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Reviews

Book Review: *Refuting ISIS*

By Tomi Pulkkinen

*Refuting ISIS* is a scholarly response to the atrocities committed by the so-called Islamic state in Iraq and Syria, and the misinterpretations of the Islamic texts it uses to justify its horrid acts. In this book, Shaykh Muhammad al-Yaqoubi argues that the organization "is neither Islamic nor a state, but rather a deviant group that is driven by anger, hatred, and a thirst for power, using Islam to reach their goals."\(^1\) The book was first written in early 2015, and published in both Arabic as well as English in that same year. The expanded second edition was published in 2016, with more detailed coverage of such issues as the "prohibition of burning human beings, the abolition of slavery, and Islam's position towards minorities."\(^2\) New subjects, such as "the invalidity of excommunicating Muslim rulers for not applying certain aspects of Shari'ah, Islam's position towards democracy, and the prohibition of destroying pre-Islamic monuments and sacred sites" have also been added to the new edition.\(^3\) The intended audience of the book, according to the author, consists of five groups: (1) young Muslims who might be influenced by ISIS' ideology in the absence of an alternative perspective, (2) Muslims who, being opposed to ISIS, are seeking answers to its theological and legal interpretation, (3) ISIS recruits in order to help them find the legal Islamic justifications to defect from it, (4) the fighters of the Free Syrian Army and others who engage ISIS in combat, and (5) western academics, journalists, politicians, and the general public. Due to the credentials of the author, and his status as a recognized Islamic scholar, the book doubles as a *fatwa* (an Islamic legal opinion) that provides an ideological and religious basis to

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1 Shaykh Muhammad al-Yaqoubi, *Refuting ISIS: Destroying Its Religious Foundations and Proving It has Strayed from Islam and that Fighting It is an Obligation*, 2nd ed. (Virginia: Sacred Knowledge, 2016), xii.
2 Ibid., xi.
3 Ibid., xi.
repudiate the group and negate its claim to be representative of, or belonging to, the Islamic religious tradition.

Shaykh Muhammad al-Yaqoubi is from a scholarly family and a descendant of the Prophet Muhammad. His father was an Imam (leader of congregational prayer) at the Grand Umayyad Mosque in Damascus. He is also a master of the Shadhili Sufi Order, and a “spiritual leader to thousands of Muslims” around the world. He was among the first scholars of Islam to speak against the regime of Bashar al-Assad in Syria. His Refuting ISIS is a detailed fatwa against the renegade sect that calls itself the “Islamic State in Iraq and Syria /the Levant” (ISIS/ISIL) and a refutation of their claim to Islam. The book consists of eleven chapters, along with an introduction, a conclusion, and an interview with the author by Matthew Barber conducted on May 31, 2015, that took place after the publication of his first refutation of ISIS titled The Obligation to Fight ISIS: A Detailed Fatwa Proving that ISIS Have Strayed from Islam, Opposed Shariah and that Fighting Them is Obligatory.

In his introduction, the author presents his answers to some of the most pertinent questions that have been asked regarding the group that calls itself the “Islamic State.” He argues that (1) the claims of ISIS to a caliphate are “null and void,” (2) “attacks against civilians and places of worship in the Muslim world are crimes, and the suicide bombers who commit these crimes are not martyrs,” (3) oaths of allegiance to ISIS are “not binding,” (4) “joining ISIS is forbidden…and one cannot be a true Muslim and an ISIS member at the same time,” (5) the actions of ISIS “are in complete contradiction to the Shariah, and their crimes cannot be justified in Islam,” (6) “it is forbidden to kill non-Muslim citizens or visitors,” (7) “Muslims living in any non-Muslim country must abide by its laws and regulations,” (8) “Slavery is now forbidden due to international treaties, which bind Muslims as well as the rest of the world,” (9) “the implementation of Islamic penalties at times of war, and ignorance is impermissible,” (10) it is a legal obligation under Islamic law that the Muslims in the region fight ISIS, (11) “ISIS does not represent Sunni Islam, and by their deviant beliefs, they are already outside Islam,” and (12) to protect the young Muslims from the ideology of ISIS, moderate Islam should be spread instead of secular ideas.5

4 Al-Yaqoubi, Refuting ISIS, 131.
5 Ibid., 3-4.
Al-Yaqoubi then goes on to explain the historical context and the prophetic traditions (hadith, pl. ahadith) used to repudiate the sect of extremist renegades known as the Khawarij that first appeared in the 7th century, the first century of Islam, and presents his conclusion that ISIS are the Khawarij of today, condemned in harsh words by the Prophet Muhammad himself long before their appearance. Al-Yaqoubi points out that his assessment of the group’s ideology and beliefs is based on its own publications, not on what others have said about them. He urges “the media and the educational institutions to spread [his] fatwa, to communicate its contents, and to hold seminars to discuss its contents.” He also predicts that the defeat of ISIS is imminent and offers his assurances that “whoever dies at the hands of this group is the best of martyrs, and whoever remains patient shall be rewarded and shall witness victory.” He makes the point that there are no scholars among the group who are authorities in any of the Islamic sciences, and therefore, they have no business issuing legal verdicts, even going as far as to assert that “ISIS is the worst enemy of Islam.”

