

In the Name of Allah, the merciful, the compassionate.

Praise is to Allah God of all creations and peace and prayers be upon our Prophet Muhammad and his family and his followers and companions.

To the kind brothers: Shaykh Mahmoud and Shaykh Abu Yahya, God protect them.

Peace and God's prayers and blessings be upon you.

I pray that this letter will reach you while you and your families and all the brothers are in good health.

I begin this letter with clarifying the goal and the dimensions of research in the question of al-Shura being binding or being a guide, and I say:

The goal of the research is not limited to remedying the issue, but it is larger than that, and I hope that our research is beneficial to the nation. This question is the most dangerous of the administrative issues and it is among the principles of the religious existence. The Hadith said: "When a woman asked Prophet Muhammad (PBUH), what will keep this religion in us? He said, 'As long as there are scholars amongst you.'" The presence of the Muslim scholar (Imam) is the power behind the existence of the religion, and the binding Shura means there are no Imams, and we will demonstrate that. Despite the danger of the Shura and its clarity, regretfully, great ambiguity has happened to it, which has affected many Muslims in the last decades, after what has happened to the Islamic world from the dust of democracy in the West, and the reflections resulting from its large claims, and what appeared to the wise. The strength of ten men is more than the strength of one man, and the power of the minds of ten men is more than the power of the mind of one person, but there are times when the introductions are true and the results built on it are wrong.

Based on the catastrophe that happened to the Muslims in the past period, many scholars believed that the Shura is necessary. After they heard the qualities of the Shura, they looked into their religion and they thought to themselves that it was democracy refined within the Laws (Shari'a) of God and it was the Shura; and here, their understanding of scripture changed from what our ancestors understood, and this

doctrine has spread in the Islamic world. Generations of scholars have grown on this understanding, and they believed that it had clear evidence from the Qur'an, in the precious verse, "And commanded the Shura among them" (38) and the verse, "And consulted them in the matter" (159). Their decision was in consultation among themselves and Shawirhum bil Amer, but the nation's scholars, since the appearance of Islam, have read the two holy Ayahs, as they wrote in their explanations, but their understanding of them is the same as we understood them in the past decades, and this is the statement of al-Qurtubi of the second Ayah: The Shura is built on the differences of opinions, and the reader, or the researcher, would look to the difference and closer to the Book (Qur'an) and to the Sunnah, if it was possible. If God guided him to what he wanted from him, and found what he was looking for, he would adopt it. This is the goal of the required diligence. And this is what God has ordered his Prophet with. (Illustration of al-Qurtubi 4/252).

Of what was previously said, it appears that research in this matter must be in the history books of the advanced scholars, until God guides us to the right, for he is the only guide, text, and understanding of the mind.

Issue: What is important in knowing this case, to look in the meaning of the word (Shura) the way the Arab understood it in that time. In the language, "Istashara" means "he asked for his counsel," and also the word "Amir" in the language of the speaker is the person who gives orders, and the person cannot be ordering if he was committed to the orders of others. And for this and others, I return to what I mentioned, that the binding Shura means the imam, in its meaning in Islam, doesn't exist, and here, I used to say, if the Shura was binding to Taliban, they would not have paid allegiance to Amir al-Mu'minin, and he would not become Imam if that allegiance must be pledged to, and we would have supported many different and scattered men.

Issue: A human may first think that the importance of the binding Majlis al-Shura Advisory Council is preventing the country from going the wrong way if the Amir is corrupted, but the truth is, after following up on the situations of the corrupted Amirs with the advisory councils, it appears that when the Amir is corrupted, the advisory council enforces corruption. Where the Amir has big powers with wealth and respect, favors and threats in many ways, and through the time, he leads the Council against the right, and not toward what is right, and then the matter of removing the Amir becomes more complicated, whereby convincing the people of the corruption of a person and

to rise against him is easier than convincing them of the corruption of the council and rising against it, and this appears outward to their choice, and it will include the personalities and their followers, and also the scholars, but they are followers of the Amir and not to what is right. And what is very difficult to the people, is realizing that with all the continuous propoganda by the members of the

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Shura Council, they will support the Amir as long as they are in the Majlis (Council), and the Amir draws his power from the advisory council.

