعْجَالًا	تَبْيِيضُهَا بِالْكِبْرِيتِ أَوْ غَيْرِهِ	تَبْيِيضُهَا اسْتِعْجَالًا لِلشَّيْخُوخَةِ

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استعجالاً لإظهار علو السنّ وستر الحداثة لأجل الرئاسة والتعظيم	لإظهار علوّ السنّ تَوْصِيلاً إِلَى التَّوْقِيرِ وقبول الشهادة	لِلشَّيْخُوخَةِ وَإِظْهَارًا لِلْعُلُوِّ فِي السنّ لِطَلَبِ الرِّيَاسَةِ وَالتَّعْظِيمِ	اسْتِعْجَالًا لِلشَّيْخُوخَةِ لِأَجْلِ الرِّيَاسَةِ وَالتَّعْظِيمِ	لِقَصْدِ التَّعَاطُفِ عَلَى الْأَقْرَانِ
نتفها نتف بعضها بحكم العبث والهوس	نتفها في أوّل طلوعها وتحفيفها بالموسى ايثارا للمرودة واستصحابا للصبي وحسن الوجه وهذه الخصلة من أقبحها	نتفها أو حلقها أوّل طلوعها ايثاراً للمرودة وحسن الصورة	نتفها أو حلقها أوّل طلوعها ايثاراً للمرودة وحسن الصورة	نتفها إبقاءً للمرودة
نتف الشيب تغطية للتكهل	نتف بياضها استنكافاً من الشيب	نتف الشيب	نتف الشيب	نتف الشيب ورّجح التّوويّ تحريمه

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			وذلك مكروه ومشوه للخلقة	
تَقْصِيصُهَا كَالتَّعْبِيَةِ طَاقَةٌ عَلَى طَاقَةٍ لِلتَّزِينِ وَالْتَّصْنُوعِ	تَقْصِيصُهَا كَالتَّعْبِيَةِ طَاقَةٌ عَلَى طَاقَةٍ لِلتَّزِينِ وَالْتَّصْنُوعِ	تَقْصِيصُهَا وَتَعْبِيَتُهَا طَاقَةٌ فَوْقَ طَاقَةٍ لِلتَّزِينِ وَالْتَّصْنُوعِ	تَقْصِيصُهَا كَالتَّعْبِيَةِ طَاقَةٌ عَلَى طَاقَةٍ لِلتَّزِينِ لِلنِّسَاءِ وَالْتَّصْنُوعِ	تَقْصِيصُهَا كَالتَّعْبِيَةِ طَاقَةٌ عَلَى طَاقَةٍ لِلتَّزِينِ وَالْتَّصْنُوعِ
النَّقْصُ مِنْهَا بِأَخْذِ بَعْضِ الْعِذَارِ فِي حَلْقِ الرَّأْسِ	النَّقْصُ مِنْهَا بِأَخْذِ بَعْضِ الْعِذَارِ فِي حَلْقِ الرَّأْسِ	النَّقْصُ مِنْهَا وَهُوَ أَنَّ يَنْزِلَ بَعْضُ الْعِذَارَيْنِ	وَالنَّقْصَانُ مِنْهَا	النَّقْصَانُ مِنْهَا وَهُوَ أَنْ يَنْقُصَ مِنْ الْعَظْمَيْنِ إِلَى نِصْفِ الْخَدِ وَذَلِكَ مِثْلُهُ
الزِّيَادَةُ فِيهَا بِالزِّيَادَةِ فِي شَعْرِ الْعِذَارِ مِنَ الصُّدْعَيْنِ	الزِّيَادَةُ فِيهَا بِالزِّيَادَةِ فِي شَعْرِ الْعِذَارِ مِنَ الصُّدْعَيْنِ	الزِّيَادَةُ فِي الْبَحِيَّةِ وَهُوَ أَنَّ يَزِيدَ فِي شَعْرِ الْعِذَارَيْنِ	الزِّيَادَةُ فِيهَا وَهُوَ أَنْ يَزِيدَ فِي شَعْرِ الْعَارِضِينَ مِنْ	الزِّيَادَةُ فِيهَا وَهُوَ أَنْ يَزِيدَ فِي شَعْرِ الْعَارِضِينَ مِنْ

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الصدغ من شعر الرأس حتى يجاوز عظم اللحي وذلك هو حدّ اللحية	الصدغين وهو من شعر الرأس حتى يجاوز عظم اللحي	مِنْ شَعْرِ الصدغين إذا حلق رأسه		
تسريحها لأجل الناس تصنعاً	تسريحها لأجل الناس	تَسْرِحُهَا تَصْنَعُهَا النَّاسِ	تَرْجِيلُهَا وَالْتَعَرُّضُ طَوَّلاً وَعَرَضاً عَلَى مَا فِيهِ مِنْ اخْتِلَافٍ	
تركها لأجل الناس شعبة مفتلة مغبرة إظهاراً للزهد أو التهاون بالقيام على النفس	وَتَرَكُهَا شَعْبَةً إِظْهَاراً لِلزُّهْدِ مُتَنَفِّسَةً إِظْهَاراً لِلزَّهَادَةِ وَقَلَّةَ الْمُبَالَاةِ بِنَفْسِهِ	تَرَكُهَا شَعْبَةً مُلبَّدةً إِظْهَاراً لِلزَّهَادَةِ وَقَلَّةَ الْمُبَالَاةِ بِنَفْسِهِ	تَرَكُهَا شَعْبَةً إِيَّاهَا لِلزُّهْدِ	
النظر إلى	النظر في	النَّظَرُ إِلَيْهَا	النَّظَرُ إِلَى	إِلَيْهَا

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سوادها عجباً بها وخيلاء وغرة بالشباب وفخراً	سوادها بعين العجب	إِعْجَابًا وَحِيلَاءَ غِرَّةً بِالشَّبَابِ وَفَخْرًا بِالْمَشِيبِ وتطاولا على الشَّبَابِ	سَوَادَهَا إِعْجَابًا وَحِيلَاءَ وَغُرَّةً بِالشَّبَابِ	إِعْجَابًا
النظر إلى بياضها تكبراً بكبر السن وتطاولاً على الشبان	النظر في بياضها بعين العجب		النَّظَرُ إِلَى بَيَاضِهَا فَخْرًا بِالْمَشِيبِ وَتَطَاوُلًا عَلَى الشَّبَابِ	
عَقْدُهَا فِي عَقْدِهَا تفسيران أحدها أَنَّهُمْ كَانُوا يَعْقِدُونَ لِحَاهُمْ فِي الْحَرْبِ وَذَلِكَ مِنْ زِي العجم: والثاني	عَقْدُهَا عَقْدُهَا تفسيران أحدها أَنَّهُمْ كَانُوا يَعْقِدُونَ لِحَاهُمْ فِي الْحَرْبِ وَذَلِكَ مِنْ زِي العجم: والثاني	عَقْدُهَا وضفرها	عَقْدُهَا وضفرها	عَقْدُهَا قِيلَ الْمُرَادُ عَقْدُهَا فِي الْحَرْبِ وَهُوَ مِنْ زِيِّ الْأَعَاجِمِ وَقِيلَ الْمُرَادُ مُعَالَجَةُ الشَّعْرِ لِيَنْعَقِدَ وَذَلِكَ

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مِنْ فِعْلٍ أَهْلٍ التَّائِبِ		معالجة الشعر ليتعدد ويتجدد وَذَلِكَ مِنْ فِعْلٍ أَهْلٍ التَّائِبِ والتَّوَضُّعِ		
تَحْذِيفُهَا	حَلْفُهَا إِلَّا إِذَا نَبَتْ لِلْمَرْأَةِ لِحْيَةً			

IMAAM ABU TAALIB AL-MAKKI, IMAAM GHAZAALI AND THE MUDHILLEEN

Rasulullah (sallallahu alayhi wasallam) said: "*Verily, I fear after me for my Ummah the aimmah mudhilleen.*" ('Aimmah Mudhilleen refers to imaams, sheikhs, and molvis who are deviates and who mislead the Ummah with their misinterpretations and concoctions.)

The *mudhil*, one of the *jubbuth thakar* miscreants, some sheikh Akiti says in an essay impregnated with *ghutha* (*rubbish*): "*.....neither the Ihya nor the Qut are works of fiqh. In fact, rhetorical and figurative devices found plenty in works like the Ihya, are not a normal feature of fiqhi literature. Rather, fiqhi works are supposed to be 'sober' and 'dry'.....*"

The greatest of the Shaafi' Fuqaha of the later era, including Imaam Nawawi, Imaam Raafi', Zarkashi and others, relied heavily on Imaam Ghazaali's *Ihya* and Imaam Abu Taalib Makki's *Qootul Quloob*. When these famous authorities of the Shaafi' Math-hab considered these two kutub indispensable and relied heavily on them for certain masaa-il, Akiti's *ghutha* is dismissed with

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contempt. What he has averred regarding the status of these two highly authoritative kutub of Fiqhus Sunnah is pure drivel. It only displays Akiti's *jahaalat*.

In this regard, the other *mudhil*, Taha Karaan says: *"When a revered faqih like Imam Nawawi opts to include this particular point (of 'adding to' and 'decreasing from' the beard) in decidedly fiqh works such as Sharh al-Muhadhdab and Rawdat al-Talibin the fiqhi status of the point incorporated from the Ihya stands indisputably confirmed, not because it derives from Ihya but because it was sanctioned by Imam Nawawi."*

Taha Karaan's conclusion and understanding are erroneous. It is the opposite way around. The status of Imaam Nawawi's arguments was enhanced by the superior source from which he had extracted the masaa-il, viz. from *Ihya* and *Qootul Quloob*. Neither the status of the *Ihya* nor the status of Imaam Ghazaali was elevated in any way by the selection and adoption of Imaam Nawawi. The fact that Imaam Nawawi understood the significance and importance of *Ihya* and *Qootul Quloob* is ample confirmation for his acknowledgment of the lofty status of these kutub of Fiqhus Sunnah. The status of Bukhaari, Tirmizi, Imaam Shaafi, etc. is not enhanced by any of Imaam Nawawi's citations of their statements and decrees. It only confirms Imaam Nawawi's reliance on the works of these noble Fuqaha of the Sunnah.

The Shaafi' Fuqaha cite Imaam Ghazaali in many issues, not only on the beard mas'alah. Furthermore, Imaam Nawawi did not extract only the points of *ziyaadah* and *nuqsan* from *Ihya*. He accepted all twelve haraam acts from *Ihya*. The Shaafi' Fuqaha resorted to Imaam Ghazaali even on masaa-il pertaining to *Usool*. We mention here a few random examples by way of sample to highlight the lofty status of Imaam Ghazaali among the Shaafi' Fuqaha.

* Discussing the issue of Makrooh, Az-Zarkashi (died 794 Hijri) says in *Al-Bahrul Muheet fi Usoolil Fiqh*: *"Makrooh comprises*

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four classes: Haraam, Tanzeeh prohibition..... Tarkul Aula.....Doubt in Tahreem.... So has Ghazaali enumerated it (Makrooh) in Al-Mustasfa from the classes of Makrooh, and our As-haab have explicitly mentioned this.... However, Ghazaali considered this to be problematic"

** Discussing the meaning of Israar (Persistence) on an abominable act, Sulaiman Bin Umar Bin Mansur Al-Ujaili, better known by the name Al-Jamal, states in Minhaajut Tullaab (Haashiyatul Jamal): "The preferred view is that it (Israar) is Ikthaar (i.e. committing the act in abundance) of one kind or several kinds (of abominable acts). Ar-Raafi' said: "But in Baabul Fadhl he said: 'Verily, Constancy on one kind is a Kabeerah (sin), and Ghazaali has explicitly said so in Al-Ihya....."*

And in Al-Ihya (it is said): 'Verily, Sagheerah sometimes becomes Kabeerah without Israar....." (Haashiyatul Jamal)

** "Verily, constancy on one kind is Kabeerah, and Ghazaali has explicitly said so in Al-Ihya." (Tuhfatul Habeeb ala Sharhil Khateeb – Haashiyah Al-Bujairmi)*

** "Ghazaali said: "It is not proper to deny the difference between Kabaair and Saghaair." (I'aanatut Taalibeen)*

** Allaamah Ibraaheem As-Shaatibi (died 790 Hjri) said: "When a deed is Makrooh partially, then the whole of it is prohibited.....If he is constant in committing it, his adaalah will be impugned (i.e. his testimony will be rejected). That is the daleel for prohibiting (his adaalah) on the basis of the asal (principle) of Ghazaali."*

(Al-Muwaaqifaat)

** In the discussion on the classification of Makrooh, Badruddeen Muhammad Az-Zarkashi (d:794 hijri) said: "So has Ghazaali*

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enumerated in Al-Mustasfa of the kinds of Karaahah....." (Al-Bahrul Muheet fi Usoolil Fiqh)

* *".....But Ghazaali found it problematic because if a person's ijtihad confirms the Tahreem of the deed, then for him it is haraam....." (Al-Bahrul Muheet fi Usoolil Fiqh)*

* *"Based on this our As-haab ruled on the validity of Salaat with Karaahah. However, Ghazaali has explicitly said in Al-Mustasfa: 'It is in the category of Nahyil Karaahah.'"*

(Al-Bahrul Muheet fil Usoolil Fiqh)

* Commenting on the views of Imaam Nawawi and Ibnus Salaah pertaining to Karaahah negating the validity of Salaat, Az-Zarkashi says: *"Some having narrated both views asked whether Nahyi Tanzeeh which is li-ainish shay': 'Is the effect fasaad (of the Salaat) or not?.....because the conflict develops when it is Nahyi Tahreem. On the basis of Ghazaali and Ibnus Salaah have said....." (Al-Bahrul Muheet)*

* Imaam Nawawi, himself, says about Imaam Ghazaali: *"In the fifth century, Imaam Abu Haamid Al-Ghazaali (rahmatullah alayh) was the Mujaddid. And Allah knows best."*

(Tahzeebul Asmaa' wal Lughaat)

* On another mas'alah, Shaikh Taqiuddeen says: *"The qawl of Ghazaali is Saheeh in terms of the hukm..... Ghazaali (rahmatullah alayh) has used the word 'saa-ir' in the meaning of 'jamee' in numerous places in Al-Waseet, and this is the correct literal word...." (Tahzeebul Asmaa' wal Lughaat)*

* Imaam Taajuddeen Abdul Wahhaab Bin Taqiuddeen As-Subki said: *"Ghazaali adopted it. Thus he says in Kitaab Ihyaau Uloomiddeen: 'Whoever misses Zuhr by the time Asr (has*

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commenced), should first perform Zuhr then Asr." (Tabaqaatush Shaafi'iyyah Al-Kubra)

** Muhammad Bin Muhammad Bin Ahmad Abu Haamid Al-Ghazaali At-Tusi was one of the Aimmah of the Shaafi's in (the field) of tasneef, tarteef, ta'beer, tahqeeq and tahreer." (Tabaqaatus Shaafi'yeen)*

** On one mas'alah of different views, Imaam Nawawi said: "What Ghazaali and others said is the Sawaab." (Raudhatut Taalibeen)*

** "Al-Baghawi ruled that isti'jaar (in this case) is not valid. Al-Azraee said: The Mukhtaar view is what Al-Ghazaali said." (Haashiyah Ramali)*

** "As-Subki narrated this and said: 'The most preferred view is that what Ghazaali said.'" (Asnal Mataalib)*

** Ibn Hajar Haitami said: "They (the Ulama) differed in the meaning of the word, al-kareem. The best meaning is that which Ghazaali has said in Al-Maqdisul Asna..." (Tuhfatul Muhtaaaj fi Sharhil Minhaaj)*

** "And, Ghazaali said what Al-Maawardi, Al-Qaffaal said.....Ash-Shihaab Al-Ramali, An-Nihaayah and Az-Ziyaadiy adopted what Ghazaali said. Our Shakih said : 'And that is the Mu'tamad view...." (Haashiyah As-Shirwaani)*

** "If the wealth in the possession of the Sultan is overwhelmingly haraam, Ghazaali said that his gifts will be haraam. In Al-Majmoo' Imaam Nawawi refuted this and said that the Mash-hoor is Karahaahah (Tahreemi), not Haraam despite the fact that in*

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Sharhu Muslim, he (Imaam Nawawi) adopts what Ghazaali said " (Haashiyah As-Shirwaani)

In innumerable masaa-il on a variety of issues, the Shaafi' Fuqaha adopted the view of Imaam Ghazaali. We therefore find the Shaafi' kutub of Fiqh replete with statements such as *"Wa sarraha bihil Ghazaali"* – *'Ghazaali has explicitly said so."*

In his *Tabaqaatush Shaafi'iiyyatil Kubra*, Imaam Taajuddeen Abu Nasr Abdul Wahhaab Bin Ali Bin Abdul Kaafi As-Subki, pays glowing tribute to Imaam Ghazaali. Whilst the morons of today have attempted to denigrate and demote Imaam Ghazaali from the lofty pedestal he occupies in the Shaafi' Math-hab, Imaam As-Subki has devoted almost 150 pages in his *Tabaqaatush Shafi'iiyyatil Kubra* to Imaam Ghazaali. Lauding accolades on Imaam Ghazaali, he says: *"Abu Haamid (i.e. Imaam Ghazaali) was the Afqah aqraanihi (i.e. of all his contemporaries he had the most knowledge and understanding of Fiqh). He was the Imaam of the people of his era, and the champion in his field. Friend and foe testified to his word,....."*

* Imaam Muhammad Bin Yahya said: *"Ghazaali – he is Shaafi', The Second."*

(Tabaqaatush Shafi'iiyyah)

* *"He (Imaam Ghazaali) was profoundly sharp-witted. The depth of his insight was exceptional. His nature was marvellous, and his discernment was profound. His memory was powerful and he was exceptionally astute. He penetrated the subtleties of issues. He was a mountain of knowledge, a debater and a polemist."*

Describing his students, Imaamul Haramain said: "Ghazaali was a boundless ocean of Knowledge. Ilkiya (one of his students) was a ripping lion, and Khawaafi (also a student) was a blazing fire." (Tabaqaatush Shafi'iiyyatil Kubra)

For understanding who Imaam Ghazaali was and what rank he occupied in the Shaafi Math-hab in particular, and in the Ummah

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in general, we advise the proponents of *jubbuth thakar ghutha* to study Imaam As-Subki's *Tabaqaatush Shaafi'iyyatil Kubra*. Only then will they be able to understand why Imaam Raafi' who wrote several commentaries on Imaam Ghazaali's kutub, and Imaam Nawawi and the Shaafi' Fuqaha in general were so reliant on Imaam Ghazaali.

