

A CLARIFICATION CONCERNING THE BLAMEWORTHY AND PRAISEWORTHY BACKBITING

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Said Aboo Zayd al-Ansaaree an-Nahawee, 'Shu'bah (d.160H) came to us upon a rainy day and said, 'Today is not a day for *hadeeth*, today is a day for backbiting. Let us come together and backbite the liars.' Refer to *al-Kifaayah* (no. 91) of al-Khateeb al-Baghdaadee.

Sufyaan Ibn 'Uyaynah (d.197H) said, 'Shu'bah used to say, 'Let us come together so that we can backbite for the sake of Allaah the Mighty and Majestic.' Related by al-Laalikaa'ee in *Sharh Usoolul-I'tiqaad* (1/140)

Said al-Hasan al-Basree (d.110H) – *rahimahullaah* – concerning backbiting, "There is no backbiting in the case of a person of innovation or a person who openly commits sin." Related by al-Laalikaa'ee in *Sharh Usoolul-I'tiqaad* (1/140)

Said Zaa'idah Ibn Qudaamah, 'I said to Mansoor Ibnul-Mu'tamir, 'When I am fasting, can I revile the ruler?' He said, 'No.' I then said, 'Then can I revile the people of desires?' He said, 'Yes.' Refer to *al-Fataawaa* (28/231-232).

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INTRODUCTION:¹

All praise is due to Allaah, we praise Him, seek His aid and His forgiveness. We seek refuge with Allaah from the evils of our souls and the evils of our actions. Whomsoever Allaah guides there is none to misguide and whomsoever Allaah misguides there is none to guide. I bear witness that there is no deity worthy of worship besides Allaah, alone, without any partners and I bear witness that Muhammad is His servant and messenger.

“O you who believe! Fear Allaah as He should be feared, and die not except in a state of Islaam (as Muslims) with complete submission to Allaah.” [Soorah Aali-’Imraan 3:103]

“O mankind! Be dutiful to your Lord, Who created you from a single person (Aadam), and from him (Aadam) He created his wife (Hawwaa, Eve), and from them both He created many men and women and fear Allaah though Whom you demand your mutual (rights), and (do not cut the relations of) the wombs (kinship). Surely, Allaah is Ever an All-Watcher over you.” [Sooratu-Nisaa’ 4:1]

“O you who believe! Keep your duty to Allaah and fear Him, and speak (always) the truth. He will direct you to do righteous good deeds and will forgive you your sins. And whosoever obeys Allaah and His Messenger, he has indeed achieved a great achievement (i.e. he will be saved from the Hell-fire and made to enter Paradise).” [Sooratul-Ahzaab 33:70-71]

To proceed, verily the best speech is the Book of Allaah and the best of guidance is the guidance of Muhammad (*sallallaahu ’alayhi wa sallam*). And the worst of affairs are the newly-invented matters, every newly invented matter is an innovation, every innovation is misguidance and all misguidance is in the Fire.

Indeed, Allaah the Glorified and Exalted sent His Messenger Muhammad (*sallallaahu ’alayhi wa sallam*) to all of mankind to explain to them the affairs of their Religion, whatever was lawful (*halaal*) and whatever was unlawful (*haraam*). So Allaah the Exalted said,

“It is He who sent a Messenger to the illiterate ones from amongst them reciting His aayaat upon them, purifying them and teaching them the Book and the wisdom. And before they were in manifest error.” [Sooratul-Jumu’ah 62:2]

So he explained to them whatever Allaah the Exalted had commanded them and prohibited them from and rebuked. And from amongst these affairs that the Prophet (*sallallaahu ’alayhi wa sallam*) explained was *al-gheebah* (backbiting) and *nameemah* (tale carrying), whatever is unlawful from it and whatever is lawful.

¹ This is a translation of the treatise, ‘*ad-Durratul-Malee’ah fee Bayaanil-Gheebah wan-Nameematil-Faasidah was-Saheehah*’ of Aboo ’Ammar Yaasir al’Ataawee al-Atharee.