Issue: There are positives to the binding consultation with the wise people, and also negatives, and to leave all the decision making to the Amir, except what violates the Laws of God, positives and negatives also.

One of the positives of the binding Shura is the benefit from the minds and opinions of many and to purify some of them, and it is not a secret how much good effect it has.

Among its negatives are confrontations, differences, divisions, and the distribution of responsibilities. At the end, favoritism will appear in the distribution, and then negligence will increase, and the religion and the rights will be lost. There is a clear difference between a matter whose affairs are given to one person, with people who would help him without changing his nature - he would be responsible; and another matter that was given to a number people. One person would be responsible for the results, but when there are too many, each one depends on the other, or one blames the other, but when there is only one person responsible, then he will be more careful not to make mistakes, and he will be responsible before God and the people, and in the story of Joseph (PBUH) is evidence as to what is going on in Somalia now after the arrival of the Americans.

Some of the positive results of leaving the decision making to the Amir alone is avoiding what was mentioned earlier. Among the negatives of the binding Shura are neglecting the obligations of the binding council. Adding the positives and leaving the negatives is more than leaving the right of making decisions to the Amir, and the Shura must be necessary and not binding, to benefit from the minds of the men without being bound to their opinions and the resulting corruption.

Issue: It is not known in history whether the Prophet (PBUH) ordered any of his companions to count the number of votes for him after an issue was discussed, regardless of what the issue was.

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Issue: You mentioned in your letter, "What we see in our situation is to go along with the opinion of the majority of the Shura Council, whatever the case may be. The majority opinion, generally, is closer to the truth, especially with faith and religiousness, and away from partiality, and it concentrates on reaching to the truth regardless of with whom." I say that the matter is disturbing, when the league grows and complete tribes join it, or a government is established, God willing, then there will be large concentrations of people, and the people must have representatives to present their needs, and whether they will have the right to choose representatives is left to the people, as it is known in the Sunnah of the Prophet (PBUH). His tribes have different motives than what we have mentioned to choose their representatives; the matter to them is to the Sheikhdom family and its inherited, and in most cases the heir has none of the descriptions required, and here, the Amir will be the person to put us in charge of searching for a replacement with high qualities, and his powers have melted within those representatives, and it is not strange that many of the representatives are introduced by the tribes, which will make it easy for our enemies in crooked ways to sway them and to buy their consciences and their votes, and the examples for that are many, and it is enough to point to what the elders of the tribes in al-Anbar have done to the Jihadist Movement (al-Harakah al-Jihadiyah), and how the enemy was able to buy their consciences despite their knowledge and their statements about the dangers of the Iranian tide in the area. Ali Hatim, one of their high-ranking leaders, joined the Maliki government, and there are many just like him.

Issue: The position of al-Siddiq (Caliph Abu Bakr al-Siddiq, First Caliph) (God be satisfied with him) in the fight against al-Murtaddin indicates that Shura is a non-binding guide, and he would not have been able to execute his decision to fight the renegades. In this great stand, a number of illustrations, including whether it is possible that the opinion of one man may be more correct than the vote of the majority; and history affirms that in many instances, and human nature proves it also. The human in his natural weakness and reliance has a tendency to lean toward what is easy. If the suitable Amir was chosen, and

he possessed the qualities of power, it proves that his differences with the majority are right; these still are differences, it is human nature.

For example, if we ask every person to elect one hundred elements, and to arrange them according to the best, and then we searched all the papers, we would find that there is one person who was ahead and was the best for the majority of the people, and it is rare to be two people. And as it is our obligation to search for the best Imam and he must be an exceptional Imam; the rarest in the world. We will mostly come up with those who are less and allow them to manage the countries with their opinions and not his, and this is the most emphatic decay in the matter of the binding Shura.