The foregoing snippets have been mentioned not to discuss the masaa-il being discussed. We have mentioned these random extracts merely to show that Imaam Ghazaali holds a lofty pedestal in the Shaafi' Math-hab. All the Muta-akh-khireen Shaafi' Fuqaha have accepted him as an authority in Shaafi' Fiqh. Whilst Akiti and Taha Karaan have portrayed Imaam Ghazaali as a junior Sufi without status in the Shaafi' Math-hab, the Shaafi' Fuqaha, including Imaam Raafi' and Imaam Nawawi, placed heavy reliance on him. In Shaafi' Fiqh, Imaam Ghazaali is an outstanding authority on whom all the later senior Shaafi' Fuqaha relied.

The concept of fiqh advocated by these *juhala* has no relationship with the objective of the Deen. The 'dry', 'sober' and drunk 'fiqh' which Akiti and his *jubbuth thakar* ilk propagate is bereft of the spirit and fibre which are Waajib for Muslims to cultivate and inculcate because the *Maqsad (Objective)* of genuine Fiqh is to strengthen the bond of the creature with his Creator, and to slacken worldly ties. Any brand of fiqh which does not promote this supreme goal for which Rasulullah (sallallahu alayhi wasallam) and all the Ambiya (alayhimus salaam) were dispatched to earth by Allah Ta'ala, is not Islamic Fiqh. It is satanism and nafsaniyat. Akiti is propagating this satanism in the guise of 'fiqh'.

He lacks understanding of the degree and the valid limit of the 'dryness' of Fiqh. This 'dryness' too has its limits. If this 'dryness' trespasses the limits of the Shariah and gets transformed into satanism, it will be the huge calamity which Rasulullah (sallallahu alayhi wasallam) said will befall the votaries of such satanic knowledge on the Day of Qiyaamah.

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Kutub such as Shaikh Abu Taalib Al-Makki's *Qootul Quloob*, and Imaam Ghazaali's *Ihyau Uloomiddeen*, are excellent and absolutely necessary for binding the Mu'min with Allah Ta'ala. Whatever the Muslim requires for success and salvation in the Akhirah are provided in these kitaabs and similar other kutub which provide guidance in the light of the Qur'aan and Sunnah. Only the progeny of shaitaan discourages Muslims from the acquisition of the immense benefit which kutub of this nature provide.

In fact, the importance of *Ihyaul Uloom* and *Qootul Quloob* constrained Fuqaha such as Imaam Nawawi, Imaam Raafi' and innumerable Fuqaha to utilize these kutub as foundational pillars in certain aspects of Fiqh. Thus, we find Imaam Nawawi and the other Fuqaha of the Shaafi' Math-hab heavily relying on these two kitaabs for guidance in a variety of fields of Islamic law. Almost all the masaa-il pertaining to the beard, which Imaam Nawawi and others had incorporated in the Shaafi' Math-hab have been acquired from these two kitaabs.

It is quite significant that despite Imaam Nawawi having been preceded by five centuries of Shaafi' Fuqaha – the most senior Fuqaha of the Math-hab, including Imam Shaafi – the later Shaafi' Fuqaha such as Imaam Nawawi and Imaam Raafi' had to rely heavily on Imaam Ghazaali's *Ihya*, and Imaam Abu Taalib Al-Makki's *Qootul Quloob* for all the masaa-il related to the beard. Almost every Shaafi' Faqeeh down the centuries has been echoing the masaa-il which Imaam Nawawi and others had extracted from these two kitaabs whose authors were Sufis and Auliya, as well as Ulama of the highest rank. What do these morons of today know about these illustrious Souls? They only view the kutub with oblique vision due to their squint eyes, and come away with *jubbuth thakar* ideas of corruption.

The excellence and beauty of these two kitaabs are the combination of Fiqh and Tasawwuf (legal rules and moral precepts). Any fiqh which turns away the Mu'min from the

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objective of the Aakhirah by discouraging him from Taqwa and Wara', is satanism. By the same token any brand of Tasawwuf which ignores Fiqh is also satanism. The two – Fiqh and Tasawwuf – are inseparable, integral constituents of Islam and must compulsorily be imparted on a parallel basis. Understanding the importance of this vital combination for success and salvation in the Aakhirah, the Fuqaha derived considerable benefit and knowledge from these great Treasures which the *jubbuth thakar* cranks of this day are endeavouring to demote from the lofty pedestal they occupied in the hearts of the Fuqaha and in the formulation of numerous masaa-il of Fiqh.

Realizing the imperative need to maintain focus on the *Maqsad* of Ilm-e-Deen, great Ulama such as Imaam Nawawi and the Fuqaha of all Math-habs in general, resorted to kutub such as Imaam Ghazaali's *Ihya* and *Qootul Quloob* of Imaam Abu Taalib Al-Makki. These kutub played an important role in Fiqh, hence we find Imaam Nawawi and the other Fuqaha mentioning these kitaabs as their foundational source of information on certain issues.

Numerous of those pursuing higher Deeni knowledge in this era are *munaafiqeen*, crass materialists and modernists. Worldly and nafsaani motives are the goals which they are pursuing. They come within the purview of Rasulullah's prediction: "*Knowledge of the Deen will be pursued for reasons other than the Deen.*" "*With the amal of the Deen will the dunya be pursued.*" Articles written by cranks and quacks such as the *jubbuth thakar* promoters reek of the stench of *nifaaq* and *kufr*. They utilize 'fiqh' for base motives. The Deen, the Pleasure of Allah Ta'ala, the Aakhirah and the Sunnah of Rasulullah (sallallahu alayhi wasallam) are the furthest from their minds.

THE SO-CALLED WELL-ACCEPTED POSITION

Whereas Fiqh should be made subservient to the goals of the Aakhirah, these characters, the *mudhilleen*, denude Fiqh of its

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Deeni dimension. They strip Fiqh of all spirituality and morality, presenting it in the form of a barren kaafir-type worldly profession to be pursued for mundane purposes. These characters move far, very far from even the shadow of the Sunnah. They rudely and harshly tear away the *ahkaam* explained in Fiqh from the Sunnah of Rasulullah (sallallahu alayhi wasallam). The Deen cannot survive in such a hostile environment nor germinate in such arid and infertile soil as the satanic 'fiqh' of the *jubbuth thakar* gang of marauders who rob the Ummah of their very Imaan with their pronouncements of kufr and promotion of fisq and fujoor which they present and promote with Deeni hues. It is therefore not surprising when Atiki says:

"...and if someone wants to follow the qawl and position which says that it is Haram to shave, then yes by all means please do so, but know that that person is following the 'alternative position', and one must not, therefore, censure others for following the well-accepted position of the school."

The hallucinated 'well-accepted position of the school' – excreted by those who rob people of their Imaani morality with their promotions and pronouncements of fisq and fujoor – is always a licence for the perpetration of immorality and to act in direct conflict of the Sunnah. The "well-accepted position" fabricated by the *mudhilleen* masquerading as 'ulama' is *ghutha* and haraam, nafsani activities adorned by shaitaan. Any 'fatwa' which is in conflict with the Deen (Qur'aan and Sunnah) is an effect of satanism. It has no truck with Islam.

These *aimmah-e-mudhilleen* (*evil sheikhs and molvis*) have made it their mission in life to undermine Islam by destroying the Sunnah with their hallucination which spawns and fabricates such "well-accepted positions" which are snares of shaitaan designed to tear the Ummah from their Imaani bearings. Just imagine! Reflect for a few moments on the satanic 'well-accepted position' of these miserable cranks masquerading as 'ulama'. Their 'well-accepted' fabrication promotes and exhorts

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Muslims to transform their faces to resemble the look of swines. They are encouraged to emulate the kuffaar right into the innermost recesses of the '*lizard's hole*' by shaving the beard which Rasulullah (sallallahu alayhi wasallam) had decreed Waajib. The brains of these promoters of *jubbuth thakar* practices have become so satanically convoluted and polluted that they are able to audaciously relegate into oblivion the one and only position, namely, Rasulullah's position. There are no two positions in Islam regarding the Beard. There is 100% consensus (Ijma') of all the Math-habs – of all the Fuqaha of all Four Math-habs – that there is only **one position – only one accepted position** regarding the Beard for males, and that position is the Waajib position of lengthening the Beard. This one Position - the Position of the Sunnah – vociferously proclaims that it is HARAAM to shave the Beard – that shaving the Beard is the practice of the Fire-Worshippers, of the Hindus, of the Mushrikeen, of the Yahood and Nasaara. It is NOT the practice of Islam and the Muslimeen. It is the practice of the Ahl-e-Naar (the people destined for Jahannum).

Only brains convoluted with kufr and hearts denuded of Imaan will dare to present this vile, haraam, kuffaar practice of *jubbuth thakar* to be the "well-accepted position of the school". It undoubtedly is the well-accepted position, in fact the only position of the School of Satanism which these *jubbuth thakar* followers of Shaitaan have made their 'math-hab'. How is it possible for a Mu'min with healthy Imaan to ever proclaim that a 'position' which is in stark violation of the Sunnah – in diametric contradiction of all the Commands of Rasulullah (sallallahu alayhi wasallam) to be the 'well-accepted position' of the Shaafi' Math-hab? How can a kaafir practice which is the antithesis of the Sunnah ever be the 'well-accepted position' of the Shaafi' Math-hab? These vile promoters of fisq and fujoor have not presented a single *daleel* to vindicate their corrupt view of kufr, viz. that shaving the beard in total conflict of the Commands of Rasulullah

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(sallallahu alayhi wasallam) – is the 'well-accepted position' of the Shaafi' Math-hab.

And, it makes the Mu'mineen gape aghast to hear that the one and only Position which Rasulullah (sallallahu alayhi wasallam) commanded – the position of all the Ambiya, of all the Auliya, of all the Sahaabah, of all the Fuqaha and of the entire Ummah down the long corridor of Insaan's history on earth has become the 'alternative position' which could be subjected to the wildly fluctuating whims and desires of the bestial nafs. By what stretch of Imaani imagination could it be accepted that Rasulullah's Position has been demoted by the Shaafi' Math-hab to the 'alternative position' while the satanic position of the Majoos, Mushrikeen, Yahood and Nasaara has been promoted to the primary position – the 'well-accepted position of the school'. These cranks with their 'well-accepted position' are locked on to Jahannum. That is the 'straight' path they are irresistibly plodding.

These miserable *mudhilleen* masquerading as 'ulama' proclaim that the "minimum fiqhi position for practice and instruction" is *halq lihya* (to shave the beard) which is the 'easy' position for the masses while the Command of Rasulullah (sallallahu alayhi wasallam) to lengthen the beard is the 'difficult' position not applicable to the masses. Such 'difficult' practices and positions are exclusively for the people of 'wara' and 'taqwa' according to these miscreants. Any position which is in violation of the Position of the Rasool (sallallahu alayhi wasallam) is a damned position – a position of Jahannum – a satanic position – regardless of which 'school' propagates the satanic position. There is no place in Islam for a position which rejects the Primary Position – the Sunnah of Rasulullah (sallallahu alayhi wasallam).

Should a position deducted by a recognized authority of Islam contradict the official position of Islam – The Sunnah – it shall be set aside. Such a position shall not be elevated over and above the Sunnah resulting in the demotion of The Sunnah to occupy what these malevolent *mudilleen* call the 'alternative position'. The

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deduction of the authority shall be abrogated and attributed to error, for it is nothing but error manifest, and to follow error manifest is tantamount to kufr, hence, Allaamah Abdul Wahhaab Sha'raani (rahmatullah alayh), a tenth century Shaafi' authority, said: *"Whoever grabs hold of the obscurities (and errors) of the Ulama has made his exit from Islam."*

It must be emphasized that what these *mudhilleen* are proclaiming about the 'well-accepted position of the Shaafi' school' and the 'alternative position' in the context of lengthening and shaving the beard, is a massive LIE – a canard whispered into their brains by Shaitaan, the accursed Iblees who is the imaam of the *jubbuth thakar* clique of *mudhilleen*. A direct reference to these *jubbuth thakar mudhilleen* is the following fear of Rasulullah (sallallahu alayhi wasallam): *"Verily, I fear for my Ummah the aimmah-e-mudhilleen."* The characters dubbed '*aimmah-e-mudhilleen*' in the Hadith are miscreant 'sheikhs', 'molvis' and 'qaaris' who mislead the Ummah in the name of the Deen.

The Atkiti character lost in his *nafsaaniyat*, says: *"fiqhi works and judgments are always dry save with its close companion, Tasawwuf."* The 'dryness' which the evil 'ulama' have conjured for 'fiqhi rulings' is the satanic trap which shaitaan has spread for their destruction. Fiqh bereft of Tasawwuf is Satanism, and also vice versa. The judgment and works of Fiqh all stem from the Qur'aan and Sunnah, and the objective is to cement the bond between the slave and his Master, Allah Azza Wa Jal. Fiqhi judgments are not for worldly gain and gratification of the nafs. Fiqhi rulings and works are designed to ensure that the Muslim operates strictly within the confines of the Shariah, i.e. the parameters defined by the Qur'aan and Sunnah. Fiqh is not what the cranks have understood or what they are trying to promote. In their satanically convoluted concept of 'fiqh', the Muslim is exhorted to remain a slave of the nafs, to abandon the Sunnah and to cultivate the dunya. Thus, in the calcified minds of the *jubbuth thakar* gang the Sunnah is 'only recommended'. In other words, observance of The Sunnah

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is a hobby, a past-time occupation vacillating in subservience to the dictates and proclivities of Nafs-e-Ammaarah dominated by Shaitaan Laeen himself. It is precisely for this reason that these *mudhilleen* say that what Rasulullah (sallallahu alayhi wasallam) had commanded so forcefully and practised so rigidly is 'only sunnah', to be discarded and abandoned at whim and fancy. Thus, they brazenly disgorge their kufr with lies such as:

- "The official position of the madhab is the one espoused by Imam Nawawi and Imam Rafi', which is that shaving and trimming *are not sinful*.
- "Anyone who shaves or shortens his beard without an excuse will not be sinful"
- "To keep a full beard is *merely recommended, not obligatory*, and that it is neither unlawful to shave it nor to shorten it, even when this is done without an excuse."

Undoubtedly, these are statements of the Chief Devil whispered into the minds of his progeny. Then they disgorge this haraam *ghutha* adorning it with a religious presentation and slandering the Shaafi' Fuqaha by attributing this satanic falsehood to them. These shayaateen in human form and garb whose brains have become vermiculated with a preponderance of shaitaani wasaawis, come fully within the scope of the Qur'aanic aayat:

"So have We made for every Nabi enemies, (from) the human shayaateen and the jinn shayaateen. They whisper adorned statements of deception to one another. If your Rabb had so willed, they would not have committed it, therefore, leave them and that which they fabricate." (Al-An'aam, aayat 112)

So we find these human shayaateen –*the jubbuth thakar gang* – presenting their corrupt, haraam 'fatwas' of fisq and fujoor adorned in religious form. Thus these deviates who ruin the Akhlaaq and Imaan of the Ummah, portray their fisq, fujoor and kufr as the 'well-accepted position of the madhab' when in reality it is the well-accepted position in their math-hab of Satanism.

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Their concept of 'dry fiqh' is not part of Islam. It is their math-hab of Satanism. For achieving their shaitaani and nafaasani objectives, they have exsanguinated Fiqh of its attribute of *Haqq* and exsiccated it of every vestige of *Roohaaniyat*. They have stripped Fiqh of its spiritual dimension and reduced it to a barren, arid concept which actively promotes *fisq and fujoor*. Fiqh – the Fiqh which the Aimmah-e-Mujtahideen, the Students of the Sahaabah, imparted to the Ummah is a divine ILM which is vibrant with *Roohaaniyat*. It is a transcendental science which fosters a stronger bond with the Creator – *Rabbul Aalameen*. It is a Knowledge which educates the *jaahil* and informs him of the Sunnah, and what he is expected to do with this Sunnah in order to gain Allah's Pleasure and salvation in the Aakhirah. It is not a 'dry' abstract concept restricted to intellectual leisure whose application is designed to pamper the immoral proclivities of the carnal nafs in the way the *jubbuth thakar* devils are propagating. They are the enemies of the Sunnah, the enemies of Rasulullah (sallallahu alayhi wasallam), the enemies of Islam and the enemies of this ignorant Ummah of this era.

FIQHUS SUNNAH AND 'FIQHUS SHAITAAN'

The concept of a 'dry fiqh', propagated by Akiti and his ilk of the congeries of *shayaateenul ins* (human devils), has been fabricated by these votaries of the nafs. All their desires of *fisq* and *fujoor* find accommodation in their concept of a 'dry fiqh' – a 'fiqh' which is shorn of the Sunnah – a 'fiqh' which ruptures and even eliminates the bond which the Mu'min should have with Allah Ta'ala. It is the 'fiqh' of shaitaan which these characters are propagating.

On the contrary, the Fiqh of Islam is the Fiqh of the Sunnah which was the Fiqh which the Sahaabah and the Aimmah-e-Mujtahideen taught and practised. The Fiqh of Islam is the Fiqh, the acquisition of which is commanded in the Qur'aan:

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"All the Mu'minoon should not altogether proceed (for Jihaad). So, why did not a group from every clan depart (for the Jihad campaign, so that those who remain behind) may gain fiqh in the Deen to enable them to warn their (respective) communities when they return (from Jihad) to them, so that they (those who return) abstain (from evil by virtue of the fiqh they acquire)." (Taubah, aayat 122)

The command in this aayat is to acquire fiqh, and the objective of fiqh stated in this aayat is to proffer naseehat, and the objective of the naseehat, also stated in the aayat, is to enable people to practise the teachings of the Deen and to abstain from its prohibitions. The Fiqh commanded in the Qur'aan is not a fiqh which excludes Taqwa and Wara'. The objective of Fiqh is to inculcate Taqwa and Wara'. Describing what a jurist (Faqeeh) is, Hadhrat Hasan Basri said: "A Faqeeh is one who is a zaahid (one who has renounced the world). He is eager for the Aakhirah; he possesses deep insight of the Deen; he is engrossed in ibaadat; refrains from dishonouring Muslims; steers clear of their wealth, and he is their well-wisher." (Ruhul Ma-aani, Vol. 11, page 48)

There is absolutely no dryness in this Fiqh which the Qur'aan imposes on the Ummah. It is a Fiqh rich in Akhlaaq – a Fiqh whose objective is the cultivation of Divine Love.