From Abee Hurayrah (*radiyallaahu 'anhu*) who said, 'The Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) said, 'Do you know what is backbiting?' They said, 'Allaah and His Messenger know best.' He said, 'It is that you mention about your brother what he dislikes.' It was said, 'What is your view if my brother is as I am saying?' He said, 'Even if he possesses that which you accuse him of, then you have backbitten him. And if he does not possess that which you accuse him of, then you have slandered him.'² I say: in this *hadeeth* is a proof for the unlawful backbiting.

From 'Aa'ishah (*radiyallaahu 'anhaa*) who said, 'A man was mentioned to the Messenger of Allaah (*sallallaahu 'alayhi wa sallam*), so he said, 'How evil a brother he is to the tribe, or a son of the tribe.' So when the man entered, the Prophet spoke kindly with him. I said, 'O Messenger of Allaah, you said what you said, then you spoke kindly with him?' He said, 'O 'Aa'ishah, the most evil of the people is he who abandons the people or the one who gives up on the people fearing their indecency.'³ I say: in this *hadeeth* is a proof for the lawful backbiting. Said Ibn Hibbaan (d.354H) in *al-Majrooheen* (1/15), "In this report is a proof that informing about a man in order to clarify his condition is not from backbiting. And if it was backbiting, then the Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) would not have done it."

From Hudhayfah (*radiyallaahu 'anhu*) who said, 'The Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) said, 'The *nammaam* (tale carrier) will not enter Paradise.'⁴ I say: in this *hadeeth* is a proof for the unlawful tale carrying.

From Jaabir (*radiyallaahu 'anhu*) that the Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) said, "War is deception."⁵ I say: in this *hadeeth* is a proof for the lawful tale carrying.

So it is permissible to deceive the people of corruption from amongst the people of disbelief and the people of innovation and the people of disobedience and other than them. So due to that, I shall explain - if Allaah the Exalted so wills - what is not permissible from backbiting and tale carrying and whatever is permissible from it with evidence from the Book and the *Sunnah* and the statements of the people of knowledge. I wish to make a clarification through that and to raise up some of the confusion attached to that amongst the people as regards to the affairs of their Religion and their worldly life.

Lastly, I call upon Allaah to make us from amongst those who listen to the statement then act upon it in perfection, and to make us from amongst those who follow the *Sunnah* of al-Mustafaa (*sallallaahu 'alayhi wa sallam*) and from amongst those who respond to his teachings so they achieve success in this world and in the Hereafter.

Aboo 'Ammar Yaasir al-Atharee

² Related by Muslim (no. 2589)

³ Related by al-Bukhaaree (no. 6054)

⁴ Related by al-Bukhaaree (no. 6055) and Muslim (no. 105)

⁵ Related by al-Bukhaaree (no. 10/482) and Muslim (no. 6739)

[1]: AL-GHEEBAH – BACKBITING:

THE UNLAWFUL BACKBITING: MENTIONING THE EVIDENCE FOR THE UNLAWFUL BACKBITING:

Evidence from the Book: Allaah the Exalted said,

“**And do no spy, nor backbite one another.**” [Sooratul-Hujuraat 49:12]

So this is a prohibition from the *Qur'aan* concerning backbiting, this becomes known due to the stress placed upon the unlawfulness of backbiting.

Evidence from the Sunnah: Indeed, the Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) said, 'Do you know what is backbiting?' They said, 'Allaah and His Messenger know best.' He said, 'It is that you mention about your brother what he dislikes.' It was said, 'What is your view if my brother is as I am saying?' 'He said, 'Even if he possesses that which you accuse him of, then you have backbitten him. And if he does not possess that which you accuse him of, then you have slandered him.’”⁶

Said al-Qurtubee (d.671H) - *rahimahullaah* - in his *Tafseer* (16/1337), “And there is *ijmaa'* (consensus) that backbiting is from the major sins and that it is obligatory to repent to Allaah from it.”

I say: it is from the habit of *hizbiyyah* that they talk about the rulers, the upright Scholars, the capable students of knowledge and their truthful followers in every sitting and they find fault with their honour. And there is nothing wrong in stating that traversing this path and finding fault with the honour of the righteous does not increase the affair, except in severity against them in this world and in the Hereafter. O Allaah keep us safe.

Due to this, it is obligatory upon the Muslim to remain free from *qeela wa qaal* (he said, it was said), since backbiting makes a person forget his own faults. So he finds faults with his brother and rebukes him. And the Muslim is always pre-occupied with rectifying his own faults.