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And of the evidence to that great position is allowing a truce with the renegades when we are not as powerful as they are. And this appears in 'Umar Bin al-Khattab (the third Caliph) telling Abu Bakr, when Abu Bakr did not deny offering a truce to the renegades, and he denied it was a lack of victory; Abu Bakr saw that the weakness of the Muslims at that time did not allow for fighting the renegades.

Issue: The binding Shura takes from the Muslims decisions in their important affairs and puts them into the hands of a number of people, and it is not a secret that when the number increases, the tendency to stray and to buy the conscience increases also. Any person, regardless of his experience, if he were asked to buy the conscience of one leader, and the leader refused, he would for sure fail, but if he were asked to buy the votes of the majority of one hundred men, the task becomes easier for him, and the possibility of his success is greater, and this is as we have said what the Amir does if he were corrupted. What proves this is al-Maliki did not have more than 10 to 18 seats in the Parliament before he became the prime minister, but four years after he became the prime minister, his seats in the Parliament became 89. How did this percentage of increase happen when he is a tyrant, except in ways of buying consciences, and the great threats are in the hands of the corrupt leader.

Issue: Al-Bukhari, in his book of al-Ahkam, wrote two Hadiths from the tradition of the Prophet. The first says: "He who gives to me is as if he is giving to Allah, and he who obeys me, obeys Allah, and he who obeys my Amir, he obeys me, and he who

disobeys my Amir, he disobeys me." The second: "You are all shepherds, and each one is responsible for his herd. The people's Imam is a shepherd and he is responsible for them; you are all shepherds and you are responsible for your herds." The woman is the shepherd of her husband's family and his children, and that goes to the man also, and his servant is responsible for his master's wealth, and his master is responsible for him .Bin Hajar said of the first Hadith: "In the Hadith there is a requirement to obey the Amir, and the wisdom of obeying them is to protect the decision of the unity, to stop division and corruption."

Al-Bukhari also wrote a chapter he named, "Listening and Obedience to the Imam if it was not a Sin," and he quoted a Tradition: "Listen and obey, even if an Ethiopian slave was appointed onto you and even if his head was a raisin." And the Second: "Listen and obey if a slave was appointed on you to lead you with God's book."

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Issue: He who follows up on the provisions of obeying the rulers will find it in the singular mode, to obey one person, not persons in the Shura Council.

Issue: There are some dangers that may happen to the people and will cause harm. But the Islamic Law (Shari'a) followed it with forbidding and warning, without setting a limit to those who commit them, or a restriction that comes between him and committing them, and this includes, for example, women who came to the Prophet and complained about their husbands beating them. When he heard what they said, he did not put a limit to the culprits, but he told the companions, "They are not of your choice," and there are other Traditions that prevent the hard beating; and he advised being kind to the women, and this is the method called for by the God of all creation who knows their affairs in solving this issue. But in the West, when they did not commit to God's religion and began to make laws with their minds, they established a law to punish he who hits a woman; their character deteriorated and the beating of women did not stop.

And this is the matter with the Amir. It is not the solution to avoid his injustice and his tyranny, if the Shari'a did not restrict the man and gave him the complete right of guardianship, despite some men beating their wives in the era of making laws in the time of Muhammad; and ordered him out of

kindness and good friendship and consultation. It did not restrict the Amir, but gave him the right of complete leadership, and ordered him by fairness, justice, and consultation.

I believe the choking autocracy of the dominating Amirs on the Muslims in the last decade is what supported the spread of the understanding of the binding Shura; to guarantee that we do not fall into what the Muslims have fallen into with them, but restrictions rarely comes with good; it appears to me clearly in the texts of the Qur'an and al-Sunnah, besides the saying of the scholars, that the guiding Shura is a guiding light, and the binding Shura is darkness, one on top of the other, and God knows best.