Emphasizing the cultivation of Taqwa, the Qur'aan states:

*"Verily, this worldly life is play and amusement. If you believe and adopt **Taqwa**, He (Allah) will bestow to you your rewards and He does not ask you for your wealth." (Muhammad, aayat 36)*

*"Those who follow guidance, He increases them in huda (guidance) and He bestows to them their **Taqwa**." (Muhammad, aayat 17)*

*"And the Aakhirah by your Rabb is for the **Muttaqeen**"*

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(Az-Zukhruf, aayat 35)

*"On that Day friends will become mutual enemies except the **Muttaqeen**. "* (Az-Zukhruf, aayat 67)

The Fiqh of the Qur'aan is replete with commands and exhortations to adopt **Taqwa**. A fiqh devoid of the element of **Taqwa** and **Wara**, has no relationship with the Qur'aan and Sunnah. The western kuffaar Orientalists, the masters of the likes of Akiti, are experts in fiqhus shaitaan – the 'dry', arid fiqh which Akiti propagates at the behest of his masters.

Rasulullah (sallallahu alayhi wasallam) said: *"When Allah intends goodness for a person, He grants him **faqahah** in the Deen."* This is the Fiqh which is to be found in kutub such as *Ihya Uloom* and *Qootul Quloob*, hence Imaam Nawawi and all Fuqaha were reliant on the Fiqhus Sunnah of these illustrious Ulama and Auliya.

That Fiqh of the genuine Fuqaha was not a barren 'fiqh' such as the falsehood which is today being imparted by the ulama-e-soo'. They are rotten to the core in their hearts. What these miserable juhala describe as the 'alternative position' is the Waajib position which Rasulullah (sallallahu alayhi wasallam) emphasized and practised and he ensured that all his Sahaabah adopted this so-called 'alternative position'.

Along with demoting the Waajib Sunnah Position, the *jubbuth thakar* miscreants are promoting that haraam practices are the 'well-accepted position' of the Shaafi' Math-hab.

In the inceptional eras of Islam, the *Khairul Quroon*, Fiqh was the only Science of Islam which comprised the entire Shariah. All departments of Islam were encapsulated in Fiqh. That was a lush and luxurious Fiqh. It was the Fiqh of the Sunnah stemming directly from the Qur'aan. It was the Fiqh of the Qur'aan which Jibraeel (alayhis salaam) imparted to Rasulullah (sallallahu alayhi wasallam). It was the Fiqh in which Tasawwuf – Islam's Moral

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Code – was inextricably interwoven. In fact, Fiqh was another name for Islam. It was the whole of Islam. And the Qur'aan commands: "*O People of Imaan, enter Islam fully.*"

Kutub such as Imaam Abu Taalib Makki's *Qootul Quloob* and Imaam Ghazaali's *Ihya Uloomuddeen* were embodiments of the original Fiqhus Sunnah for which Rasulullah (sallallahu alayhi wasallam) was raised and dispatched to earth. Nabi-e-Kareem (sallallahu alayhi wasallam) imparted and practised the Fiqh which these two wonderful kitaabs teach.

Why did great Fuqaha such as Imaam Nawawi and innumerable other Fuqaha of all Math-habs, resort for guidance to these two kitaabs and similar other kutub which propagated Fiqhus Sunnah? Did they lack in the Knowledge of Fiqh – which lack constrained Imaam Nawawi to search for the Haqq in the kitaabs of a Sufi who flourished three centuries before him? A Sufi who spoke a mystical Sufi language of Divine Love? A Sufi whom the public had begun to shun towards the end of his life on account of his mystical utterances? A Sufi whose body had become literally green of the grass he would consume, having abandoned all the *mushtabah* (*doubtful*) foods which society had to offer? Yes, what really constrained Imaam Nawawi to import into Shaafi' Fiqh the Knowledge contained by *Qootul Quloob*?

By the seventh century of the Islamic era, Fiqh, not its textual dimension, but the methodology of impartation, had become emaciated and deprived of the *Rooh and Noor* of the Fiqhus Sunnah of Rasulullah (sallallahu alayhi wasallam) and the Sahaabah. In his search for the spiritual dimension of Fiqh, Imaam Nawawi discovered it still vibrant in the kutub of the Mutaqaddimeen Auliya such as Shaikh Abu Taalib Makki and Imaam Ghazaali. Therefore, he and all the Shaafi' Fuqaha complemented their understanding of Fiqh with the Fiqhus Sunnah which they had discovered in *Qootul Quloob* and *Ihya Uloomuddeen*. Acknowledging his indebtedness to Imaam Abu Taalib Al-Makki, Imaam Nawawi says in his *Al-Majmoo'*, Vol. 1,

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page 358: *"Abu Taalib Al-Makki mentioned in Qootul Quloob, then Al-Ghazaali in Al-Ihya' ten Makrooh acts. The first of these is to dye the beard black....."* Imaam Nawawi emphatically interpreted elsewhere that 'Makrooh' in the context Al-Makki used the term means Haraam. This has already been explained with clarity in this treatise.

Now why did Imaam Nawawi do this? Was Imaam Nawawi lacking in adequate Ilm for formulating the masaa-il of the *Lihyah*? What had prevented Imaam Nawawi from seeking aid from his Mujtahid Mentor, Imaam Shaafi', and from his other senior Shaafi' Fuqaha of the Mutaqaddimeen era such as Muzani, Qaffaal Shaashi, Haleemi and others of such lofty calibre? Why did he have to search for guidance in the kutub of Sufis who lived several centuries before him – Sufis who held no pedestal in the establishment of the Fuqaha of the Mathaahib? Herein is wholesome food for thought. The promoters of 'dry fiqh' should reflect if they believe that they are among the *Ulul Absaar*, for the Qur'aan commands: *"Heed and take lesson, O Ulul Absaar!"*

WHAT IS FIQH?

What exactly is Fiqh – the Fiqh of the Qur'aan and Sunnah – the Fiqh which Rasulullah (sallallahu alayhi wasallam) and the Sahaabah taught and practised? Hakimul Ummat Hadhrat Maulana Ashraf Ali Thanvi explaining the meaning of Fiqh said: *"Understanding the Maqaasid (Objectives) of the Nusoos (Qur'aan and Sunnah) is Fiqh. In this field, Allah Ta'ala had bestowed to the Mutaqaddimeen the fadhielat of understanding (what exactly is the meaning of Fiqh). Abu Hanifah, Shaafi' and others are Imaams by virtue of the spiritual depth of their understanding. In this specific attribute, the Aimmah-e-Mujtahideen are outstanding, having surpassed all others. No one else could aspire to attain their elevated status."*

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Fiqh is the understanding of the objectives underlining the *ahkaam* of the Deen. The primary objective of the Deen is the acquisition of Allah's Pleasure and *Najaat* in the Aakhirah. This Divine Pleasure is not attainable from subservience to *fiqhus Shaitaan* – Akiti's 'dry fiqh' – the 'fiqh' propagated by the *jubbuth thakar* crowd.

Defining Fiqh, the Forerunner in this field, Imaam A'zam Abu Hanifah said: *"Fiqh is the understanding by the Nafs of the benefits (of the Aakhirah) for it, and the obligations on it."* This definition comprises both dimensions of the Shariah - A'maal-e-Zaahirah and A'maal-e-Baatinah. It encapsulates all branches of Islam. To the Salf-e-Saaliheen, Fiqh was not restricted to only A'maal-e-Zaahira – to the 'dry' aspects of the requisites of validity for the acts of *ibaadat*. To the Salf-e-Saaliheen of the Khairul Quroon era, Fiqh was what is elaborated in *Qootul Quloob* and *Ihya Uloomuddeen*, that is, *Fiqhus Sunnah*.

Regarding the acquisition of Fiqh, Imaam Maalik said: *"Whoever has acquired Fiqh without Tasawwuf, verily he has committed villainy. And, whoever becomes a Sufi without Fiqh, has become a zindeeq. And, he who has combined both (Fiqh and Tasawwuf), verily, he has become a Muhaqqiq."* Zindeeq is a kaafir. 'Those who pursue 'dry' fiqh', end up as a *jubbuth thakar* deviates.

Depicting the state of the Ummah when men of 'dry fiqh' – *fiqhus shaitaan* - become 'ulama', Hadhrat Abdullah Ibn Mas'ood (radhiyallahu anhu) said: *"The people (the Ummah) will remain in goodness as long as they acquire Ilm from their Akaabir (senior Ulama of the Haqq). But when they acquire it from their juniors and their vile ones (such as the jubbuth thakar miscreants), they will be destroyed."*

It is imperative for Muslims to seek refuge with Allah Ta'ala from the fitnah of these 'ulama-e-soo' and the damage they cause to the Deen and the Ummah. Hadhrat Sufyaan Thauri said: "People (in the early ages) used to seek refuge with Allah from the

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evil of the fitnah of the Aalim, and the evil of the fitnah of a jaahil aabid (worshipper). Verily, the fitnah of these two embraces all Fitnah."

"The effect of perfect Fiqh (i.e. Fiqhus Sunnah) in the heart (of the Mu'min) is the love of Mahboob and the hatred of Makrooh. When this effect is not achieved, perfect Fiqh has not been acquired. Its negation is then valid, for verily, when it is incomplete, it is negated. It is like the statement (of Rasulullah – sallallahu alayhi wasallam) to the one who discharged Salaat defectively: 'Perform Salaat, for verily, you have not performed Salaat.' Negation of Imaan when it is negated, is of this kind."

It is abundantly clear from this exposition of the meaning of Fiqh that those who regard 'Makrooh' to be permissible and not sinful, are bereft of Fiqh. They are juhala, hence the promotion of Haraam, Makrooh and *jubbuth thakar* practices is permissible in their 'fiqhus shaitaan.

For understanding what Fiqh is, it is incumbent to resort to Imaam Abu Hanifah. In this regard, Imaam Shaafi' said: *"Whoever intends to acquire Fiqh, is among the children of Abu Hanifah."* The lofty status of Fiqhus Sunnah of Imaam Abu Hanifah constrained even Ibn Taimiyyah to say: *"....No one ever doubted his (Abu Hanifah's) Fiqh, Fahm (spiritual understanding) and Knowledge. Some people have narrated certain things from him in order to vilify him. But such things alleged against him are absolutely false."*

All the Sunnat aspects of every act of Ibaadat are the so-called 'alternative position' for these *jubbuth thakar* villains, whilst the very bare minimum requisites for the validity of an act will be their 'well-accepted position' of the Math-hab irrespective of such 'well-accepted position' being proscribed in so far as practical implementation is concerned. For example, for them the 'well-accepted position' for 'instruction and practice' is the minimum requirements for the validity of Salaat, and that, is to ensure that

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the *aurah* is covered, and the *aurah* for the validity of Salaat according to the 'well-accepted position' of the Shaafi' Math-hab is from the navel until the knees. If a man performs Salaat with only a loin cloth covering this vital *aurah* area, his Salaat will be valid.

A moron following the ta'leem of the promoters of 'dry fiqh', goes to the Musjid five times dressed in only the loin cloth. He adopts this form of nude 'dress' as a norm for performing Salaat. Is his Salaat valid? May he be censured for discharging Salaat in this manner? May he be reprimanded for having abandoned in entirety the Sunnah method of dress absolutely vital for Salaat? If anyone censures his nudity, he responds that the 'well-accepted position' of the Shaafi' school is that it is *only Makrooh* to perform Salaat in this state of undress, and that it is not *haraam*. Since his nudity is *only Makrooh*, and this is the 'well-accepted position' of the madhab', no one has the right to censure him. So he contends.

According to the Shaafi' Math-hab, there are two types of Sajdah: *Aqal (Lesser) Sajdah* and *Akmal (Perfect Sajdah)*. The 'well-accepted position of the madhab' is that even with *aqal Sajdah*, the Salaat is discharged. The validity of Salaat is not reliant on *Akmal Sajdah*. When a habitual performer of *aqal Sajdah* is censured for having abandoned the Sunnah of the *Akmal Sajdah* and is warned of the following Hadith:

"Hadhrat Hudhaifah (radhiyallahu anhu) saw a man not performing Ruku and Sajdah correctly (i.e. he was not discharging these acts in their Akmal forms). After Salaat, he said to the man: 'You did not perform Salaat. If you had to die in this state, you would have died in conflict with the Sunnah.'" (Bukhaari), then he (this moron) retorts, that he may not be censured because the 'well-accepted position of the madhab' is that it is only Makrooh, not haraam, to perform Aqal Ruku' and Sajdah. Will such jubbuth thakar logic and vindication of abandonment of the Sunnah be tolerable and acceptable?

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Sajdah Sahw in terms of the Shaafi' Math-hab is Sunnat, not Waajib. This is the 'well-accepted position of the madhab'. If a moron assumes upon himself the calamity of totally abandoning Sajdah Sahw, never ever executing it because of the 'well-accepted position' that according to the 'dry fiqh' of the cranks it is '*only*' *Sunnah*, not obligatory, is he not deserving of censure? A crank who ventures the permissibility of abandoning Sajdah Sahw for no valid reason makes his exit from Islam irrespective of Sajdah Sahw not being obligatory according to the Shaafi' Math-hab. Deliberately or carelessly performing Salaat defectively qualifies the moron for Rasulullah's censure: "*Perform Salaat, for you have not performed Salaat*".

This rule of censure applies to every act imparted in Fiqhus Sunnah- the Fiqh of the Qur'aan and Sunnah – the only Fiqh propagated by Rasulullah (sallallahu alayhi wasallam).

It is haraam to abandon the Waajib act of censuring morons. Amr Bil Ma'roof Nahy Anil Munkar is not restricted to so-called 'well-accepted' positions of madhabs, nor is abstention from censuring valid when the so-called 'alternative position' which in fact is the Primary Position, is abandoned.

Severely denouncing the 'dry fiqh' of the ulama-e-soo', Imaam Shaafi' said:

"The one who speaks in terms of the Qur'aan and Hadith (Fiqhus Sunnah) is a man of the Haqq. Besides this (Fiqhus Sunnah) everything is drivel" (rubbish, nonsensical, flotsam and jetsam). (*Tuhfatul Baari, Vol.1, page 48*)

The incumbent effect of fiqhus shaitaan promoted by the likes of Akiti and Maqdisi is abandonment of the Sunnah and the adoption of fisq and fujoor. A 'knowledge' which encourages abstention from the Sunnah is Satanism. Abstention from the Sunnah is a sure sign of mental derangement, hence Imaam Shaafi' said: "*If my amal is not on a Hadith despite me proclaiming it to be Saheeh, then I hold you as a witness to the fact that my mind has become deranged.*"

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Hadhrat Abu Uthmaan Khairi said: *“Acting in contravention of the Sunnah is nifaaq (hypocrisy).”* It is thus abundantly clear that the detractors of the Sunnah are suffering from the malady of mental derangement according to the explicit decree of Imaam Shaafi whom this miserable clique deceptively proclaims to be the Imaam of their nafsaani, fiqhush shaitaan madhab.

Emphasizing the utmost importance of making *amal* on the Sunnah, Imaam Shaafi' said: *"Which heaven will shelter me and which earth will bear my burden if I do not adopt (for practical implementation) a Hadith which I narrate?"* The fiqhus shaitaan of the *jubbuth thakar* gang promotes wholesale abandonment of Rasulullah's Sunnah under guise of the Sunnah not being the confounded 'well-accepted position of the madhab'. They are indeed following the 'math-hab' of shaitaan with their 'dry' fiqhush shaitaan.

THE WUJOOB OF TAQWA AND WARAA'

"Who is more unjust than the one who turns away from the aayaat of his Rabb when these are narrated to him, and he forgets what his hands have sent forth? Verily, We have cast a veil on their hearts so that they do not understand it (the Fiqhus Sunnah of the Rasool), and (We have) plugged corks in their ears. And if You call them towards the guidance (of Fiqhus Sunnah), never ever will they attain guidance."
(*Al-Kahaf, aayat 57*)

The attitude of those who propagate a 'dry fiqh' is to view with disdain and with even scorn Taqwa and Wara. In fact, they even sneer at Taqwa little understanding that the *hidaayah* of the Qur'aan is exclusively for the *Muttaqeen*. The very opening verses of Surah Baqarah state:

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"This is the Kitaab in which there is no doubt. It is a guidance for the Muttageen (the People of Taqwa and Wara')."

Rasulullah's mission envisaged the cultivation of Taqwa by his followers. Taqwa is not a hobby nor does it occupy a secondary role. Taqwa is of primary importance. Disdainful abandonment of the Sunnah, regarding Sunnah as insignificant, and abstention from Sunnat on the basis of the kufr which spawns the '*it is only Sunnat*' attitude are all attitudes of kufr. This attitude of the 'dry fiqh' (fiqhus shaitaan) promoters is a negation of the Qur'aan's and Sunnah's theme of Taqwa. The Qur'aan and Sunnah are diffused with Taqwa which is inseparable from the ta'leem of Rasulullah (sallallahu alayhi wasallam).

Imaam Shaafi proffering naseehat to his Student, Imaam Rabee', said: *"In sixteen years I only once ate to satiation (i.e. filling the stomach). At that time (i.e. immediately on realizing that he had filled his stomach) I plunged my hand into my mouth and vomited out the excess food because eating to satiation makes the body heavy, the heart hard, eliminates wisdom, overwhelms one with sleep and creates deficiency in ibaadat. O my Student! Adopt Zuhd (renunciation of the dunya). For a Zaahid, zuhd is more beautiful than a beautiful young lass adorned with jewels."* (Tuhfatul Baari, Vol.1, page 49)

This is not the speech of a recluse who spent his life in the mountains. This is the advice of an illustrious Sufi who was the Imaam of his Math-hab. Is the slightest vestige of Sunnah abandonment discernible in the attitude of this great Faqeeh who was the Imaam of the Math-hab? Was he practising Fiqhus Sunnah or the 'dry' devilish 'fiqh' which is the madhab of the *jubbuth thakar* gang? Further advice of Imaam Shaafi' for the exponents of fiqhus shaitaan is:

- "Ilm is that which benefits, not that which is merely swotted off." (The acquisition of benefit is strict observance of the Sunnah).

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- "He who does not derive honour from Taqwa has no honour."
- "The best treasure is Taqwa."
- "Abstention from sin and futility creates Noor in the heart."
- "Cultivate the habit of solitude and eating less; stay aloof from the company of buffoons and the unjust."
- "An *Aaqil* (a man of perfect intellect) is one whose *Aql* prevents him from futility."