Indeed, Allaah will follow up the faults of the one who follows up the faults of the people, that is due to the fact that Allaah is deserving of rebuking his creation. And Allaah knows who from amongst the people is the most sinful of the creation in behaviour and who possesses leniency and weakness in his Religion. And Allaah is the One from whom aid is sought. And the most hated of the people to the Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) are those who walk amongst the people with enmity and hatred, so they split up the brotherhood and they search out the faults of the people. O Allaah forgive us.

⁶ Related by Muslim (no. 2589) from the *hadeeth* of Abee Hurayrah (*radiyallaahu 'anhu*).

THE LAWFUL BACKBITING: MENTIONING THE EVIDENCE FOR THE LAWFUL BACKBITING:

The Following is Evidence from the Book: Allaah the Exalted said,

“Allaah does not like that evil speech should be made public, except by one who has been oppressed. And Allaah is all-Hearing, all-Knowing.” [Sooratu-Nisaa’ 4:148]

Said Ibn Taymiyyah (d.728H), “As for a specific person, then that which he possesses of evil can be mentioned in a number of places: the one who is oppressed mentions what his oppressor possesses, in order to defend against his oppression and to get his right back...Allaah the Exalted said,

“Allaah does not like that evil speech should be made public, except by one who has been oppressed. And Allaah is all-Hearing, all-Knowing.” [Sooratu-Nisaa’ 4:148].”⁷

The Following is Evidence from the Sunnah: From ‘Aa’ishah (*radiyallaahu ‘anhaa*) who said, ‘A man was mentioned to the Messenger of Allaah (*sallallaahu ‘alayhi wa sallam*), so he said, ‘How evil a brother he is to the tribe, or a son of the tribe.’ So when the man entered, the Prophet spoke kindly with him. I said, ‘O Messenger of Allaah, you said what you said, then you spoke kindly with him?’ He said, ‘O ‘Aa’ishah, the most evil of the people is he who abandons the people or the one who gives up on the people fearing their indecency.”⁸

Indeed, Imaam al-Bukhaaree (d.256H) used this *hadeeth* as a proof for the permissibility of backbiting the people of corruption and suspicion. . Said Ibn Hibbaan (d.354H) in *al-Majrooheen* (1/15), “In this report is a proof that informing about a man in order to clarify his condition is not from backbiting. And if it was backbiting, then the Messenger of Allaah (*sallallaahu ‘alayhi wa sallam*) would not have done it.”

Said al-Khateeb (d.468H) in *al-Kifaayah* (p. 54), “So in the statement of the Prophet (*sallallaahu ‘alayhi wa sallam*), “How evil a brother he is to the tribe, or a son of the tribe,” is a proof that the one who informs about what a man possesses of fault has fulfilled an obligation of knowledge and Religion from advising the questioner and he has not backbitten.”

Said al-Qurtubee, “In the *hadeeth* is the permission to backbite the one who openly broadcasts disobedience, or sin or the likes of that from oppression concerning the judgement, and calling for innovation and permitting evasion of them and fearing their evil, as long as that does not lead to deceit in the Religion of Allaah.”⁹

⁷ Refer to *Majmoo’ur-Rasaa’il wal-Masaa’il* (5/109).

⁸ Related by al-Bukhaaree (no. 6054)

⁹ Refer to *Fathul-Baaree* (1/454) of Ibn Hajr.

Said an-Nawawee (d.676H) in *Sharh Saheeh Muslim* (16/144), “So the Prophet (*sallallaahu 'alayhi wa sallam*) wanted to clarify his condition to the people and to not allow those who did not know him to be deceived...And the Prophet (*sallallaahu 'alayhi wa sallam*) describing him as ‘how evil a brother he is to the tribe, or a son of the tribe,’ is a sign of Prophethood, because what he described came true – concerning those who attack the Religion. The Prophet (*sallallaahu 'alayhi wa sallam*) only spoke gently with him so as to make Islaam easier for him and his types. And in this *hadeeth* is a pivotal argument for the one who fears someone’s sins. And in it is the permission for backbiting the disobedient sinner who openly broadcasts his disobedience. And in it is the permission warning against the one who the people are in need of being warned against.”

