

Can A Non-Alim (Layman) Declare Someone A Kafir?

Darulifta Ahlesunnat

(Dawateislami)

Question

What do the noble scholars and jurists of Islamic law say about the following: If one says a statement of kufr and the listener is quite confident that it is kufr but before telling the ruling, he wants to confirm with a scholar. Is the listener allowed to do this or is he obligated to let the person know that the statement is kufr and he has become a kafir?

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الْجَوَابُ بِعَوْنِ الْمَلِكِ الْوَهَّابِ اللَّهُمَّ هِدَايَةَ الْحَقِّ وَالصَّوَابِ

It is impermissible for a layman to declare Kufr on someone, let alone it being obligatory upon him. Often, laymen think that a statement is Kufr whereas in reality, it isn't. Many statements have multiple meanings, some which are kufr and other which aren't, but the intended meaning of the speaker isn't known. Therefore, a Muslim cannot be declared a Kafir just by assumption. If a listener doubts, or according to his knowledge, knows what a person has said might contain kufr, he should encourage him to repent, renew his Iman out of caution, and tell him to gain guidance from a Sunni scholar. He shouldn't ever give a ruling of Kufr based on his knowledge.

It is stated in the book named *Kufriyah Kalimat Ke Bare Men Suwal Jawab*:

(عام آدمی) صرف اپنی اٹکل سے ہر گز ہر گز کسی مسلمان کو کافر نہ کہے، کیونکہ کئی جملے ایسے ہوتے ہیں جن کے بعض پہلو کفر کی طرف جارہے ہوتے ہیں اور بعض اسلام کی طرف اور کہنے والے کی نیت کا بھی معلوم نہیں ہوتا کہ اُس نے کون سا پہلو مُراد لیا ہے۔ اعلیٰ حضرت امام احمد رضا خان علیہ رحمۃ الرحمن فرماتے ہیں: ”ہمارے ائمہ رَحِيمُهُمُ اللهُ تعالیٰ نے حکم دیا ہے کہ اگر کسی کلام میں 99 احتمال کفر کے ہوں اور ایک اسلام کا تو واجب ہے کہ احتمال اسلام پر کلام محمول کیا جائے جب تک اس کا خلاف ثابت نہ ہو۔

Translation: A layman should never call a Muslim a Kafir based on his assumption because many statements have the possibility of a

meaning that contains kufr and other meanings that don't contain kufr, but the intended meaning of the speaker isn't known. A'la Hazrat Imam Ahmad Raza Khan رَحْمَةُ اللَّهِ تَعَالَى عَلَيْهِ states: Our Imams رَحْمَهُمُ اللَّهُ تَعَالَى have given the verdict that if a statement has 99 possible meanings which are kufr and one possible meaning in accordance with Islam, it is Wajib that the statement be taken in the meaning which is in accordance with Islam until the opposite is proven. (Fatawa Razawiyah, Vol. 14, p. 604,605, Publ. Raza Foundation, Lahore)

Sadr al-Shari'ah Mufti Amjad Ali A'zami رَحْمَةُ اللَّهِ تَعَالَى عَلَيْهِ states:

کسی کلام میں چند معنی بنتے ہیں بعض کفر کی طرف جاتے ہیں، بعض اسلام کی طرف، تو اُس شخص کی تکفیر نہیں کی جائے گی، ہاں اگر معلوم ہو کہ قائل (کہنے والے) نے معنی کفر کا ارادہ کیا مثلاً: وہ خود کہتا ہے کہ میری مراد یہی (کفریہ معنی والی) ہے، تو (اب) کلام کا مُخْتَمَل ہونا (یعنی کلام میں تاویل کا پایا جانا) نفع نہ دے گا۔ یہاں سے معلوم ہوا کہ کلمہ کے کفر ہونے سے قائل کا کافر ہونا ضرور نہیں۔

Translation: If a statement has multiple meanings, some of which go towards Kufir and some towards Islam, that person will not be declared a Kafir. However, if it is known that the speaker intended the meaning which is kufir, such as by explaining his intended meaning, it will not be of any benefit for his statements to have multiple meanings. Through this, we get to know that a statement being kufir doesn't necessarily make the speaker a Kafir. (Bahar-e-Shari'at, Sect. 9, Pg. 173, Maktaba-Tul-Madinah, Karachi) (Kufriyah Kalimat Ke Bare Men Suwal Jawab, Pg. 61, 62, Maktaba-Tul-Madinah, Karachi)

وَاللَّهُ أَعْلَمُ عَزَّوَجَلَّ وَرَسُولُهُ أَعْلَمُ صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ

(Allah Almighty knows best and His Messenger صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ knows best.)

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