Taqwa was the outstanding feature of the Aimmah of the Four Math-habs and of all genuine Fuqaha. There is no Math-hab whose Fiqh is devoid of the exhortation to cultivate Taqwa. It is only the satanic 'dry fiqh' – *fiqhus shaitaan* – which enemies of Islam such as the 'Oxford' miscreants propagate, which is bereft of Taqwa and Wara'. A 'fiqh' which dispenses of Taqwa is *haraam*. It is not permissible to pursue such an evil 'fiqh' which ruptures the divine bond which the Mu'min has with his Rabb.

Ibn Taimiyyah said: *"There is not a single one among the recognized Imaams of the Ummah of Muhammad (sallallahu alayhi wasallam) who had intentionally said something in conflict of Rasulullah's Sunnah. All of them (the Imaams of the Mathaahib) were unanimous that following the Sunnah of Rasulullah (sallallahu alayhi wasallam) is Waajib."*

The *ta'leem and amal* of all the Imaams of the Math-habs and of all the genuine Fuqaha were the Qur'aan and Sunnah. They treated *amal* on the Sunnah to be a Waajib injunction, and in the light of the Hadith those who acquired Ilm but failed to practise accordingly, were in the category of 'swines'. Therefore, the Fuqaha would expel from their circle those who were adherents of 'dry fiqh' – *fiqhus shaitaan* – the fiqh which discards the Sunnah because its effects were '*only Sunnah*'.

Once an Aalim from a distant place visited Imaam Ahmad Bin Hambal with the intention of acquiring the Knowledge of Hadith from this noble Imaam. During the night time, Imaam Ahmad left a container of water in the room of his guest to enable him to

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make wudhu for Tahajjud Salaat. However, the stranger did not wake up for Tahajjud Salaat, hence the water remained unused. In the morning when Imaam Ahmad discovered the water had not been used, he asked the stranger the reason of his visit. When the guest said that his intention was to acquire the Knowledge of Hadith, Imaam Ahmad ordered him to "return from whence you came". He informed the stranger that since he does not practise on the ta'leem of the Hadith, he was unfit for this sacred Knowledge. And, so he expelled the stranger. Imaam Ahmad did not teach him Hadith, because Rasulullah (sallallahu alayhi wasallam) said: *"The one who imparts Ilm to an unqualified person is like one who garlands pigs with pearls, diamonds and gold."* It should now be clear that the votaries of 'dry fiqh' – the 'fiqh' which has no relationship with Taqwa and Wara' – the fiqh of shaitaan, are 'swines' in terms of the Hadith.

It is imperative for Muslims to understand that minus Fiqhus Sunnah there is no Islamic Fiqh, in fact no Islam. The mission of Rasulullah (sallallahu alayhi wasallam) was nothing other than to impart practical Islam to mankind, and that Islam is only to be found in Fiqhus Sunnah, not in the 'dry fiqh' – fiqhus shaitaan – which these hermaphrodite *jubbuth thakar* deviates propagate.

While the 'dry fiqh' expounded by Akiti, the student of the orientalist enemies of Islam, espouses a theoretical 'islam' which should be fossilized and buried in history books as dictated to him by his western kuffaar orientalist tutors, the Qur'aan commands a vibrant Deen which has to compulsorily permeate every facet of the Muslim's life.

"Say (O Muhammad to the people): If you love Allah, then follow me (i.e. the Rasool), and Allah will then love you, and He will forgive you your sins. Say: Obey Allah and obey the Rasool. If then you turn away, then (know that) verily, Allah does not love the kaafireen." (Aal-e-Imraan, aayats 31 and 32)

The Qur'aan Majeed is replete with such imperative Commands to obey the Sunnah, yet these vile enemies scheming to undermine

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Islam in the name of the Shaafi' Math-hab, propagate the very antithesis of the Qur'aanic instruction to adopt the Sunnah of Rasulullah (sallallahu alayhi wasallam).

The slaves of the kuffaar Orientalists, the enemies of Islam, have a satanic mission to execute, and that is to divorce Fiqh from the Qur'aan and the Sunnah – to transform it into an arid, barren, spiritless, dead document from which Muslims may select and discard at will and whim. Yet, the Sunnah of the Qur'aan has been revealed for endurance until the Day of Qiyaamah. It brooks no change, least of all fossilization. The Sunnah is not an artifact for assignment to a museum. The Qur'aan – the living everyday Fiqhus Sunnah – is explained as follows in *Mafaatihul Ghaib – At-Tafseerul Kabeer*:

"Verily, the Uloom of the Deen is either abstract or practical. The Abstract dimension (of Deeni Uloom) comprises the Knowledge of Allah Ta'ala, the Malaikah, the Divine Scriptures, the Rusul and the Day of Aakhirah. This Kitaab (the Qur'aan) consists of the loftiest form of this (branch of) Uloom and of its subtleties.

The Practical dimension comprises of the text pertaining to the adornment of A'maal-e-Zaahirah (the outward/external/physical acts) and of the adornment of the spiritual states, and this (latter dimension) consists of purification and adornment (with the attributes of moral excellence) of the Nafs. We cannot find a kitaab on earth to be on par with this Kitaab (of Allah Azza Wa Jal) in these concepts." Thus Fiqhus Sunnah comprises of Aqeedah and A'maal, and that is precisely the *Maudhoo'* (Subject Matter) of the Fiqh of the Four Math-habs, and this *Maudhoo'* cannot be correctly pursued, disseminated, discharged and acquired without the Sunnah of which Taqwa is an essential requisite.

It should be simple now to understand that the 'dry fiqh' which Akiti and his ilk are promoting is the 'fiqh' of shaitaan. We are living in an age which is in close proximity to Qiyaamah. It is therefore not surprising to be confronted with the plots and

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conspiracies of the munaafiqeen, which they scheme at the behest of their Orientalist masters for undermining and obliterating Islam. But, never shall they succeed in their nefarious plot. There will always be Ulama-e-Haqq around to contend with these satanic onslaughts on Islam.

Let every Mu'min understand well, that the command to follow the Sunnah is not optional. The Sunnah is not a culture which Allah Ta'ala has left to the discretion of the Ummah. Every aspect of the Sunnah regardless of Fiqhi classification has to be compulsorily implemented in daily life to the best of one's ability. A 'fiqh' which seeks to cast aside the Sunnah with its emphasis on Taqwa and Wara, is a cesspool of satanic iniquity whose propagation has become the mission of these *jubbu-thakar shayaateenul ins*. It is Waajib for every Muslim to cultivate the beatitude of the Sunnah which is available from only the Fiqh of Rasulullah (sallallahu alayhi wasallam) – the Fiqh which the Four Math-habs teach. Contrary to what the *mudhilleen* say, the Fiqh of the Four Math-habs is rich in the Sunnah and it promotes Taqwa and Wara. And how is it conceivable for the Fiqh of the Math-habs to disseminate *ghutha* which militates against the Qur'aan and Sunnah? Reflect, O People of Intelligence!

The Qur'aan commands the cultivation of Taqwa. It is an obligatory duty on the Muslim to strive his utmost to be a Muttaqi (a man of Taqwa). Thus, Allah Ta'ala commands: "*O People of Imaan! Fear Allah (have Taqwa) in the true sense of fearing Him, and never ever die except whilst you are Muslim.*" (Aal-e-Imraan, aayat 102)

This aayat as well as numerous aayaat throughout the Qur'aan Majeed emphasize the **Wujoob** of Taqwa. Taqwa is not a hobby. It is not a cloak to don at discretion or whim and fancy. The Qur'aan makes it abundantly clear that Jannat is *only for the Muttaqeen*.

Whilst the 'well-accepted position' in the madhab of dry fiqh is that Thikrullah is '*only sunnah*', hence abstention therefrom is 'permissible and not sinful', the Qur'aan clarifies that those who

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abstain from Thikrullah are the companions of Shaitaan. In this regard, the Qur'aan states: *"Shaitaan has overwhelmed them, thus causing them to forget Thikrullah (the remembrance of Allah). Indeed they are the army of Shaitaan. Behold! The army of Shaitaan will be the losers."* (Al-Mujaadalah, aayat 19)

"He who abstains from the (Sunnah) of Thikrullah, We appoint for him a (special) shaitaan who becomes his constant companion."

Those who discard the Sunnah – who regard the Sunnah to be insignificant – who propagate that the Sunnah is the 'alternative position' to be buffeted at will and fancy, they are destined for disgrace. Warning those who relegate the Sunnah to the discarded 'alternative position', the Qur'aan says: *"Those who oppose Allah and His Rasool (by forsaking the Sunnah), verily, they shall be in utter disgrace."* (Al-Mujaadalah, aayat 20)

FIQHUS SHAITAAN –AN ORIENTALIST PLOT

Fiqhus Shaitaan (the Devil's 'fiqh') is what 'sheikh' Afifi Akitii dubs 'dry' and 'sober' fiqh. In the fiqhus Shaitaan conception, there is no room for the Sunnah of Rasulullah (sallallahu alayhi wasallam). Whilst the Qur'aan commands reference to the Qur'aan and the Sunnah to decide disputes and issues, Akiti's brand of fiqhus Shaitaan advocates deceptive criteria for the resolution of Shar'i issues. One such extremely deceptive and satanic standard which Akiti presents in the form of the Shaafi' Math-hab, is to antiquate the first six centuries of Islam. In other words, the Shariah which the Sahaabah, Aimmah-e-Mujtahideen and the Fuqaha of the first six centuries of Islamic history have taught, has no real relevancy, and that the foundation on which the edifice of Islam has to be structured in the first phase of this 'modernity' comprises of just two Fuqaha, namely Imaam Nawawi and Imaam Raafi', who were the Muqallideen of Imaam Shaafi'.

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The palpable implication of the deviates' propagation is that the Shariah which Imaam Shaafi' and the senior Shaafi'i Fuqaha of the early era taught is obsolete and redundant and has to be discarded or antiquated. A 'new' Shariah is to be erected on the interpretations and preferences of Imaam Nawawi and Imaam Raafi'. It should be made abundantly clear that Akiti and his ilk have no allegiance to Imaam Nawawi and Imaam Raafi'. They are not the muqallideen of any Math-hab. However, they have latched on to Imaam Nawawi and Imaan Raafi' for extravasating a basis for their corrupt *jubbuth thakar-beard-shaving* rubbish. They have abortively laboured to extract maximum haraam capital from a slight difference between Imaam Shaafi and Shaikhain (Imaam Nawawi and Imaam Raafi'). We have already explained earlier in detail that there is no real and no practical difference between Imaam Shaafi' and Shaikhain on the *hurmat* of *jubbuth thakar*.

Dr. Akiti is a product of the Islamic Studies faculty at the Oxford Centre for Islamic Studies at the Faculty of Theology, University of Oxford. For an Oxford graduate we must say that his standard of English is atrocious. The *jubbuth thakar* article which he has written in English must surely be a cause of embarrassment for his peers at Oxford. Or perhaps Akiti is mirroring the exceptionally inferior standard to which Oxford English has deteriorated.

The 'Islamic' Studies Centre of Oxford University and of many other western universities are beehives for plotting the destruction of Islam. In the current age, the Orientalist enemies of Islam operating these shaitaani 'Islamic Studies' centres, have enlisted the aid of their 'Muslim' products for furthering their nefarious schemes. *The Majlis* is currently running a series of articles in which Dr. Ahmad Ghurab who was a professor at several of these universities exposes the dark plots of the Orientalists who have employed numerous 'Muslims' (Munaafiqeen) to execute their filthy conspiracy of undermining Islam.

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It is indeed a favour of Allah Ta'ala and a wonderful consolation for the Ulama-e-Haqq whose obligation it is to safeguard the immutable Shariah and Sunnah delivered to mankind by Rasulullah (sallallahu alayhi wasallam), that the masses of the Ummah, including the fussaag, fujjaar and even modernists possess sufficient insight to understand the dark objective underlying *jubbuth thakar* articles written by the slaves of the Orientalist. By 'modernist' in this context we refer to Muslims who despite having adopted western styles of living, have not abandoned their Aqaaid (Islamic Beliefs). They are not bamboozled by the *ghutha* of the plotters.

Regarding these wolves and devils in 'Muslim' form, Hadhrat Umar Bin Khattaab (radhiyallahu anhu) said: *"Do you know what will destroy Islam? The slip of the Aalim, the dispute of the munaafiq in the Kitaab and the decrees (fatwas) of aimmah mudhilleen."* (Sharhus Sunnah of Muhammad Husain Al-Baghawi As-Shaafi)

The munaafiqeen and the aimmah-e-mudhilleen (imaams, sheikhs and molvis) who lead Muslims astray are the ilk of these *jubbuth thakar* miscreants whose mission is the destruction of Islam. This Hadith of Hadhrat Umar (radhiyallahu anhu) aptly fits Akiti, Maqdisi and Taha Karaan. Throwing more light on the conspiracies of these munaafiqeen, Hadhrat Ibn Mas'ood (radhiyallahu anhu) said: *"People will remain pious as long as they adhere to that Ilm (Fiqhus Sunnah) which has come to them from the Companions of Muhammad (sallallahu alayhi wasallam) and their Akaabir (the Aimmah-e-Mujtahideen and the Salf-e-Saaliheen). However, when knowledge comes to them from their juniors, they will be destroyed."*

This is a warning for Muslims to beware of the shayaateen in human form who parade as 'scholars' undermining the Sunnah of Rasulullah (sallallahu alayhi wasallam). Sha'bi said: *"Hold on to that which comes to you from the As-haab of Muhammad (sallallahu alayhi wasallam), and shun what these bankrupt*

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buffoons are saying." (Sharhus Sunnah) They are bereft of true Ilm of the Deen. Their smattering of 'deeni' knowledge is Oxford scrap.

Anas Bin Maalik (radhiyallahu anhu) narrates that someone asked: *"O Rasulullah! When should Amr bil Ma'roof Nahy anil Munkar be abandoned? Rasulullah (sallallahu alayhi wasallam) said: 'When that which became prevalent in Bani Israaeel prevails among you.' The person said: 'O Rasulullah! What is that?' Rasulullah (sallallahu alayhi wasallam) said: 'When sycophancy becomes prevalent among your noble people; immorality among your evil people, and when Fiqh revolves in your juniors and your lowly ones.'"* The people who pursue knowledge of the Deen in this age are vastly Signs of Qiyaamah.

Shaikhul Islam Abul Abbaas says in his *Al-Fataawal Hadeethiyah*: *"Customary knowledge devoid of A'maal-e-Saalihah is in reality loathsome and a calamity. For this reason is there mentioned punishment for such Ulama who do not practise according to their knowledge..... The Uloom of such Ma-aarif related to Allah, His Names and Attributes is the noblest Uloom and its As-haab are the noblest Ulama. Adjacent to this Uloom in nobility is the Knowledge of Fiqh, for verily, its (Fiqh's) objective is to know the Ahkaam of Allah and His Shariah by means of which His servants worship Him. All other branches of Knowledge are media for the attainment of these two Knowledges comprising of the Ma'rifat of Allah and the Ma'rifat of His Ibaadat, for verily, creation was not created except for that purpose. Ibaadat is in need of Ma'rifat.....Whoever has recognized Allah has recognized the compulsion of worshipping and obeying Him..... It should be clear to you that Uloom (Fiqhus Sunnah) is the waseelah (medium) for knowing such amal which is the medium for the obedience of Allah and for gaining His Qurb (Proximity) which is the waseelah for His Ma'rifat. Therefore, whoever utilizes these media correctly reaches the Great Maqsood otherwise he is a loser and a jaahil irrespective of him having the*

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appearance of an AalimVerily, Uloom and Ma-aarif are exclusive with the Auliya and the Siddiqueen whilst textual knowledge is acquired by even fussiaaq (immoral jubbuth thakar promoters) and zanaadaqah (heretics).

The learning and teaching of the masaa-il furooiyyah pertaining to Tahaaraat, Salaat, Zakaat, Hajj, Mu-aamalaat Nikah, Claims, etc. is after recognizing Allah and His Tauheed and devoting ibaadat to Him. Verily, this is FIQH on whose virtue there is consensus. That is Beneficial Ilm. ”

This is a partial extract of the concept of Fiqhus Sunnah – the Knowledge of Allah and His Deen. There is absolutely no relationship between this Knowledge of the Qur'aan – this Fiqhus Sunnah – and the 'dry fiqhus shaitaan' propagated by the Orientalist enemies of Islam whose caddies are the products of 'Islamic Studies' Centres of kuffaar universities.

Imaam Ghazaali said: *"In the first era of Islam Fiqh was the name for the Knowledge of the Aakhirah, the knowledge of the subtleties of the calamities of the nafs and the evils of deeds..."* A 'dry fiqh' which creates a chasm between the slave and his Master, Allah Ta'ala, by denuding Fiqhus Sunnah of its spiritual dimension is undoubtedly 'fiqhush shaitaan' which the *jubbuth thakar* miscreants are promoting.

The following description of Fiqh appears in *Kash-shaafu Istilaahatil Funoon*: *"Fiqh is not the mere knowledge of haraam and halaal. But, Fiqh is the recognition of the best of two goodnesses for practising, as well as the recognition of the worst of two evils, then (if circumstances compel) to adopt the lesser of the two evils."* This is never the effect of fiqhush shaitaan – the 'dry fiqh' advocated by the munaafiqeen masquerading as ulama.

The "best of two goodnesses" requires *amal* on the *Mustabbaat* and *Mandoobaat* as well as abstention from *Makrooh Tanzeehi* and *Tarkul Aula*.

TAQLEED OF SHAITAAN

***"And from among people is he who disputes in (the Shariah) of Allah without having Knowledge (of the Sunnah), and he follows every rebellious shaitaan."* (Surah Al-Hajj, aayat 3)**

The Oxford product as well as the Yemeni, and the South African miscreants purveying their brand of a corrupt, lifeless, 'dry' shaitaani 'fiqh' on the basis of a smattering of 'Shaafi' textual fiqh, have laboriously and abortively struggled in their stupid articles to prove that shaving the beard is not sinful, hence permissible. For reaching this satanic haraam conclusion they were constrained to delete Rasulullah (sallallahu alayhi wasallam), the Ambiya, the Sahaabah, the Aimmah-e-Mujtahideen of all Math-habs including Imaam Shaafi and senior 'Shaafi' Fuqaha backed up by the practice and proofs of centuries from the equation.

Their jahaalat is indeed staggering. In their stupid search for the definition of the beard, they wander aimlessly in a minefield of which they know very little. The Command to keep a Beard was not issued by Imaam Nawawi six centuries after the inception of Islam. The Command was issued by Allah Azza Wa Jal via His Rasool (sallallahu alayhi wasallam) more than six hundred years prior to the advent of Imaam Nawawi. These *jubbuth thakar juhala* shamelessly make nonsense of even their professed leader, Imaam Shaafi, and of other very senior 'Shaafi' Fuqaha in relation to whom Imaam Nawawi and Imaam Raafi' are kindergarten kids.