From Faatimah Bint Qays (*radiyallaahu 'anhaa*) who said, ‘The Prophet (*sallallaahu 'alayhi wa sallam*) came so I said, ‘Abaa Jahl and Mu’aawiyah have proposed to me.’ So the Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) said, ‘As for Mu’aawiyah, then he is utterly destitute, not having any wealth. As for Abul-Jahl, then his stick never leaves his back.’¹⁰

Mu’aawiyah was poor and Abul-Jahl used to beat the women. And it is said that the *hadeeth* means that he used to travel much. Said Ibn Taymiyyah (d.728H) – *rahimahullaah* – whilst mentioning that the people it is permissible to rebuke are of various types, and that it is not considered backbiting to speak about them, such as the disbeliever, the sinner, the disobedient one, the oppressor, the enticer, the misguided one and the jealous one...up until he said, “And as for the person, then whatever he possesses of evil can be mentioned in various places.”

Then he mentioned from amongst them: the oppressed one can mention what is found with his oppressor and he must mention the proofs concerning that. Then he said, “And from them is that it must be done by way of advising the Muslims concerning their Religion and their worldly life as is found in the authentic *hadeeth* of Faatimah Bint Qays (*radiyallaahu 'anhaa*) when she asked the Prophet (*sallallaahu 'alayhi wa sallam*) about those who wished to marry her. She said, ‘Abaa Jahl and Mu’aawiyah have proposed to me.’ So the Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) said, ‘As for Mu’aawiyah, then he is utterly destitute, not having any wealth. As for Abul-Jahl, then he is a man who beats the women.’

So this was an advice for her, even if it involved mentioning the faults of those who were proposing to her...So if this can be done for a specific benefit, then what about that which is connected to the rights of the common-folk of the Muslims? So there is no problem in stating that there is great advice in this, as the Prophet (*sallallaahu 'alayhi wa sallam*) stated, “The Religion is advice, the Religion is advice¹¹ ...”¹²

¹⁰ Related by Muslim (no. 1480)

¹¹ Related by Muslim (no. 55)

¹² Refer to *Majmoo'ur-Rasaa'il wal-Masaa'il* (5/109)

I say: and an-Nawawee mentioned this *hadeeth* in *Riyaadus-Saaliheen* (p. 398) under the title, 'Chapter: What is Permitted from Backbiting.'

From 'Aa'ishah (*radiyallaahu 'anhaa*) who said, 'The Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) said, 'I do not think that so and so and so and so know anything from our Religion."¹³

Said Ibn Hajr (d.852H) in *al-Fath* (10/486), "Indeed, the likes of this which occurred in the *hadeeth* is not from the prohibited suspicion, because it is from the standing point of warning against the one whose condition is like the condition of these two men." So the Prophet (*sallallaahu 'alayhi wa sallam*) mentioning these two men was only for the purpose of warning against them, it was not from the prohibited form of backbiting. Rather, it was from the permissible form of backbiting.

Indeed, Imaam al-Bukhaaree placed a chapter in his *Saheeh* entitled, 'Chapter: What is Permissible from Suspicion.' Likewise, there is an evidence in the *ayah* that not every suspicion contains sin, due to the statement of Allaah the Exalted,

"Verily, some suspicion is sinful." [Sooratul-Hujuraat 49:12]

So some suspicion is sinful and some suspicion is not. Said al-'Allaamah Saalih al-Fawzaan in *al-Muntaqaa* (2/275), "So as for the people of evil and disobedience, then we suspect evil from then in accordance to how much of it is apparent from them."

I say: this is like suspicion against the people of *hizbiyyah* and the innovators and their likes from the people of misguidance in accordance to what is apparent from them. And this is required. Said Ibn Muflih in *al-Aadaabush-Shar'iyyah* (1/45), "Having good thoughts about the evil people is not good at all."

From 'Aa'ishah (*radiyallaahu 'anhaa*) who said, 'Hind the wife of Abee Sufyaan said t the Prophet (*sallallaahu 'alayhi wa sallam*), 'Abaa Sufyaan is a tight-fisted man and he does not give me that which is sufficient for me and my son. So I take it from him whilst he does not know.' So he said, 'Take what will suffice you and your son with fairness."¹⁴

Said Ibn Hajr in *al-Fath* (9/509), "This *hadeeth* is to be used as an evidence for the permissibility of mentioning a person with that which he will not find admirable in order to get a *fatwaa* (legal verdict) or to complain and the likes of that. And this is one of the instances when backbiting is permissible."

And an-Nawawee mentioned this *hadeeth* in *Riyaadus-Saaliheen* (p. 399) under, 'Chapter: What is Permitted from Backbiting.'

¹³ Related by al-Bukhaaree (no. 6067)

¹⁴ Related by al-Bukhaaree (no. 5359) and Muslim (no. 1714)

From 'Abdullaah Ibn Mas'ood (*radiyallaahu 'anhu*) who said, "Sabee'ah al-Aslamiyyah was laying down to deliver her child at night after the death of her husband. So Abus-Sanaabil Ibn Ba'kak passed by her and said, 'Indeed, she is doing this for husbands, four months and ten days must pass.' So Sabee'ah mentioned that to the Messenger of Allaah (*sallallaahu 'alayhi wa sallam*), so he said, 'Abus-Sanaabil has lied, or the affair is not as Abus-Sanaabil has said. Indeed, you are lawful, so marry me.'¹⁵

Said Ibn Rajab in *an-Naseehah wat-Taghyeer* (p. 33), "Indeed, when a rejected statement reached one of the *Salaf*, they would say, 'So and so has lied.' And from that is the statement of the Prophet (*sallallaahu 'alayhi wa sallam*), 'Abus-Sanaabil has lied,' since it reached him that he had issued a legal verdict that if her husband had died whilst she was pregnant, then it was not lawful for her to re-marry until after four months and ten days had passed from when she delivered her child."

And Ibn Rajab also said in *an-Naseehah wat-Taghyeer* (p. 34), "So as for the people of innovation and misguidance and whomsoever tries to pretend to be a Scholar whilst he is not from them, then it is permissible to clarify his ignorance and to make apparent his faults and to warn against following him."

Said an-Nawawee in *Riyaadus-Saaliheen* (p. 519), "Know that backbiting is permitted in order to attain what is deemed correct by the *Sharee'ah*, and when it is not possible to attain that correctness except through backbiting." I say: it is with this that the sincerity (*naseehah*) to Allaah and to His Messenger and to the Muslims is achieved. This is the reality of the Religion. O Allaah show us the correct path.

And Ibn Rajab said in *al-Farq banyan-Naseehah wat-Taghyeer* (p. 5), "So at that point, the weak statements are rejected and the truth is clarified to be in contradiction to it with evidences that it does not enter into the issue of backbiting in its entirety."

And Ibnul-Qayyim (d.751H) said in *ar-Roo'h* (p. 322), "And the difference between advice and backbiting is that the intention behind advice is to warn the Muslim against the innovator, or the *fattaan* (one who starts *fitnah*), or the deceitful one, or the corrupt one. So what he possesses is mentioned so as to warn people against accompanying him or dealing with him and having any connections with him...So if one falls into backbiting from the angle of being sincere to Allaah and to His Messenger and to His servants, the Muslims, then this is something that brings one closer to Allaah and allows him to attain rewards."

¹⁵ **Saheeh:** Related by al-Baghawee in *Sharhus-Sunnah* (9/304) and al-Bayhaqee in *as-Sunanul-Kubraa* (7/429)

From Abee Ja'far al-Hadhaa' who said, 'I said to Sufyaan Ibn 'Uyaynah that this one talks about *al-Qadr* (divine pre-destination) – I meant Ibraaheem Ibn Abee Yahyaa – so he said, 'Let the people know about his innovation and ask your Lord for pardon."¹⁶

Some of the Scholars have stated,

*'Rebuke is not considered backbiting in six instances;
When one is oppressed, when one is well-known with something and when warning;
And when one openly disobeys, when one seeks a legal verdict and
When one seeks aid in removing an evil.'*¹⁷

So it is permissible to backbite the innovator, the *hizbee*, the disobedient sinner, the opportunist and their likes. Said Ibn Katheer in his *Tafseer* (6/381), "And backbiting is prohibited by *ijmaa'* (consensus), and there is no exception from that except for that which brings about a benefit such as what occurs in *al-Jarh wat-Ta'deel* (disparaging and appraising) and in *naseehah*."