With their attitudes of *sareeh kufr* they reject their Imaam's verdict which he acquired from Rasulullah (sallallahu alayhi wasallam). Whilst Rasulullah (sallallahu alayhi wasallam) commanded: 'Lengthen your beards', and whilst Imaam Shaafi' transmitted the self-same command in its original form and purity, the *jubbuth thakar* clique flagrantly refutes what Rasulullah (sallallahu alayhi wasallam) has commanded on the basis that what

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they believe to be 'dry fiqh' supersedes the Fiqh imparted by Rasulullah (sallallahu alayhi wasallam) and the Sahaabah.

Although the reality is that in even the so-called 'dry fiqh' which they promote, there is no substantiation for their egregiously notorious canard of the permissibility of shaving the beard which is a pure effect of their concupiscent *nafs*, they drag Imaam Nawawi and Imaam Raafi' into their satanic arena to exsanguinate some vestiges of 'proofs' for their *jubbuth thakr* kufr. They have resorted to a massive falsehood in contending that according to Shaikhain shaving the beard is permissible. Every Muslim, be he a faasiq who shaves his beard, will understand the notoriety of their blasphemous contention.

The total lack of grounds on which to base the haraam *jubbuth thakar* claim, constrained these muqallideen of Shaitaan to fabricate what they term a 'dry fiqh' with *so-called "well-accepted position"* and *"alternative position"*, in which Rasulullah (sallallahu alayhi wasallam), the Sahaabah and the Aimmah of the Four Math-habs have no role to play. They simply clutch at every passing straw in the desperate attempt to sustain their palpably baatil contention.

Describing such *mudhilleen* who destroy the Imaan and Akhlaaq of Muslims with their vile concoctions, Imaam Ghazaali said:

"And, a group (of miscreants) abandoned the important goals of Uloom and they restricted (themselves) to the knowledge of fataawa in executive and judicial matters, and with such affairs which pertain to worldly issues of livelihood (making money). They thus confined the word, Fiqh (i.e. they sheared Fiqh of its Sunnah dimension). They termed it (i.e. their arid satanic fiqh) fiqh and the Knowledge of the Math-hab.

Frequently they destroy with this ('dry fiqh) both A'maal-e-Zaahirah (e.g. keeping a full beard) and A'maal-e-Baatinah (pertaining to the purification of the heart). They do not examine their limbs (their actions) nor guard their tongues against gheebah

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nor their stomachs from ingesting haraam (especially halaalized carrion). They (i.e. these *jubbuth thakar* sycophants) do not prevent their feet from running towards the rulers. This is the state of all their limbs (only inclining towards haraam).

They do not protect their hearts against pride, ostentation, envy and all attributes of moral destruction. These people are deceits from two angles;

(1) From the angle of *amal* (i.e. practising A'maal-e-Saalihah)....They are like a diseased person who has learned medicine from expert physicians, but neither teaches it nor uses it. These people are destined for destruction since they have abandoned the purification of their *nufuosa*.....Thus, they became engrossed in kitaabul haidh (menses), diyaat (penalties), da-aawi (judicial matters) zihaar (a form of separation from the wife), li-aan (oaths by the Qaadhi for being exonerated), etc. So do they destroy their lives.

They are deceived by the honour and respect people show to them, and by their being appointed qaadhi or a mufti. Each one among them backbites his contemporary. However, when they meet, their criticism (of the companion) disappears (this is a display of their hypocrisy).

(2) From the angle of knowledge. They labour under the deception that there is no knowledge but what they know (i.e. their 'dry' *fiqhus shaitaan*) They believe that the knowledge they have is the saviour and the deliverer (unto Allah) whereas the saviour and the deliverer are the Love of Allah. The Love of Allah cannot even be imagined with His Ma'rifat.

They are unaware that the Fiqh of Allah Ta'ala (unlike their *fiqhus shaitaan*) is the Knowledge of His Attributes which inculcates fear, so that the heart understands, fears and makes incumbent Taqwa..... And from these people (the promoters of *fiqhus shaitaan*) are those who extract from the Knowledge of Fiqh differences. They are concerned with only debate and

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dispute, to silence the adversary and to refute the Haqq constrained by pride. Such a person (who is the muqallid of shaitaan) spends the night and day searching for the disputes of the Ulama of the Mathaahib and for the faults of contemporaries. These (muqallideen of shaitaan) do not have the intention of Ilm.... It would have been better if they engaged in the purification of their hearts, for that is better than knowledge which is of no benefit except (a little) in this dunya. Its benefit in this world is *takabbur* (pride). But in the Aakhirah this will be transformed into a blazing fire." (Asnaaful Maghrureen)

Imaam Ghazaali has depicted an accurate character sketch of these muqallideen of shaitaan who denigrate and refute the Sunnah of Rasulullah (sallallahu alayhi wasallam). It is because Fuqaha like Imaam Ghazaali who impart to the Ummah the Fiqh of the Qur'aan and Sunnah thoroughly expose the nifaaq and jahaalat of the cranks and quacks, that they (the promoters of dry fiqh) entertain a deep abhorrence for these illustrious Ulama who lay bare the Satanism of the ulama-e-soo'. We thus find Akiti lamenting: *"...neither the Ihya nor the Qut are works of fiqh. In fact, rhetorical and figurative devices (found aplenty in works like the Ihya) are not a normal feature of fiqhi literature. Rather, fiqhi works are supposed to be 'sober' and 'dry'....."*

This is the concept of Islam which the Orientalist masters have vomited and which Akiti has lapped up. Whilst these *jubbuth thakar* miscreants audaciously denigrate Imaam Ghazaali and Imaam Abu Taalib Al-Makki and their illustrious works of Fiqhus Sunnah, we find Imaam Nawawi erecting a Deeni edifice on the foundations of *Ihya* and *Qootul Quloob*. Imaam Nawawi and every Shaafi' Faqeeh of note has acknowledged the huge debt they and the Ummah owe Fuqaha of the calibre of Imaam Ghazaali and Imaam Al-Makki. The Haqq of these kutub compelled all the Shaafi' Fuqaha to seek aid from them for Fiqhi masaa-il. The names of Imaam Ghazaali and Imaam Al-Makki adorn the

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supposedly 'dry' kutub of Fiqh of Imaam Nawawi and other Shaafi' Fuqaha.

The information which Imaam Nawawi and the Shaafi' Fuqaha in general acquired from *Qootul Quloob* and *Ihya* was not available elsewhere. The Fiqhus Sunnah of Imaam Ghazaali and Imaam Al-Makki adorns the kutub of Imaam Nawawi and of the other Shaafi' Fuqaha. They understood that besides this Fiqhus Sunnah there is no other valid fiqh. Besides this Fiqhus Sunnah there is only fiqhus shaitaan whose proponents are the *jubbuth thakar* clique. There is no dryness in the Fiqh of the Qur'aan and Sunnah. The dryness is in the brains of those whose mission it is to undermine Islam.

The followers of fiqhush shaitaan attempt to show that Taqwa/Wara has no accommodation in Fiqh whereas a fiqh bereft of Wara' is not Fiqhus Sunnah. It is not Islam. It is the devil's snare with which these miscreants bamboozle the masses. They are quick to selectively cite and intentionally misinterpret Imaam Nawawi, Imaam Raafi' and Ibn Hajar to eke out support for their corruption. Whilst the Akiti character has endeavoured to denigrate and excise Wara' from Fiqh, Ibn Hajar says: *"Verily, Wara' is of the things which perfect Imaan.....Makrooh is a gulf between a person and haraam. He who indulges in abundance in Makrooh drifts to haraam. Mubah is a gulf between a person and Makrooh. He who indulges in abundance in Mubah (permissibilities) drifts to Makrooh.....When there is fear that halaal will culminate in Makrooh or Haraam, it is appropriate to abstain from it (from halaal), for example, indulging in an abundance of tayyibaat (halaal and tayyib food), for it leads to indolence of the nafs. The minimum (harm) is diversion from ibaadat. This is known by way of experience and by the naked eyes.It is not hidden that a person who indulges much in Makrooh develops audacity for the commission of prohibitions.....He who ventures to commit prohibitions*

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becomes dark of heart because he is bereft of the Noor of Wara'. Thus, he indulges in haraam. " (Fathul Baari, Vol.1)

Taqwa is indispensable for the Mu'min. A fiqh minus of Wara' is lifeless. It is a playing field for the gratification of the carnal nafs. Thus, this barren, dead fiqh which the *jubbuth thakar* gang promotes condones the emphatically haraam act of shaving the beard and creating a chasm between them and Rasulullah (sallallahu alayhi wasallam). Their fiqhus shaitaan has no room for accommodating Rasulullah (sallallahu alayhi wasallam). The Sunnah is completely eradicated from the haraam type of fiqh which the morons propagate. In Islam there is no scope for this kind of 'dry fiqh' bereft of the Sunnah. The objective of Fiqh is neither barren theory nor skulduggery.

The objective of Fiqh – the Fiqh of Islam – is to purify the heart of the Mu'min and to strengthen his bond with Allah Ta'ala. This goal cannot be achieved with a haraam, *mal-oon*, satanic face from which the Noor has been shaved off, nor from the kaafir goatee beard which Akiti espouses. The Qur'aan commands: "*Run towards Allah, Verily, I am from Him for you a clear warner.*" (Ath-Thaariyaat, aayat 50) Can a man with a shaven *mal-oon* face or with a *mal-oon* goatee beard resembling the kuffaar run to Allah? Will he be recognized on the Day of Qiyaamah by Rasulullah (sallallahu alayhi wasallam) when he seeks the *shafa'ah* (intercession) of our Nabi (sallallahu alayhi wasallam)? Can he petition for *shafa'ah* when he had flagrantly and disdainfully abandoned the Sunnah of the being whose intercession he now seeks to save him from the perdition of the Fire? On that Day he will not be able to proffer the ploy of the confounded 'well-accepted position of the school' because, firstly, even a valid 'well-accepted position' is in conflict with the Sunnah. Secondly, the 'well-accepted position' which the *jubbuth thakar* fellows contend for the permissibility of shaving the beard is a canard – a brazen LIE.

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If anyone desires to know what the Sunnah Beard is, he has no need to discover this simple Islamic reality from dictionaries nor is there a need to search for it in the deluge of the technical elaboration in which the Shaafi' Fuqaha have indulged in order to determine the degree of water application to the different parts of the beard for the validity of Wudhu. The objective of the Shaafi' Fuqaha for their indulgence in the technical and lexical intricacies was to determine the validity of Wudhu relative to washing the skin under the Beard. The technical dissection and classification of the beard into different parts was not for the purpose of deciding the relationship of the Beard to the Command of lengthening the *Lihyah*. As far as this Waajib Command is concerned, it applies with equanimity and emphasis to all parts of the Beard. Every part of the Beard comes within the definition of the *Lihya* whose lengthening is Commanded as a Waajib obligation in the Hadith. .

For the Muslim who wishes to submit to Allah Ta'ala, and who fears the punishment of Allah, and who desires the *shafa'ah* (intercession) of Rasulullah (sallallahu alayhi wasallam), and success in the Aakhirah, he only needs to look at the Beard of Rasulullah (sallallahu alayhi wasallam), the Beard of Abu Bakr, Umar, Uthmaan and Ali. Their style of the Beard, is the only Beard which is Waajib for the Mu'min.

THE 'WELL-ACCEPTED AND THE ALTERNATIVE POSITION'

One of the humbug concepts fabricated by the proponents of 'dry fiqh' is their theory of the 'well-accepted' and the 'alternative' positions. The so-called 'well-accepted' position belongs to the dry fiqh, while there is no scope for the 'alternative' position in this falsehood of dry fiqh. The 'well-accepted' position according to the founders of fiquh shaitaan is the bare minimum necessary for

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the validity of a rule while the 'alternative' position is a subject for Tasawwuf since it pertains to Taqwa and Wara'. But as far as the Beard is concerned, their 'well-accepted' position is a brazen lie. There is no such position in the Shaafi' Math-hab which allows shaving the beard.

The votaries of dry fiqh maintain that it is perfectly permissible without any taint of reprehensibility to adopt the 'well-accepted' position, and such a person may not be censured. Consider the following command of Allah Ta'ala:

"What are you surprised at this Hadith (the Deen)? You laugh and you do not cry whilst you are arrogant? Prostrate (make Sajdah) for Allah and worship Him!"

(An-Najam, aayaat 59 - 62)

In this Aayat, Allah Ta'ala issues a positive, emphatic command to make Sajdah for Him. The Sajdah at this juncture is termed *Sajdah Tilaawat*. According to the Shaafi' Math-hab, the 'well-accepted position' is that it is Sunnat to make *Sajdah Tilaawat*. Unlike in the Hanafi Math-hab, it is not Waajib. Therefore, in terms of Akiti's convoluted logic stemming from his dry fiqh concept, it is *only Makrooh* to refrain from making Sajdah at this juncture commanded by Allah Ta'ala.

Some moron banking on the concept of dry fiqh abandons making Sajdah Tilaawat because it is *only sunnat* according to Akiti & Co. He insists that according to Mr. Akiti, who maintains that the 'well-accepted' position of the Shaafi Math-hab is that it is *only Sunnat*, it is not necessary to make Sajdah Tilaawat and no one has the right to censure him for abstaining from this prostration. The moron fails to understand that Allah Ta'ala commands in the Qur'aan at this juncture: ***"Make Sajdah!"***

In terms of the 'well-accepted position' formulated by dry fiqh, it is perfectly permissible to ignore the Qur'aanic command and abstain from Sajdah. In what class of kufr shall such a moron be assigned? In diametric contradiction of Allah's command he

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neglects Sajdah because according to the 'well-accepted' position it is *only Sunnah*. The first moron who had refused the Divine Command to make Sajdah, was Iblees Laeen. Therefore, those who adopt the 'well-accepted position' of the Shaafi' Math-hab and refrain from Sajdah because it is "*only Sunnah*" according to Akiti, should understand that they are the brothers of Iblees.

Making Sajdah Tilaawat, despite the emphatic *Amr (Command)* is classified as the 'alternative position' which could be discarded at whim and fancy in terms of dry fiqh. Regardless of the Fiqhi classification of Sajdah Tilaawat in the Shaafi' Math-hab, the teaching of all Fuqaha and all Ulama-e-Haqq of the Math-hab is that the primary position is to make the prostration in view of Allah's Command. The purpose of the Fiqhi classification is not to exhort disobedience by disregarding the Command issued by Allah Ta'ala. The Fiqhi classification fades away into oblivion in the domain of obedience to Allah Ta'ala and executing the effects of His Command.

Regarding these deniers of Allah's Commands, the Qur'aan states: *"And, when the Qur'aan is recited to them they do not make Sajdah (they do not prostrate). On the contrary, those who deny, reject (and belie with their baatil interpretations the Commands of Allah)."* (Al-Inshiqaaq, aayat 42)

This aayat is another juncture of Sajdah Tilaawat. The gravity of denial here is proclaimed to be kufr by Allah Ta'ala. The dry fiqh concept which assigns this Qur'aanic command to prostrate to the satanic classification dubbed '*only-sunnah-only makrooh*', hence not incumbent for practical implementation, will have its sequel in Qiyaamah. This effect is portrayed in the following Qur'aanic verse, aayat 42, Surah Qalam:

"That Day when the Saaq shall be revealed and they will be called to Sujood (to prostrate), they will not be able to (prostrate). Their eyes will be downcast (with fear) and disgrace will overwhelm them. Indeed (once upon a time on earth) they used to be called to prostrate whilst they were healthy (and strong)." But

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they had refused on the basis of their "well-accepted position of the madhab".

Saaq mentioned in this aayat refers to a *Sifat (Attribute)* of Allah Ta'ala. Its meaning is unknown and inexplicable. In the tafseer of this aayat it is explained that on the Day of Qiyaamah on a special occasion, Allah Ta'ala will reveal His Attribute of the *Saaq*. The majesty, glory and splendour which all mankind will behold, will constrain them to fall into Sajdah. With the revelation of the *Saaq*, all the obedient Mu'mineen will spontaneously fall into Sujood, while the munaafiqeen, the kuffaar, and of course, the '*only sunnah-only makrooh*' proponents will remain standing, unable to prostrate.

According to the Hadith, as much as they will be yearning to make Sujood, they will be unable to do so because their backs will be as stiff as logs of timber. Just try and picture this scenario. In that vast course of Mu'mineen laying on their faces in humility, basking in divine honour, prostrating to Allah Azza Wa Jal, will remain standing those who had flouted Allah's commands and denied His Shariah with a plethora of fanciful interpretations to denigrate, dilute and debunk the Sunnah of Rasulullah (sallallahu alayhi wasallam).

They will stand there in disgrace in the way Shaitaan stood alone whilst all the Malaaiikah had fallen in Sujood for Aadam (alayhis salaam) at the command of Allah Ta'ala.

The analogy of Sajdah Tilaawat is mentioned here to show the similarity between the denial of Shaitaan and the denial of those who abstain from Allah's commands because in their lop-sided logic, submission to the Command is not incumbent because the 'well-accepted position of the madhab' is that it is '*only Sunnah*.' 'Sunnah' in their understanding is a synonym for abstention from submission to the Command of Allah Ta'ala. Remember, that Shaitaan too had utilized lop-sided logic when he refused to prostrate. His logic was: "*I am better than him (Aadam). You created me from fire and him from dust.*"

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It boggles the Imaani mind to contemplate that people professing to be Muslims, refusing to submit to Rasulullah's command to lengthen the beard on the grounds of his command being a '*mere recommendation*'. Their brains are convoluted with the divine affliction called *Rijs* (Filth) in the Qur'aan Majeed. Can you imagine the following scenario? Rasulullah (sallallahu alayhi wasallam) suddenly appears today on the scene and finds Muslims with shaven faces and goatee beards. Struck with grief and anger, he commands: "*A'fool luhaa wa khaaliful Yahood wan Nasaara!*" ("Lengthen the beards and oppose the Yahood and the Nasaara!). On hearing this command, Mr. Akiti, Mr. Maqdisi and Mr. Taha Karaan get up from the audience, confronting Rasulullah (sallallahu alayhi wasallam) say: '*According to Imaam Nawawi and Imaam Raafi' it is only Makrooh to shave the beard, and it is only Sunnah to keep a beard. Therefore, you should not censure us for not keeping beards or for sporting goatee beards. Imaam Nawawi and Imaam Raafi' say that lengthening the beard belongs to the domain of Taqwa and Wara.*'"

Wallaah! This is the precise argument which this miserable, unfortunate *jubbuth thakar* gang is today peddling. Their insolence against Rasulullah (sallallahu alayhi wasallam) is mitigated only by Rasulullah's absence today from our midst. But in essence their rejection of Rasulullah's command today is exactly the same as a person's rejection in the face of Nabi-e-Kareem (sallallahu alayhi wasallam). We urge them to reflect, and to take stock of their Imaan before it is too late.

If these miserable proponents of the so-called 'well-accepted' position of the Shaafi' Math-hab had to come in the presence of Rasulullah (sallallahu alayhi wasallam), and he (the Nabi) commands: '*A'ful luhaa!*' ("*Lengthen the beards!*"), will the morons argue with Rasulullah (sallallahu alayhi wasallam) and say that Imaam Nawawi and Imaam Raafi' ruled that in terms of the 'well-accepted position of the school' it is permissible to shave the beard or keep a goatee beard, hence there is no need to lengthen

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it? And, that shaving the beard is *only Makrooh*. Will they have the audacity to fly into Rasulullah's face so insolently with their *ghutha*? Let them understand that this is precisely what they are perpetrating today with their flagrant rejection of Rasulullah's command to lengthen the beard.

In negation of the baatil concept of the 'well-accepted' and 'alternative' positions, Allah Ta'ala warns in the Qur'aan Majeed: "*And, follow the best of that which has been revealed to you from your Rabb before there suddenly comes to you the punishment whilst you are unaware.*" (Az-Zumar, aayat 55)

The term, *ahsan* (the best) brings within its scope the *ahkaam* (commands and prohibitions) of Allah Ta'ala in their best forms – their perfect forms - the forms designed for the maximum reward and Pleasure of Allah Ta'ala. The *Ahsan* form is possible only by observance of the Sunnat, Mustahab and Mandoob factors of a command. Minus these factors, the ibaadat will be defective and beyond the confines of *Ahsan*.

The command to follow and implement the *Ahsan* method (the primary position) is accompanied by the dire warning of a sudden punishment. Thus those who abandon the best method of fulfilling the laws of Allah Ta'ala should await the sudden punishment.

A SYNOPSIS

For an easy comprehension of the rather onerous discussion in the foregoing pages, a simple summary is presented here to ensure that the essentials and rudiments of this refutation are not lost in the maze of the detailed argument.

THE BAATIL VIEW OF THE MODERNIST DEVIATES

There are three views which deviates are promoting regarding the Beard

(1) To shave off the whole beard even without any valid reason is not sinful, and perfectly permissible. This is the unanimous view of all brands of deviates.

(2) The beard is only the hair that grows on the chin. The deviates who ascribe to this view say that it is perfectly permissible to shave off the rest of the beard besides the hair growing on the chin. As far as the chin-beard is concerned, while shaving it off is permissible, nevertheless, it is Makrooh Tanzeehi which according to the deviates is not sinful. It is merely recommended not to shave or cut the chin-beard.

(3) The beard is what is normally understood to be the beard, i.e. all facial hair which every person knows to be the beard, is the beard. According to this view too, it is what they say '*only*' Makrooh Tanzeehi, hence not sinful, to either cut or shave the beard.

The common denominator of all three baatil views is that it is permissible to shave off the whole beard even without valid reason.

THE 'PROOF' OF THE DEVIATES

Since the deviates proclaim themselves to be followers of the Shaafi Math-hab, they present the following arguments in substantiation of their view:

(1) The valid position of Islam was initiated in the seventh century after Rasulullah (sallallahu alayhi wasallam). From the time of

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Rasulullah (sallallahu alayhi wasallam) until the advent of Imaam Nawawi, who was a Shaafi', the Shaafi' Math-hab had propounded the erroneous view of *hurmat*, viz. shaving the beard is not permissible. Imaam Shaafi' and all the senior Shaafi' Fuqaha who preceded Imaam Nawawi in the three centuries since the advent of Imaam Shaafi', had erred in their pronouncement of shaving the beard being Haraam.

Imaam Shaafi' and all the Fuqaha of the other three Math-habs (Hanafi, Maaliki and Hambali) had erred and had failed to understand what Rasulullah (sallallahu alayhi wasallam) meant by his Command to lengthen the beard.

The deviates contend that the view of *hurmat* of shaving the beard which had existed in the six centuries prior to Imaam Nawawi was incorrect, and that Imaam Nawawi unearthed the truth and correctly stated the ruling, viz., shaving the beard is Makrooh Tanzeehi, hence not sinful and permissible.

(2) The Karaahah (being Makrooh) stated by Imaam Nawawi and Imaam Raafi' means Makrooh Tanzeehi which the deviates say means *not sinful, hence permissible*.

(3) The Shariah is *only* what Imaam Nawawi and Imaam Raafi' rule. Any conflicting opinion is baseless and has to be discarded.

The above contentions are the absolute whole of the argument of the deviates who propagate the permissibility of shaving the whole beard without even valid cause. They have no other argument besides this totally rotten basis.

THE VIEW OF THE ULAMA-E-HAQQ

From the very age of Rasulullah (sallallahu alayhi wasallam) until the seventh century of Islam there existed consensus of all Four Math-habs on the *HURMAT* of shaving the beard. All Four Math-habs proclaimed that it is *HARAAM* to shave the beard. This Consensus (*Ijma'*) applied only to shaving the beard.

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Regarding cutting the beard, there prevails difference of opinion among the Math-habs, as follows:

* According to the Hanafi and Maaliki Math-habs, it is permissible, in fact essential for fulfilment of the Sunnah, to cut/trim the beard after it has exceeded one fist-length.

* One view of the Hambali Math-hab is the same as mentioned above. In another view which is the official/stronger view of the Math-hab, it is not permissible to cut anything whatsoever from the beard regardless of the length it attains.

* In this regard, the Shaafi Math-hab has adopted the strongest stance. According to the Shaafi' Math-hab it is not permissible at all to cut anything whatsoever from the beard. There exists a unique *Ijma'* (*Consensus*) on this prohibition among the Shaafi' Fuqaha of all hues, whether of the Mutaqaddimeen (Early) or Muta-akh-khireen (Later) eras.

THE PROOFS OF THE ULAMA-E-HAQQ

(1) Rasulullah (sallallahu alayhi wasallam) commanded in many authentic Ahaadith, the lengthening of the beard.

(2) Rasulullah (sallallahu alayhi wasallam) commanded Muslims to oppose the Majoos (Fire-Worshippers), the Mushrikeen, the Yahood and Nasaara by means of lengthening the Beard.

(3) The Beard was the practice of all the Ambiya (alayhimus salaam), all the Sahaabah, all the Auliya, and of the entire Ummah since the very inception of Islam.

(4) For the first 650 years of Islam's history, all authorities unanimously proclaimed shaving the beard to be HARAAM.

(5) To this day, there is *Ijma'* of all Four Math-habs that it is strictly prohibited to shave the Beard and that shaving it is among the worst of major sins.

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(6) Keeping a beard is described in the Hadith as one of the attributes of Fitrah (natural creation for specific species).

(7) Shaving the beard is a satanic act of *taghyeer li khalqillaah* (*changing the natural creation of Allah*). The Qur'aan attributes all changes effected to natural appearances as acts of shaitaan. Acts of *taghyeer li khalqillaah* are shaving the beard, tattooing, filing the teeth, cutting the eyebrows, etc.

(8) *Tashabbuh bin Nisaa'* (emulating women). A face without a beard is natural for females, not for males.

(9) *Tashabbuh bil Kuffaar* (emulating non-Muslims) is haraam.

(10) A white beard is loved by Allah Ta'ala. According to the Hadith, a white beard invokes the Mercy of Allah.

(11) According to the Hadith, Allah Ta'ala has beautified men with beards and women with locks of hair. A special group of Malaaikeh perpetually recite the Tasbeeh in which they glorify Allah Who has 'beautified men with beards'.

(12) Ingratitude for a Ni'mat (Bounty) is a major sin. Shaving the beard is a flagrant display of ingratitude for the Ni'mat of the beard.

(13) According to a Hadith, Rasulullah (sallallahu alayhi wasallam) will recognize Muslim males on the Day of Qiyaamah by the white hairs in the beards. The white beard is described as the Hadith, '*Noor of the Muslim*'.

MISINTERPRETATION OF IMAAM NAWAWI'S VIEW

Imaam Nawawi and Imaam Raafi' who are two senior Shaafi' Fuqaha who appeared more than three hundred years after Imaam Shaafi', said that shaving the beard is Makrooh while Imaam Shaafi' and all others said that it is Haraam.

The deviates latched on to Imaam Nawawi's description and are propagating the utterly baseless and despicable idea that according

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to Shaikhain (i.e. these two Shaafi Fuqaha) it is permissible to shave the beard.

They contend that by Makrooh, Shaikhain meant Makrooh Tanzeehi, hence they claim shaving the beard is 'not sinful' and 'permissible'. These claims of the deviates are baatil – false and baseless because:

(1) There is no difference between Imaam Shaafi' and Shaikhain on the prohibition of shaving the beard. There is complete unanimity of all Shaafi' Fuqaha on the prohibition of cutting/trimming anything whatsoever of the beard. Imaam Nawawi has made it abundantly clear in his kutub that it is not permissible to cut anything whatsoever from the beard, and that the beard has to be left to grow in its natural form regardless of the length it reaches.

(2) The difference between Imaam Shaafi' and Shaikhain is in the classification of the prohibition. While both groups believe that shaving the beard is prohibited, they differ in their respective fiqhi classification of the prohibition. According to Imaam Shaafi' and the senior Shaafi' Fuqaha preceding Imaam Nawawi by several centuries, the prohibition of shaving the beard is described with the term Haraam while Imaam Nawawi describes the prohibition as Makrooh. Thus, the difference is not one of permissibility and impermissibility. The difference concerns only the classification of the prohibition. In the view of Imaam Shaafi' and the overwhelming majority of the Shaafi' Fuqaha of all ages, this prohibition is said to be Haraam while in the view of Imaam Nawawi and some other Shaafi Fuqaha, it is Makrooh. But the effect of both views is that it is not permissible to shave the beard and the act of shaving is loathsome and sinful.

(3) In the context of shaving/cutting the beard, the term Makrooh according to the Shaafi' Fuqaha is Makrooh Tahreemi which is the same as Haraam as far as practical implementation of the act is

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concerned. The consequence of Haraam and Makrooh Tahreemi is the Fire of Jahannum. The detailed discussion in the foregoing pages proves that according to Imaam Nawawi, Makrooh in the context of the beard is Makrooh Tahreemi.

IMAAM SHAAFI' AND THE EARLY SHAAFI' FUQAHA

Imaam Shaafi' and the most senior Shaafi' Fuqaha of the *Khairul Quroon (the Noblest Ages of Islam)*, such as Al-Qaffaal Ash-Shaashi, Abu Abdullah Al-Haleemi and many others, all unanimously decreed that shaving the beard is Haraam.

The deviates are propagating that the view of Imaam Nawawi who appeared centuries later, who was a muqallid of Imaam Shaafi', and vastly junior to Imaam Shaafi, abrogates the categorical ruling of Imaam Shaafi and of the senior Shaafi Fuqaha who preceded Imaam Nawawi. This contention is palpably ludicrous.

Islam did not initiate with the advent of Imaam Nawawi seven hundred years after Rasulullah (sallallahu alayhi wasallam). The *Khairul Quroon* epoch was the noblest and the best period of Islam. In regard to this Age, Rasulullah (sallallahu alayhi wasallam) said:

"The noblest of ages is my age, then the next age (the Taabieen age), then the next age (the age of the Tab-e-Taabieen). Then will appear a nation who will love obesity. " In another narration it is mentioned, "then will arise people who will love falsehood".

It is utterly unreasonable, ridiculous and smacking of *shirk* to believe that the truth of the Shariah was hidden for the first six centuries of Islam's history, and that it was discovered only by Imaam Nawawi centuries after the departure of Rasulullah (sallallahu alayhi wasallam).

The *shirk* is the consequence of elevating Imaam Nawawi's view to the pedestal of Qur'aanic Wahi. The deviates for the sake of finding some straws with which to bolster their absolutely baatil view, are propagating that only the view of Imaam Nawawi is

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valid, and that the view of Imaam Nawawi overrides and abrogates the view of all the Fuqaha of the entire Ummah from the advent of Rasulullah (sallallahu alayhi wasallam) until the appearance of Imaam Nawawi in the seventh century of the Islamic era. This baseless and stupid notion of the deviates brings them within the scope of the stricture of the Qur'aanic verse:

"They (i.e. the masses of Bani Israaeel) took their scholars and their saints as gods besides Allah...."

The type of deceptive and selective 'taqleed' which the deviates are propagating for the sake of their corrupt beard-shaving view implies *shirk* since its effect is to deify (to make gods of) Imaam Nawawi and Imaam Raafi'.

THE DECEPTION OF THE DEVIATES

The deviates are pretending to be staunch followers of the Shaafi' Math-hab. This idea is the furthest from reality and truth. The deviates who propagate beard-shaving are the followers of their nafs and shaitaan. They are Shaafi in some outward and superficial practices and issues. As far as the true Shaafi Math-hab is concerned, they are fakes, impostors and deceits masquerading as Shaafis.

On the one hand they propagate that Imaam Nawawi is the final word. His word overrides six centuries of Shariah structured on the foundations of the Qur'aan and Sunnah by the Sahaabah, Taabieen and Tab-e-Taabieen Fuqaha and Ulama. Proclaiming this concept of *shirk and baatil*, Maqdisi says in his article:

"It is a well-known rule among the later scholars of the Shafi' school that the official relied-upon position of the Shafi' school is whatever is determined as such by these two scholars of verification, even if other scholars disagree with them, no matter how high the rank of these disagreeing scholars may be.

"Shafi' scholars who hold dissenting opinions are simply to be ignored."

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Such stupidity, 'priesthood' and fossilization of brains are not permitted in Islam. Whilst Taqleed is Waajib, it never is stupid taqleed which coalesces in Christian-type priesthood and deification of scholars and saints as was the practice among the Bani Israaeel.

Imaam Nawawi and Imaam Raafi' despite believing that shaving the beard is NOT permissible, and that it is sinful, erred in their judgment for clashing with their Mujaahid Imaam (Imaam Shaafi) and with all the senior Shaafi' Fuqaha who preceded them in the foregoing centuries. Their conflict with their seniors by shifting from the technical designation of Haraam for the sin of beard-shaving, to Makrooh Tahreemi, is palpably erroneous. Imaam Nawawi and Imaam Raafi' were not free of error. They do not hold the rank of the Ambiya. It is haraam to promote the errors of seniors to the pedestal of Qur'aanic Wahi as some of the later Shaafi' Ulama are guilty of. This type of fossilized taqleed is not permissible.

The claim that whatever Imaam Nawawi says must be accepted as Qur'aanic Wahi regardless of such decree being in stark conflict with six centuries of Islamic Ruling preceding him, displays the level of calcification of intelligence and fossilization which had occurred in some followers of the Shaafi' Math-hab. They calcified Islam and jammed it into a fossilized structure by confining the Shariah to the preferences of about four Fuqaha. It is unbefitting of Ulama to confine the Math-hab of Imaam Shaafi' to the decisions and preferences of four junior muqallideen (junior in relation to Imaam Shaafi' and the other senior Shaafi' Fuqaha of the early era) of the later era, many centuries after Imaam Shaafi'.

It is irrational and in conflict with the Nusooq of the Qur'aan to degenerate into such calcification and arbitrarily decree the *qawl* of Imaam Nawawi to be the *mu'tamad* (most reliable and acceptable) view when the error is so glaring. A preference of Imaam Nawawi cannot abrogate a ruling which existed for six centuries before him. It is inconceivable that a view of a scholar

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appearing six hundred years after Rasulullah (sallallahu alayhi wasallam) had the force to abrogate the belief of the entire preceding Ummah.

When the mind is shut to principled reasoning and research, and intellect becomes atrophied, then the fossilized brain fails to recognize the error of blind subservience to the errors of the Ulama. It is haraam to follow the errors of the Ulama. The Fuqaha too committed errors. Allah Ta'ala Who is the True Guide, always makes manifest the errors of the Fuqaha via the agency of other Fuqaha to prevent the Ummah from decomposing in error manifest and deviation (*dhalaal*).

It is ludicrous to portray the Ulama who oppose the decrees of Imaam Nawawi as being in error. Some of Imaam Nawawi's rulings are clearly erroneous. Following such errors will lead to tumultuous *fitnah and fasaad* (*mischief and anarchy*). Consider the following scenario:

Rasulullah (sallallahu alayhi wasallam) said: *"When any of you is performing Salaat he should not allow anyone to pass in front of him. He should ward him off to the best of his ability, and if he refuses (that is, he insists on passing in front of you), then fight him, for verily he is a shaitaan."* In his interpretation of this Hadith, Imaam Nawawi says:

"Our As-haab have said that he (the musalli) should prevent a person who intends passing between him and his sutrah in the best manner. However, if he (the one who passes by) refuses, then he should be warded off with a sterner method. If the sterner method (of fighting) leads to the killing of the passer-by, then there is no liability on him (i.e. the musalli who killed the passer-by) because he is similar to one who attacks him to snatch away his life or his wealth. Verily, the Shariah has made lawful muqaatalah (fighting physically) with him, and there is no liability as a consequence of permissible muqaatalah."

If this decree of Imaam Nawawi is given effect in the scenario prevailing in Musjidul Haraam of Makkah and Musjidun Nabawi

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of Madinah, then we are afraid that the Saudi government will have to deploy its army to prevent the bloodshed which will be the consequence of giving effect to this view of Imaam Nawawi. Passing right in front of musallis is an 'acceptable' norm and a permanent feature nowadays in the Haramain Shareefain. It is haraam for a shaikh with a fossilized brain to issue a fatwa of permissibility of killing an obstinate person who insists on passing in front of the musallis, regardless of this view being the 'relied-on' opinion of the Shaafi' Math-hab. 'Scholars' of calcified brains who are welded to even the errors of their seniors have no admission into the domain of fatwa. The Mutakh-khiroon Ulama of the Shaafi' Math-hab have indeed committed a grave injustice with their colossal error of confining the issuance of fatwa to a handful of kutub of some Fuqaha.