Said Ibn Rajab in *Sharhul-Ilal* (p. 59), "The speech when performing *al-jarh wat-ta'deel* is permissible. Indeed, the *Salaf* of this *Ummah* and its *Imaams* has had a consensus upon that since it distinguishes what is obligatory upon one to accept from the *Sunan* and what it is not permissible to accept from that. Indeed, some of those who do not have any knowledge think that this is backbiting, yet the affair is not so. Since, the faults of a man must be mentioned if there is a benefit in that, even if it names a specific individual. For example, it is permissible for the one who has witnessed some evil to rebuke it without any disagreement. So what occurs therein has a general benefit for the Muslims."

Said Ibn Katheer in *al-Baa'ithul-Hatheeth* (1/238), "So it is not permissible for any of the people to relate it – meaning the fabricated (*mawdo'o*) *hadeeth* – except in order to rebuke it and to warn against it so that no ignorant person, nor the common-folk, nor those under care are deceived." Said Imaam Shu'bah Ibnul-Hajjaaj – *rahimahullaah*, "Let us come together so that we can backbite for the sake of Allaah the Mighty and Majestic."¹⁸

And Imaam Shu'bah intended to defend the Religion of Allaah the Exalted backbiting for His pleasure and seeking His Paradise. So this is to make *tajreeh* (disparagement) of the one who deserves the *jarh* from the people of innovation, ignorance, *hizbiyyah* and stubborn rejection. And he intended to clarify what they had of errors and misguidance and to warn against them. So this was the intended purpose of Imaam Shu'bah Ibnul-Hajjaaj and whatever that includes of goodness, benefit and rectification of Islaam and the Muslims.

¹⁶ **Saheeh:** Related by al-'Uqaylee in *ad-Du'afaa'* (1/63), Ibnul-Jawzee in *Talbees Iblees* (p. 21) and al-Harawee in *Dhammul-Kalaam* (4/218) with an authentic *isnaad*.

¹⁷ Refer to *al-Mahajjatul-Baydaa' fee Himaayatis-Sunnatil-Ghirraa'* of Shaykh Rabee' Ibn Haadee al-Madkhalee.

¹⁸ **Saheeh:** Related by al-Khateeb in *al-Kifaayah* (p. 52) and Aboo Nu'aym in *al-Hilyah* (7/152) with an authentic *isnaad*.

So there is no escape from applying it in this present age upon the people of desires and *tahazzub* (party-spirit), because that is from sincerity to Allaah the Exalted and to His Book and to His Religion and to the Muslims. This is done for a general benefit for the people of al-Islaam and this is how Allaah the Exalted has preserved His Book and His Religion. So that is from the excellence of Allaah the Exalted upon this *Ummah*, yet how many of the people are not thankful.

Said Zaa'idah Ibn Qudaamah, 'I said to Mansoor Ibnul-Mu'tamir, 'When I am fasting, can I revile the ruler?' He said, 'No.' I then said, 'Then can I revile the people of desires?' He said, 'Yes.'¹⁹

Said Ibn Taymiyyah in *al-Fataawaa* (28/217), "As for the man who openly displays evil qualities, it is obligatory to oppose him publicly. And he is not backbitten and it is obligatory to rebuke him publicly so that he may be prevented from that and he must be boycotted as well as other than him."

From Abee Zur'ah ad-Dimashqee who said, 'I heard Abaa Mashar being asked about a man who makes mistakes and turns words around. So he said, "Clarify his affair." And I said to him, 'Do you feel that this is from backbiting?' He said, 'No.'²⁰

Said an-Nawawee in *Riyaadus-Saaliheen* (p. 396), 'Chapter: What is Permissible from Backbiting:

Know that backbiting is permitted in order to attain what is deemed correct by the *Sharee'ah*, and when it is not possible to attain that correctness except through backbiting. And it can occur due six reasons:

Firstly: When one is being oppressed. So it is permissible for the one who is oppressed to go to the ruler or the judge and other than those two from those who are in charge of the Muslims or those who have power to ask for justice from his oppressor. So it is said, 'So and so oppressed me with such and such.'

Secondly: Seeking help to remove an evil and to return a sinner to the correct path. So it can be said to the one who is capable of using his authority to remove the evil: So and so does such and such. So he removes it from him and the likes of that. And his intention is to have that evil removed. However, if that is not what he means, then this backbiting is unlawful.