Shaafi Ulama of this current age who issue Fatwa according to the rulings of Imaam Shaafi' and other senior Shaafi' Fuqaha of the Mutaqaddimeen era are not in error. On the contrary, they are the staunchest followers of Imaam Shaafi', and the upholders of the Shaafi' Math-hab. Those who make an indepth study of the kutub of the Shaafi' Fuqaha will understand the maze of confusion in this labyrinthal realm of technical fiqh. It is not for morons such as the *jubbuth thakar* mob to shove their noses into this domain. They are plainly too stupid and bereft of the freshness of Fiqhus Sunnah since they promote their own brand of 'dry' fiqhush shaitaan.

RASULULLAH'S COMMAND

In this entire miserable saga and dispute, the factor of decisive importance is Rasulullah's command. Lengthening the beard has been positively and forcefully commanded by Rasulullah (sallallahu alayhi wasallam). Only morons such as the deviates in our day contend that the Command to lengthen the beard is a *mere recommendation*.

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A Command (*Amr*) is for *Wujoob* in the first instance. This position of *Amr being for Wujoob*, is the strongest in the Shaafi' Math-hab which places the utmost emphasis on retaining the *Amr* in its zaahir (literal) meaning. There must be a solidly valid *Saarif* (*diversionary element*) for applying a figurative meaning to an *Amr* (*Positive Command*). It will be for recommendation only when there exist strong grounds for diverting the effect from *Wujoob*. A Command also implies the prohibition of its opposite. Thus, the command to stand prohibits sitting; the command to be silent, prohibits speaking; the command to adopt Imaan, prohibits kufr, and the command to lengthen the beard prohibits shaving and cutting the beard.

Explaining the meaning of Rasulullah's Command to lengthen the Beard, Imaam Nawawi says in his *Al-Majmoo'* and *Sharhu Saheehil Muslim*: "*Aufoo (Lengthen): It means leave it (the beard to grow) abundantly and fully without cutting anything from it whatsoever.*"

Rasulullah (sallallahu alayhi wasallam) prohibited mutilation and disfigurement. The Fuqaha have described shaving the beard to be an act of *muthlah* (mutilation/disfigurement) which is haraam. Ibn Asaakir narrated from Umar Bin Abdul Azeez (radhiyallahu anhu): "Verily, shaving the beard is *muthlah*." In his kitaab, *Qootul Quloob*, Imaam Abu Taalib Al-Makki also describes shaving the beard as an act of *muthlah*.

Issuing the command to lengthen the Beard, Rasulullah (sallallahu alayhi wasallam) said:

- (1) "Cut your moustaches, lengthen your beards and oppose the Ahl-e-Kitaab." (*Ahmad*)
- (2) "Oppose the mushrikeen, clip the moustaches and lengthen the beards." (*Bukhaari and Muslim*).
- (3) "Shorten the moustaches, lengthen the beards and oppose the Majoos (Fire-Worshippers). (*Muslim*)
- (4) "Allah curses those men who emulate women and vice versa."

MISCELLANEOUS

Shaikh Muhammad Bin Ahmad Ismail said: "Verily, lengthening the beard is among the *khisaal of fitrah (the natural characteristics of man)* which have been mentioned in the Hadith. It is the way of the Ambiya and their Sunnah. This Fitrah does not change with the changes of ages and by the abandonment of some." (*Adillah Tahreem Halqil Lihyah*)

Imaam As-Suyuti As-Shaafi' said: "The best explanation of Fitrah is that it is the original Sunnah which the Ambiya have adopted. There is consensus of all Shariats that these acts are natural." (*Tanweerul Hawaalik*)

Imaam Ghazaali said: "The beard is the distinguishing (salient) feature between men and women." (*Ihyaa'Uloomiddeen*)

Shaikh Ahmad Bin Muhammad Bin As-Siddeeq said: "Of the amazing practices which have developed in this age is men emulating women and women imitating men. A young man becomes an hermaphrodite. He shaves his beard every morning. He applies oil and cosmetics to his face as is the practice of females....." (*Kitaabu Mutaabaqatil Ikhtira-aatil Asriyyah*)

Hadhrat Abdullah Ibn Abbaas said: "Rasulullah (sallallahu alayhi wasallam) cursed the hermaphrodites." (*Mirqaat*)

Al-Qurtubi said: "Allah has ennobled men with beards and women with locks of hair." The beard is of the perfection of a male's beauty and manhood. There is no doubt that the beard is a wonderful Ni'mat of Allah Ta'ala bestowed to men. And, there is also no doubt that shaving the beard is kufr (ingratitude) for this wonderful Ni'mat, and it is the opposite of the Sunnah of the best guidance of Rasulullah (sallallahu alayhi wasallam), and subservience to the style of the western kuffaar for whom shaitaan has adorned their deeds." (*Adillah Tahreem Halqil Lihyah*)

Amr Bin Shuaib narrated from his father who narrated from his grandfather that Nabi (sallallahu alayhi wasallam) said: "Don't pluck the white hairs, for verily, it is the Noor of the Muslim. For

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every hair of the Muslim which becomes white Allah records a good deed, elevates him one stage and eliminates one of his sins. Imaam Nawawi said that it is Makrooh (Tahreemi) to pluck out white hairs..... and it has been said that if it is said to be haraam, it will not be far-fetched because of the explicit prohibition." (*Al-Majmoo'*)

Shah Waliyullaah Muhaddith Dehlawi said: "The beard is the distinguisher between the junior and the senior. It is the beauty of manhood and the completion of his appearance. Lengthening it is therefore imperative. Cutting it is of the ways of the Majoos. In cutting is *taghyeer li khalqillaah* (*changing the natural creation – appearance- created by Allah*), and linking up with buffoons." (*Hujjatullaahil Baalighah*)

"Allaamah Abu Shaamah said: 'Verily, a nation has appeared who shave their beards. This (act of shaving the beard) is worse than what has been narrated (in the Hadith) of the Majoos, for verily, they used to cut their beards.'" (*Fathul Baari*)

Ibn Hazam said: "The Fuqaha unanimously say that shaving the beard is *muthlah* (disfigurement), hence not permissible."

Shaikh Ali Mahfooth said: "The four Math-habs are unanimous that it is Waajib to lengthen the beard and haraam to shave it. Cutting from it is close to this ruling.

(*Al-Ibdaa' fi Madhaaril Ibtidhaa'*)

Shaikh Muhammad Sultaan Al-Ma'soomi Al-Khajjadi said: "Verily shaving off the beard is Makrooh Tahreemi as is the practice of the English and of those from among the Muslims who emulate them." (*Aqdul Jawaahil Thameen*)

"Shaving the beard is haraam because of that which Ahmad, Bukhaari and Muslim have narrated from Ibn Umar (radhiyallahu anhu) that Nabi (sallallahu alayhi wasallam) said: "Oppose the mushrikeen, lengthen the beards and shorten the moustaches."

"Imaamate is an Amaanat (Trust). The perpetrator of the sin of shaving the beard comes within the scope of the Qur'aanic aayat:

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'O People of Imaan, do not be treacherous to Allah and the Rasool and do not abuse your trusts whilst you are aware.' Some Ulama have labelled (the one who shaves his beard) as a faasiq because of his abandonment of obedience to Allah and His Rasool (sallallahu alayhi wasallam), especially when he is unconcerned with his sin, in fact he regards it to be proper and good. A person who does not adorn himself with the aadaab of the Shariah nor consider his affair of the Deen to be important – how can he be entrusted with a position which is the greatest of the salient features of the Deen (i.e. the post of Imaamate)?

Appointing him for the imaamate whilst he is not qualified is to honour him whereas he is not of those who have to be honoured."

In another fatwa, the *Lajnah*, states: "It is haraam for a Muslim to shave his beard on the basis of the correct proofs for this prohibition. It is haraam for another person (barber) to shave someone's beard since this is to aid in sin. Verily Allah has prohibited aiding sin. *'Do not aid in sin and transgression'* – *Qur'aan*

(Lajnatud Daaimah lil Buhuthil Ilmiyyah wal Ifta' bil Makkah)

Imaam Ghazaali said: "Umar Bin Al-Khattaab (radhiyallahu anhu) and Ibn Abi Ya'la, the Qaadhi of Madinah, rejected the testimony of a man who used to pluck hairs from his beard." *((Ihya Uloomiddeen)*

"Whoever contemplates shaving the beard should be punished." *(Al-Muyassar alal Khaleel)*

"Some people shave part of their *aaridhain* (sideburns) and retain only some hair on the chin.....This is an evil practice which has become widespread in some Muslim lands."

(Adillatu Tahreemi Halqil Lihiyah)

"Imaam Ghazaali said: "Plucking out the *faneekain* is bid'ah. The *faneekain* are the sides of the *anfaqah* (the tuft of hair below the lower lip). Umar Bin Abdul Azeez rejected the testimony of a

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man who used to pluck hair from his *faneekain*." (*Ihya Uloomiddeen*)

To this list, we add the following which should prove salubrious for the beard-shavers:

- (1) Shaving the beard weakens eyesight.
- (2) Shaving the beard leads to sexual impotency. It is for this reason also that Shaikh Abu Abdullah Haleemi and Shaikh Ibn Mulaqqin likened shaving the beard to *jubbuth thakar*.
- (3) If the males in a family regularly shave, never keeping beards, then after a few generations, the males in that family line will have no beards. Moss does not grow on stones.

There are also other benefits of the beard and harms of shaving which even non-Muslim experts have mentioned in their surveys and studies. Remember that every commission of sin culminates in worldly harm as well as calamity in the Aakhirah.

THE EVIL OF COMPARTMENTALIZING THE DEEN

Allah Ta'ala says in the Qur'aan Shareef:

"O People of Imaan, enter into Islam fully and do not follow in the footsteps of shaitaan. Verily, he is for you an open enemy."

(Al-Baqarah, aayat 207)

Among the wiles which shaitaan has employed to deceive and mislead Muslims in this age in close proximity to Qiyaamah is the snare of the division of Islam into two air-tight compartments: the Zaahir and the Baatin or the legal and the moral – the internal and the external. The satanic 'wisdom' underlying this division as explained by the votaries of this baseless satanic concept, is that minus the Baatin, the Zaahir is valid.

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While the deviate sufi sects subscribe to the validity of the Baatin minus the Zaahir, the modernist fussaag of this age propagate a 'dry' Islam – the Zaahir minus the Baatin. A new bid'ah calamity in this concept of a 'dry fiqh' is the mutilation of even the Zaahiri ahkaam on the basis of supposedly good intention. A further excrescence to the 'dry' concept of fiqh is misinterpretation which minimizes and even abrogates the effects of the ahkaam. For example, the term Makrooh with which the Fuqaha describe a variety of acts of prohibition, acts of discouragement, acts of lesser thawaab, acts contrary to the best method of commission, etc. is interpreted to mean 'not sinful' and 'permissible'

The effect of such misinterpretation is the provision of a licence for the gratification of every nafsani urge. It opens a wide avenue for a deluge of fitnah and fasaad which are always the consequences of nafsani gratification whether in this dunya or in the Aakhirah. By means of misinterpretation the objectives of the commands, prohibitions, exhortation and discouragement of acts and attitudes explained in the Qur'aan and Sunnah are negated. For example, Rasulullah (sallallahu alayhi wasallam) by means of word and practice vehemently commanded the lengthening of the beard. Adding strength and emphasis to his command to lengthen the beard which automatically proscribes the opposite, viz., shaving the beard, is the emphasis on lengthening the beard with its concomitant prohibition of the opposite, by word and deed of all the Sahaabah, all the Ammah-e-Mujtahideen, all the Ambiya and the Ijma' of the Ummah.

Adding greater importance and emphasis to the Command is the Objective of man's creation and temporary sojourn on earth. The Qur'aan Majeed spelling out this Objective, states: *"I have not created man and jinn but that they worship Me."* Echoing this Objective, Rasulullah (sallallahu alayhi wasallam) said: *"This world has been created for you (for your temporary mundane needs) whilst you have been created for the Aakhirah."*

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It is clearer than daylight that every action of the Muslim has to be incumbently tuned to be in harmony with the attainment of the Objective of his creation. Anything negatory of this Objective has to be compulsorily shunned regardless of the technical classification which the jurists (Fuqaha) appellate to the deed which is inimical towards the best and fullest attainment of the Objective for which Allah Azza Wa Jal has created us and sent us to earth for an extremely short life span.

Despite the existence of this massive avalanche of evidence for the Command of the Beard, we find that about six hundred and fifty years after Rasulullah (sallallahu alayhi wasallam) appears a Faqeeh who while fully subscribing to and submitting to the Command, technically classifies the haraam act of shaving the beard as 'Makrooh'. Ignoring the mountain of evidence and the demand of the Objective of the Deen, the modernist deviates, latching on to this one elusive, multi-faceted term, 'Makrooh' which percolated into the fabric of Fiqh as a consequence of an error made by one Faqeeh who is not even a Mujtahid, but a muqallid of Imaam Shaafi, in the seventh century of Islam's history, began promoting the corrupt idea of the permissibility of shaving the beard. The entire seven centuries of Shariah pertaining to this issue is set aside and the exact antithesis is preached. What does the intelligence of a Muslim decree in this situation?

Thus, any act or attitude which constitutes an obstacle in the pathway of the Objective will be literally *haraam* irrespective of the technical designation of that act/attitude being Makrooh Tanzeehi or Khilaaf-e-Aula (contrary to the best method). In the same way, any act commanded by the Qur'aan and Sunnah, shall be Waajib regardless of the Fiqhi classification appellate to the deed, be it Sunnat Muakkadah, Sunnat Ghair Muakkadah, Mustahab, Waajib, Mandoob or any other classification. The criterion for the Mu'min who understands that he is on a journey which had commenced with Hadhrat Aadam's descent to earth and which shall continue until we reach into the Aakhirah to be

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assigned to whichever abode Allah Ta'ala has ordained for us, is the Qur'aan and Sunnah –what Allah Ta'ala has commanded through the agency of His Rasool (sallallahu alayhi wasallam). This is the criterion and it is from this source that the Mu'min acquires his guidance and direction for the arduous journey through the meandering minefields and dangers planted along the pathway by shaitaan and the nafs.

For the attainment of the Objective of the Aakhirah, the Ummah cannot resort to the kutub of Fiqh. These kutub are not the pasture designed for the masses. The academic texts of Fiqh are exclusive for the Ulama who are blessed with healthy Imaan, Taqwa and Wara'. The kutub of Fiqh are not meant for even Ulama if they are lacking in the attributes of moral excellence. Such 'scholars' are not Ulama in the Qur'aanic sense. Explaining who the Ulama are, the Qur'aan says: *"Verily, among the servants of Allah **only** the Ulama fear Allah."*(Az-Zumar, aayat 18). A scholar who is dry, barren and arid as an effect of having exsanguinated the Noor of Fiqh, with its emphasis on total submission and obedience to the Sunnah which is commanded in the Qur'aan: *"Verily, for you in the Rasool of Allah is a beautiful code of life for him who has hope in Allah and the Last Day, and who remembers Allah in abundance."*, is not an Aalim in the Qur'aanic sense. Adherence to the Sunnah is the obligation which genuine Fiqh – Fiqhus Sunnah - reminds the Mu'min of, and exhorts him to cultivate.

During the initial epoch of Islam, the Deen was not compartmentalized into legal and moral, zaahir and baatin, fiqh and tasawwuf airtight cloisters. Islam was pure ta'leem (teaching) and amal (practice). The Fuqaha were Auliya, and the only Fiqh in vogue was the Fiqh of the Qur'aan and Sunnah – Fiqhus Sunnah – which is extant in the kutub of the Mutaqaddimeen Fuqaha/Auliya and in even the kutub of the later Auliya who were not shadow or artificial fuqaha.

Fully cognizant of the indispensability of Fiqhus Sunnah, some of the later Fuqaha such as Imaam Nawawi, Imaam Raafi' and

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others, used the kutub of Imaam Ghazaali and Imaam Abu Taalib Al-Makki to instil Noor into an exsiccated fiqh which they had discovered in the seventh century of the Islamic era. The reliance on kitaabs such as *Ihyau Uloomiddeen* and *Qootul Quloob* by Fuqaha of the calibre of Imaam Nawawi is loud and glaring evidence for the indispensability which the Fuqaha attached to Fiqhus Sunnah.

For fulfilling life's purpose on earth and for the attainment of the Objective of the Aakhirah, Muslims are under obligation to cultivate Taqwa and Wara', and the meaning of this is to submit wholly and wholeheartedly to the ta'leem of Rasulullah (sallallahu alayhi wasallam) without indulgence in the destructive malady of submitting *amal* (practice) to Fiqhi classification. Thus, if a Muslim resolves to abstain from Ishraaq Salaat, for no valid reason, or from Tahajjud Salaat or from Tahyatul Wudhu or from Tahyatul Musjid or from any act which Rasulullah (sallallahu alayhi wasallam) commanded by word and deed, the Muslim should consider himself most unfortunate, miserable and the victim of deprivation of thawaab and the shafa'ah of Rasulullah (sallallahu alayhi wasallam).

For attainment of Allah's Pleasure and salvation and success in the Aakhirah which is our ultimate destination at the end of this earthly sojourn, Rasulullah's *Uswah-e-Hasanah* – his Beautiful Conduct of Life – mentioned in the Qur'aan must be compulsorily implemented in daily life to the best of ability. If Rasulullah (sallallahu alayhi wasallam) prohibited or scorned or spoke deprecatingly of something, it is the Waajib obligation of the Mu'min to refrain from it regardless of the Fiqhi classification of the detestable issue. It is tantamount to *nifaaq* to indulge in a reprehensible deed simply because of a juridical classification. The objective of Rasulullah's instruction is that the Ummah gives it practical implementation. Thus, when the Rasool (sallallahu alayhi wasallam) commanded: Do not enter the Musjid with the left leg; do not enter the toilet with the right leg; do not laugh in

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the Qabrustaan; do not enter someone's house without Salaam; do not engage in futile talk after Isha'; do not play chess; do not indulge in much laughter; do not wear an imitation ring; do not wear your trousers on or below the ankles; do not emulate the kuffaar; do not eat your stomach full; do not do this and that, then it is gross insolence for the Mu'min to first enquire about the Fiqhi classification of all these prohibitions before deciding to submit to or to ignore Rasulullah's ta'leem.

Similarly, when Rasulullah (sallallahu alayhi wasallam) has commanded: 'Lengthen the beards and clip short the moustaches; oppose the mushrikeen, the Majoos and the Ahl-e-Kitaab; enter the Musjid with the right leg; enter the toilet with the left leg; sleep on your right side; perform Ishraq, Dhuha, Awwaabeen and Tahajjud Salaat; perform Tahayatul Wudhu and Tahayatul Musjid; recite the Qur'aan in abundance; visit the sick; bury the mayyit as soon as possible; cut your nails and take ghusl on Fridays; break the fast with dates; cast down your gaze; do this and that, then it is treacherous for a claimant of Imaan to first enquire of the Fiqhi category of these commands before he decides to implement the teachings of Rasulullah (sallallahu alayhi wasallam).

The Qur'aan commands full and total entry into Islam. This is possible only by means of total submission to the Sunnah of Rasulullah (sallallahu alayhi wasallam). It is indeed evil in the extreme to minimize the vital importance of Taqwa with a device termed 'dry fiqh'. Cultivation of Taqwa is not an optional or a supererogatory act or attitude which Allah Ta'ala has left to the discretion of the wildly fluctuating nafsani dictates in man. The Qur'aan Majeed is replete with commands to inculcate Taqwa. Fully entering Islam cannot be attained by means of only acting in terms of so-called "well-accepted" positions.

Surah Baqarah opens with the command of Taqwa. *"This (the Qur'aan) is the Kitaab in which there is no doubt. It is a guide for the Muttaqeen (the People of Taqwa)."* Those who divorce Taqwa from their lives will not acquire the *hidaayat* of the Qur'aan. Only

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those who submit to the whole of Islam – to all its teachings regardless of Fiqhi class, will be guided to Allah Ta'ala. In this regard the Qur'aan states:

"Allah expands the breast for Islam for the one whom Allah Ta'ala intends to guide." (An'aam, aayat 125)

The expansion of the breast is the diffusion of Noor from Allah Ta'ala into the heart of the Mu'min who submits to Islam – the whole of Islam – not partial Islam or a dry fiqh – a fiqh drained of its soul. When Allah Ta'ala decides to mislead a person, He constricts the breast of that person. His heart is sealed to guidance. Such a man remains entrapped in the quagmire of dry fiqh which firmly anchors him to this dunya. The Qur'aan says about such persons: *"Allah constricts with a tightness the breast of the one whom He intends to mislead so that (it appears to him) that he is climbing into the sky. Thus, does Allah cast filth on those who do not believe."* (Al-Anaam, aayat 125)

Those who submit the commands and prohibitions of Rasulullah (sallallahu alayhi wasallam) and of the Qur'aan to Fiqhi classification for determining whether to practice or abstain, are like those on whom Allah Ta'ala has cast *Rijs (filth)* which darkens their spiritual hearts and blights their intelligence. Then to act in accordance with the Sunnah is as difficult as climbing into the sky without a ladder.

The Qur'aan commands: *"Follow what is being revealed to you from your Rabb....Have tawakkul (trust) on Allah... Whatever the Rasool brings to you, adhere to it, and whatever he forbids you, abstain from it."* It is incumbent for Muslims to submit and obey these commands without reference to Fiqhi classification.

The purpose of Fiqhi classification never was to induce a lackadaisical attitude in so far as practical implementation of the ahkaam of the Deen is concerned. Mustahab is not a licence for disregarding the act nor is Makrooh Tanzeehi an invitation to commit the deed. Awareness of the Fiqhi class of an ibaadat is

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beneficial in certain situations. For example, a person overslept. His eyes opened when there remain only a few minutes for sunrise. If he makes Wudhu and performs Salaat observing all the Aadaab, Masnoon and Mustahab factors of Wudhu and Salaat, his Fajr Salaat will become Qadha. In such a situation, the correct option would be to discard the Aadaab, Mustahab and if necessary the Sunnat acts to ensure that the Fajr Salaat is validly discharged before sunrise. If this person is ignorant of the masaa-il, obviously he will not know what to do. He will consequently miss Fajr Salaat.

Once Imaam Abu Hanifah and Imaam Abu Yusuf were confronted with such a situation. Imaam Abu Hanifah instructed his student, Imaam Abu Yusuf to lead the Fajr Salaat. The sun was about to rise. Imaam Abu Yusuf, hastily perform the Salaat leaving out the Sunan and Mustahab factors. Just as he had completed the Salaat, the upper circumference of the sun appeared above the horizon. Imaam Abu Yusuf was apprehensive and he feared the reaction of Imaam Abu Hanifah. He believed that Imaam Abu Hanifah would reprimand him for having discharged the Salaat so 'deficiently'. However, to his delight, Imaam Abu Hanifah awarded him with his 'certificate of qualification'. The great Imaam said: "Our Yaqub has now become a Faqeeh."

When circumstances constrain abstention from the Sunnat and Mustahab acts, then it will be perfectly permissible to do so. Knowledge is essential to enable one to discharge the acts of ibaadat and fulfill rights and obligations correctly. Knowledge of Fiqhi masaa-il is not for inducement of lethargy and for abstention from Mustahabbaat and Sunan acts. It is haraam to abstain from any act commanded by the Shariah on the basis of such act being *only Sunnat*, and it is haraam to commit any act of prohibition on the understanding that it is *only Makrooh*. This concept of *only Sunnat and only Makrooh* which encourages commission and omission are satanic ideas which destroy Akhlaaq and ruin Imaan.

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Those who submit to Islam in entirety are the ones who will achieve success in the Akhirah. The Qur'aan says about them: *"So, convey glad tidings to My servants: Those who listen attentively to the word (of command and prohibition). Then they follow the best of it. They are the ones whom Allah has guided, and they are indeed the people of intelligence."* (Az-Zumar, aayat 18)

The people of intelligence according to the Qur'aan are those who obey and follow the Shariah - the best of it. In other words, they act fully in accord with the Sunnah, observing all the Sunnat and Mustahab acts pertaining to the commands and the prohibitions. They do not practise selectively to gratify the nafs.

In the tafseer of the aayat: *"O People of Imaan, enter into Islam fully..."*, Ibn Katheer comments: "Allah Ta'ala says by way of commanding His Mu'mineen servants who acknowledge His Rasool that they should adhere to everything imparted by the Shariah of Islam; that they should practise all the commands of the Shariah and abstain from all of its prohibitions to the best of their ability."

Undoubtedly, *Insaan* is weak and defective in his observances. When the Mu'min falters, stumbles and falls in sin, he does not do so in rebellion. He does not flagrantly disregard the commands and the prohibitions. In a moment of weakness and forgetfulness he sins, but swiftly regrets and repents. He redeems and purifies himself with *Istighfaar and Taubah* which Allah Ta'ala has ordained for this purpose. Weakness does not justify denial and misinterpretation of the ahkaam. Abnegation is kufr and misinterpretation is *zandaqah* (which is a class of kufr).

The ahkaam of the Deen will atrophy and be fossilized into books if the soul of Taqwa and Wara' is exsanguinated from the Knowledge of Islam, i.e. from Fiqh as the modernist deviates in our time are advocating. In fact, calcification of Islam – reducing it to books – expunging it from practical life – is a long standing plot of the western Orientalists who are introducing their

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conspiracies via the agency of the 'Islamic Studies' faculties of universities. Akiti is one of the proteges of the Orientalist enemies of Islam. The nefarious plot is to undermine and destroy Islam. Muslim products of these universities have been harnessed to execute the evil plots of their western Orientalist masters. It is for this reason we find that sheikhs and professors from these institutions are heading the movement for the calcification of Islam. The first step in this dastardly scheme is to kill the soul of the Deen, i.e. Taqwa and Wara', which is the *only* theme of the Qur'aan and the Sunnah. Thus, any dry fiqh which propagates the idea that Taqwa and Wara' are beyond the confines of Fiqh is a satanic snare. It is called fiqhus shaitaan, the goal of which is to relegate Islam to the museum.

CONCLUSION

It devolves on us as an incumbent duty to make one clarification. In this treatise we have been constrained to direct a degree of criticism at Imaam Nawawi (rahmatullah alayh) and Imaam Raafi' (rahmatullah alayh). The discussion is purely academic in so far as these noble Giants of Islamic Uloom, Taqwa and Wara' are concerned. The intention has never been to impugn the integrity of these Fuqaha nor to disparage them in any way whatsoever. Their likes will never again be found on earth until the Day of Qiyaamah.

But in the matter of the Shariah and defending the Sunnah, circumstances constrain the adoption of a methodology from which ensues dialectical discussion, and in this sphere of academic discussion there is wide accommodation for robust attitudes.

Imaam Nawawi (rahmatullah alayh) and Imaam Raafi' (rahmatullah alayh) besides being Fuqaha of outstanding status were Auliya of the highest rank, and we say about these Auliya that while we love them, we are not of them. But we hope that by virtue of the love for them embedded in our hearts, Allah Ta'ala

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may grant us a share of their piety. We fervently supplicate to Allah Ta'ala to forgive us our shortcomings and sins by the *waseelah* of Rasulullah (sallallahu alayhi wasallam) and the *waseelah* of Imaam Nawawi (rahmatullah alayh) and the *waseelah* of Imaam Raafi' (rahmatullah alayh), and may Allah Ta'ala resurrect us in the assembly of these lofty and blessed Souls, Aameen thumma Ameen.

THE SUNNAH BEARD – QUESTIONS AND ANSWERS

Q. Some scholars of the Shaafi' Math-hab say that the beard in Islam is only the hair on the chin. It is therefore, permissible according to them to shave off all facial hair besides the chin-hair. Is this correct?

A. One is not in need of academic knowledge to understand that this corrupt view is utterly baseless and in stark conflict of the Sunnah. The beard, i.e. the *Sunnah Lihyah*, is the style of Rasulullah's *mubaarak* beard. The Sunnah Beard is the full beard – the hair on the chin, on the jaws and below the lower lip. The full beard is the Islamic *Lihyah*. Keeping the full beard is Waajib. Shaving the sideburns, etc. is haraam in the unanimous ruling of all four Math-habs. Furthermore, according to these moron 'scholars' it is permissible to shave off the entire beard, not only the sideburns.

Q. Some Shaafi' sheikhs say that it is permissible to even shave off the entire beard even without any valid reason. Does this far-fetched opinion have a basis in Shaafi' fiqh?

A. The basis for this view of satanism is to be found in the bestial nafs of its propounders. There is not a semblance of evidence in the Shaafi' Math-hab for this corrupt, kaafir, shaitaani practice. According to all four Math-habs it is haraam – absolutely haraam – to shave the beard.

Q. What are the views of the Four Math-habs regarding cutting and shaving the beard?

A. All Four Math-habs unanimously prohibit shaving the beard. It is branded Haraam by all Four Math-habs. According to the Hanafi,

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Maaliki and Hambali Math-habs, it is Sunnah in one view, and Waajib in another view, to cut the beard to the size of a fist after it has grown longer than the prescribed fist-length.

According to the popular Shaafi' opinion, it is not permissible to cut anything whatsoever from the beard regardless of the length it attains. This is also an authoritative view of the Hambali Math-hab. The Sunnah Beard according to the popular Shaafi' view is to leave the beard in its natural state to grow without cutting from it anything whatsoever.

Imaam Ghazaali and others of the Shaafi' Math-hab, expound another view as well - the view of the other three Math-habs. Thus, there is an authoritative view in the Shaafi' Math-hab too regarding cutting the beard to a fist-length as the followers of the other three Math-habs do.

Q. A Shaafi' sheikh says that it is perfectly permissible to sport a goatee beard. Please comment.

A. The miscreant 'sheikh' is not a genuine follower of the Shaafi' Math-hab, hence he uttered such haraam rubbish. A goatee beard is *mal-oon* (accursed). The followers of Shaitaan sport such styles of Satanism.

Q. Even those Shaafi' ulama who concede that according to the Shaafi' Math-hab, the meaning of *Lihyah* is the full Sunnah beard, contend that in view of cutting and shaving the beard being only Makrooh, these acts are permissible.

A. The description '*only*' appellate to Makrooh *ahkaam* is tantamount to kufr since it is clearly *Istikhfaaf* which means to regard any teaching of the Deen with disdain or that it is insignificant and may be abandoned at whim and fancy. 'Makrooh' in the context of beard-cutting/shaving means *Makrooh Tahreemi* which in practical terms is Haraam. As far as *amal* (practical implementation) is concerned, Makrooh Tahreemi and Haraam are exactly the same. The difference is a technical issue of academic import which should be left in hibernation. It has no bearing on the practical implementation of the Sunnah of Rasulullah (sallallahu alayhi wasallam). The idea that Makrooh in this context is not Makrooh Tahreemi, rather is Tanzeehi, is utterly baseless and speaks volumes for the *jahaalat* and *nafsaaniyat* of these propounders of *ghutha*. They

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display gross *jahl-e-muraqqab* (compound ignorance) by promoting that the consequence of Makrooh Tanzeehi is permissibility.

Q. What is the answer for the conflict between Imaam Shaafi' and Imaam Nawawi? While the former says that shaving the beard is haraam, the latter proclaims it Makrooh.

A. For men of knowledge the resolution for this superficial conflict is quite simple. There is no inherent conflict. The dimension of conflict is the stupidity of morons of this age. Imaam Nawawi is a muqallid (follower) of Imaam Shaafi'. He appeared on the scene about five centuries after Imaam Shaafi'. The view of all the most senior Shaafi' Fuqaha prior to Imaam Nawawi coincides with Imaam Shaafi's ruling of *hurmat*. It is inconceivable that Imaam Nawawi, the muqallid, appearing many centuries after the illustrious Imaam Shaafi' and the senior Shaafi' Fuqaha, had the intention of cancelling or refuting the official stance of the Shaafi' Math-hab, which had existed in the Math-hab for centuries. It is therefore absolutely moronic and satanic to vomit the term 'tanzeehi' into Imaam Nawawi's mouth, and to aver that by Makrooh he meant Makrooh Tanzeehi when it is as clear as daylight that he meant Makrooh Tahreemi. Thus, for practical purposes, the view of Imaam Nawawi is reconciled with the ruling of Imaam Shaafi'. According to both, shaving the beard is sinful and strictly prohibited. Since according to both, it is not permissible to shave the beard, and that it is sinful to do so, there is no need to delve into the implications of the difference in technical terminology. Furthermore, it is quite probable that Imaam Nawawi used the term Makrooh in a literal sense to convey the meaning of 'strictly prohibited', and not in the technical sense to denote lack of *Daleel-e-Qat'i* for substantiation of the prohibition designated with the term *haraam* by Imaam Shaafi'. Whatever the academic and technical differences there are regarding terminology, be assured that shaving the beard is Haraam, is the unanimous verdict of the Fuqaha of all Four Math-habs. Don't be misled by the morons who promote *jubbuth thakar*.

Q. Is it permissible to shave the tuft of hair below the lower lip?

A. According to all four Math-habs it is haraam to shave this tuft of hair.

Q. Is it permissible according to any Math-hab to dye the beard black?

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A. To dye the beard or hair black is haraam according to all Four Math-habs.

JUHALA POSING AS SHAAFIS

Q. Commenting on the Mujlisul Ulama's book, **The SUNNAH BEARD**, which is in refutation of Maulana Taha Karaan's view of the permissibility of shaving off the beard according to the Shaafi' Math-hab, one brother commented as follows:

*** The Hanafi Ulama are not allowed to give fatwa on the Shaafi' Math-hab. They (i.e. the Shaafi' Ulama) are the Ulama of the Shaafi' Mathhab, so they know better what are the official and mufti biha views of the Shaafi' Mathhabs. * There is no such thing as Makrooh Tanzihi and Makrooh Takreemi in the Shaafi' Math-hab. What is the response for this?**

A. In a nut shell, whatever the brother said is bunkum. Morons acquit themselves moronically, hence the disgorgement of bunkum. If any Shaafi' Molvi/Shaiikh has any issue of contention with any fact stated by the Mujlisul Ulama in their book, let him acquit himself academically and refute what has been said with solid Shar'i dalaa-il. It is puerile to attempt a stupid 'refutation' with stupid comments. The stupid statements made by the brother portrays his academic bankruptcy which has rendered him impotent in the sphere of rational refutation.

The bother or any other Shaafi' Molvi/Shaiikh or Molvi -cum-shaikh should cite valid Shar'i arguments to refute what the Mujlisul Ulama has stated in its refutation of Molvi Taha Karaan's corrupt, haraam view of the permissibility of shaving the beard *clean off* to give the face the resemblance of a skinned pig. For the edification of the conglomerate of half-baked Shaafi' molvis-cum-sheikhs in this country we say that here in this country and in this age, we the Ulama of the Hanafi Mathhab are vastly more qualified to speak and issue Fatwa on issues of the Shaafi' Math-hab. The present crop of molvis/ sheikhs who pretend to be Shaafis, are impostors. Their Shaafi'ism is restricted basically to rafa' yadain, qiraat khalfal imaam and a couple of other ostentatious practices. They are freelances like India's holy cows roaming the streets devouring

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fodder from wherever they are able to scrounge, and taking whacks from this one and that one.

These freelancing so-called ‘Shaafi’ ulama are ignorant of the Math-hab they profess to be following. Consider the issue of Talaaq. The morons are issuing the stupid fatwa that trinity is unity, i.e. three talaqs equal one Talaaq in diametric contradiction of the Shaafi’ Math-hab. The morons performed a mock ‘janaazah’ salaah for a professed atheist simply because they wanted to appease the political rulers of the country. Yes, they are adept in the trick of transforming haraam into ‘halaal’. Thus, according to these deviates it is permissible to shave the beard. It is permissible for women to cut their hair and become like prostitutes. Let them remove the plugs from their ears and listen clearly that the Hanafi Ulama here are more equipped to issue fatwa in terms of the Shaafi’ Math-hab than the deviates who perpetrate deception with the monstrous lie of them being Shaafi’ Ulama. The day we see genuine Shaafi’ Ulama, it will then devolve on us to refer all Shaafi’ searchers of the Haqq to such Ulama. But right now, there is a colossal dearth of genuine Shaafi’ Ulama in this country. Therefore, it is not lawful for the Hanafi Ulama to refer followers of the Shaafi Math-hab to morons who are the marauders and debauchers in the pastures of Imaan and Akhlaaq. It is haraam to direct unwary and ignorant laymen into the wolf’s den. It has devolved on the Hanafi Ulama-e-Haqq as an obligation to research the Shaafi’ kutub thoroughly to enable them to guide the followers of Imaam Shaafi’ (rahmatullah alayh) in the raging ocean of jahaalah. Pirates are destroying the Imaan and Akhlaaq of the Ummah, hence the Hanafi Ulama have to come to the rescue. The contention about Makrooh is a glaring testimony for the gross ignorance of the miscreants. This issue has been adequately dealt with in the Mujlisul Ulama’s kitaab on the beard. The stupid claim displays their degree of ignorance. Let them return to Madrasah and start the learning process all over.