Thirdly: Seeking a legal verdict (*fatwaa*). So it can be said to the *muftee*, 'My father has oppressed me, or my brother, or so and so has done such and such. So is it for him to do that? And what is my way to resolve it and to attain my right and remove this oppression?'

¹⁹ **Hasan:** Related by Ibn Abee Dunyaa in *al-Gheebah* (p. 83) with a *hasan isnaad*.

²⁰ **Saheeh:** Related by al-Khateeb in *al-Kifaayah* (p. 5) and Ibn Hibbaan in *al-Majrooheen* (1/20) with an authentic *isnaad*.

So this is permissible when it is done for a need. However, it is safer and better to say: What do you say about a man, or an individual, or a husband when his affair is like such and such? So this will bring about the benefit without having to specify an individual, yet along with that, specifying an individual is permitted as we shall mention in the *hadeeth* of Hind if Allaah the Exalted so wills.

Fourthly: Warning the Muslims against an evil and advising them. That is from a number of angles: from them is to dispraise those who are to be disparaged from the narrators and witnesses. That is permissible by consensus of the Muslims. Rather, it becomes obligatory due to a need.

From it is consultation when one wishes to marry someone or to participate in it, or to deal with it or other than that. And it is obligatory upon the one being consulted to not hide the person's condition. Rather, mentioning the evils of that person is part of the advice.

From it is when one sees that the one he has agreed to marry is constantly referring back to an innovator or a *faasiq* (disobedient sinner) and taking knowledge from him, and he fears that this will harm the person, then it is upon him to advise the person and to make clear to them the condition of this innovator or *faasiq* with the condition that he intends to advise him. So this is from that which a person can err in, since he can become jealous of the one whom he is advising and *Shaytaan* can deceive him concerning that this is advice so he tries to become clever in it.

From it is that there must be a *wilaayah* (guardianship) without which the marriage cannot be established because: the person is either of benefit to her, or he is a *faasiq* or a neglectful person and the likes of that. So it is obligatory to mention that to the one who is in charge of her so that he can remove this person and bring her to one of who is beneficial for her, or at least to let him know about that so that he may deal with him in accordance to his condition and not be deceived by him. And so that he may work to encourage him to remain firm or exchange him for someone else.

Fifthly: one who openly displays his disobedience or innovation, such as one who publicly drinks intoxicants, or one who confiscates the property of the people, or one who collects taxes, or one who takes peoples wealth in an oppressive manner and one who carries out false affairs. So it is permissible to mention him along with what he publicly commits, and it is unlawful to mention anything else about him from faults, except that which is permissible to mention due to some of the other reasons we have previously mentioned.

Sixthly: a description, so if one is known with a particular nickname, such as al-A'mash (one affected by an eye-disease) and al-A'raj (lame) and al-Asamm (deaf) and al-A'maa (blind) and al-Ahwal (cross-eyed) and other than them. It is permissible to call them by such names, yet it is unlawful to do it unrestrictedly by way of putting them down. And event though it is permissible to call them by such names, it is still better not to do so.

So these are the six reasons that the Scholars have mentioned and the majority of them have agreed upon this and these six reasons have well known proofs from the authentic *ahaadeeth*.”

Said Abul-Farj Ibnul-Jawzee (d.597H) in *Manaaqibul-Imaam Ahmad Ibn Hanbal* (p. 185), “Indeed, Imaam Aboo ‘Abdullaah Ahmad Ibn Hanbal was staunch in following the *Sunnah* and prohibiting the innovation, and he would even speak out against the best of the people if something issue emerged from them in opposition to the *Sunnah* and his speech concerning that person was considered an advice and sincerity for the Religion.”

So how few of the people have understood this speech, yet the people of knowledge are upon this and they even speak out against the best of the people when they oppose the *Sunnah*. However, where are the *hizbiyyeen* from the likes of this speech? When we speak against the deviant who opposes the *Sunnah*, they are not happy with this. O Allaah forgive. Indeed, this affair from the *hizbiyyeen* is extremely dangerous for the *Salafee manhaj* and a plot against it and it is an attempt to dig a long trench along the path of the *Salafee* calls which have been testified to by the Islaamic arena. From this is that they try to perform disparage the *Salafee du'aat*. Indeed, this affair is from the heads of plotting and misguidance put in place to shoot down the blessed *Da'watus-Salafiyyah*. However, due to our trustworthiness with our Lord He returns their plot back to them.

From Hasan al-Basree who said, “There is no backbiting for the innovator.”²¹

So if someone is found from amongst the people of al-Islam who has an innovation or *tahazzub* or disobedience, then he must be mentioned along with what he possesses in order to warn the people against him as an advice and in order to get closer to Allaah the Mighty and Majestic, yet there is not backbiting for the people of *tahazzub* and innovation.”

O Allaah, the praise is for You, to You is the complaint and You are the One from Whom aid is sought and refuge is sought with You and upon You is the dependence. And there is no might, nor power except with You. And You are enough for us and the best of those who are trusted.

²¹ **Hasan:** Related by Ibn Abee Dunyaa in *al-Gheebah* (p. 88) and al-Khateeb in *al-Kifaayah* (p. 43) with a *hasan isnaad*

[2]: AN-NAMEEMAH – TALE CARRYING:

THE UNLAWFUL TALE CARRYING: MENTIONING THE PROOF FOR THE UNLAWFUL BACKBITING:

Evidence from the Book: Allaah the Exalted said,

“A slanderer going about with calumnies.” [Sooratul-Qalam 68:11]

And Allaah the Exalted said,

“Woe to every slanderer and backbiter.”

A *hummaaz* is one who backbites and a *nammaam* is who speaks words of calumny and corruption.

Evidence from the Sunnah: From Ibn 'Abbaas (*radiyallaahu 'anhumaa*), from the Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) who said, “Upon leaving out of one of the walls of al-Madeenah, a voice was heard of two men who were being punished in their graves. He continued, “They are being punished, yet they are not being punished for anything major. One of them would shield himself whilst urinating, and the other one would walk around carrying tales,’ to the end of the *hadeeth*.”²²

So let the *hizbiyyeen* take warning against causing corruption between the Muslims and quoting that which will harm them from slander, backbiting and causing confusion between them. Since backbiting is the key to evil. And they walk amongst the Muslims spreading *fitan* (trials, tribulations) through carrying tales. However, your Lord is all-Observant. The most evil of the people are those whose tongues are like swords unsheathed even though they were not coerced and they divide and they do not unite and they rebuke and they do not conceal. And Allaah the One from Whom aid is sought.

²² Related by al-Bukhaaree (no. 292) and Muslim (no. 6055)

THE UNLAWFUL TALE CARRYING: MENTIONING THE PROOF FOR THE UNLAWFUL BACKBITING:

The Following is Evidence from the Sunnah: From Jaabir Ibn 'Abdullaah (*radiyallaahu 'anhu*) that the Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) said, "War is deception."²³

Indeed, al-Bukhaaree (d.256H) - *rahimahullaahu ta'aalaa* - wrote a chapter entitled, 'Chapter: What is Disliked from Tale Carrying.'

Said al-Haafidh Ibn Hajr in *Fathul-Baaree* (10/482) under the chapter heading of al-Bukhaaree, "It is as if he was pointing out with this chapter heading that some of the statements are quoted in order to cause corruption. However, it is permissible to quote these statements if they are about a disbeliever for example."

So if there is a *Sharee'ah* benefit in the tale carrying for the common-folk or even if it is specific for some of them, and the intention behind doing it is to attain this benefit, then it is not unlawful. Rather, it becomes something permissible.

Stated an-Nawawee, "And this – the prohibition of tale carrying – is sometimes not done in order to attain a *Sharee'ah* benefit, and sometimes it can be something liked (*mustahabb*) – meaning tale carrying, or it can be obligatory. For example, one can inform another person that someone is trying to harm him or oppress him so that he can be aware of that person."²⁴

I say: so let the people of al-Islaam be warned against those who wish to harm them by teaching them the *manaahij* of political ideologies. And may the peace of Allaah be upon our Prophet Muhammad and upon his family and his Companions.

²³ Related by al-Bukhaaree (10/482) and Muslim (no. 6739)

²⁴ Refer to *Fathul-Baaree* (10/473) of Ibn Hajr.