In chapter one, al-Yaqoubi makes the case for his argument that ISIS are the modern-day Khawarij, and provides evidence to support his claim from the sayings of the Prophet Muhammad (hadith) that predict the emergence of a group whose attributes correspond to those of ISIS. He considers ISIS to be Khawarij based on three major areas in which they resemble the description of the group: (1) “revolting against the Muslim community,” (2) “accusing the majority of Sunni Muslims to be unbelievers,” and (3) “deeming as permissible the spread of injustice and corruption across the land.” Among the prophetic traditions (ahadith) that al-Yaqoubi mentions are descriptions of the Khawarij as “the worst of mankind and animals” and “the worst of those who are killed under the sky,” as well as “dogs of hell.” According to the Prophet of Islam, “they shall pass out of the religion, just as an arrow passes out of the prey” and “they call to the book of Allah, though they do not belong to it in the slightest.” He was also reported to have said that “they will seek the extremities of the religion, so much so that they will eventually leave the religion altogether” and

6 Al-Yaqoubi, Refuting ISIS, 7.
7 Ibid., 7.
8 Ibid., 10.
9 Ibid., 14.
that they “read the Quran assuming that it is to their benefit, but instead it is to their detriment.” “Their belief does not go beyond their throats,” and “of all the creatures, they are the most hated by God Most High.”

Chapter two, titled “Barbarism and Atrocities,” enumerates the myriad of crimes committed by ISIS. Included in the long list are killings of “innocent Iraqi and Syrian Muslims,” Christians, foreigners, and prisoners. According to al-Yaqoubi, these killings are prohibited and an affront to Islam, as the Quran states that “whoever kills a person unjustly, it is as though he has killed all mankind. And whoever saves a life, it is as though he had saved all mankind.” (5:32). Regarding the treatment of prisoners of war, the Quran states that “thereafter (is the time for) either amnesty or ransom: until the war lays down its burdens” (47:4). Although the enslavement and killing of prisoners of war have in the past been adopted by the major schools of law in Sunni Islam as lawful by inference from the reported practices of the Prophet, al-Yaqoubi rightly opines that such practices are anachronistic since they have been prohibited by “The Convention relative to the Treatment of Prisoners of War” that was agreed to in Geneva on 12 August 1949 by “196 countries, including Muslim countries.” Al-Yaqoubi maintains that the convention is binding for all Muslims and that following its guidelines is in the best interests of Muslims everywhere. He goes so far as to contend that “abiding by these treaties is a religious obligation for Muslims, so violating them is a sin.” For al-Yaqoubi, following the Geneva Convention is not just a legal requirement; it is a religious imperative, common to all Muslims.

Regarding the burning of the Jordanian pilot Mu'adh al-Kasabeh, a particularly egregious violation of the Geneva Convention by ISIS, al-Yaqoubi maintains that this brutal action is absolutely prohibited in Islam. As the Prophet Muhammad is reported to have said: “No one has the right to punish with fire, except the Lord of the fire!” Although the Quran states that “if you punish, then punish with the like of that wherewith you were

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11 Ibid., 24.
12 Ibid., 25.
13 Ibid., 26.
14 Ibid., 26.
15 Ibid., 27.
al-Yaqoubi reminds the readers that “retributive justice is restricted to what is permitted by the Shariah” and, “while the Muslims are generally allowed to apply retributive justice by fighting back, they are not allowed to employ prohibited means, such as burning, raping, or torturing.” He also points out that the application of a penal punishment in Islam “should be suspended in the presence of a doubt, however slight...to err in pardoning is better than to err in punishing,” and that in Islam “the jurist must exert himself to the utmost to avert capital punishment from Muslims wherever possible.”

In addition to random killings and mistreatment of prisoners, ISIS’ crimes include assassinations, terrorizing innocent people, wrong implementation of Islamic penalties, lootings and mass expulsion, destruction of historical sites, enslavement of religious minorities, and child abuse. All of which are condemned and refuted by al-Yaqoubi with evidence drawn from the Quran, the sunna (practices and sayings of the Prophet Muhammad), and classical Islamic scholars. According to al-Yaqoubi, these “grave transgressions committed by ISIS make it obligatory...for Muslims to fight against them.” He asserts that “Muslims are duty bound to shatter its forces, stop its crimes, and to rid humanity of its evil.”

In chapter three, al-Yaqoubi presents the ISIS worldview and interpretation of Islam according to the words of its own propaganda in a manner that leaves no doubt as to the un-Islamic nature of the group and its ideology. He quotes primarily from the group’s English-language publication Dabiq. There is no need for much refutation of the views expressed in Dabiq, due to their obviously outrageous and misguided nature, which is clear to any reader. Al-Yaqoubi asserts that the group’s strategy “has no connection whatsoever with the noble character of the Prophet Muhammad” and that "the whole ISIS project is an attempt at hiding selfish political aims under the cover of Islamic ideology.”

Chapter four concentrates on the excommunication of Muslims en masse by ISIS. This practice, known as takfir in Arabic, is essential to ISIS’ ideology, as it is used as a justification for killing other Muslims, an act strictly forbidden in Islam. The Quran warns the believers about the dangers of excommunication:

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17 Ibid., 27-28.
18 Ibid., 45.
19 Ibid., 56.
O you who believe! When you go abroad in the cause of God, investigate carefully, and say not to anyone who offers you a salutation: “You are not a believer!” - coveting the perishable goods of this life. With God are profits and spoils abundant. Even thus were you yourselves before, till God conferred on you His favors: Therefore carefully investigate. For God is well aware of all that you do (4:94).  

The prophetic tradition warns against takfir as well; The Prophet was reported as saying that “accusing a believer of unbelief is similar to killing him” and “whenever a man says to his brother, ‘O infidel’ (kafir) the judgement of unbelief falls on one of the two. Either it is true, or else it comes back to him.” The wanton practice of takfir has been warned against by many scholars, among them the influential 13th century Islamic scholar Ibn Taymiyyah, who said that “accusation of unbelief is one of the ills of the innovators. When they differ, scholars accuse each other of error not of unbelief.”

Regarding democracy, which is considered by ISIS to be an act of heresy, al-Yaqubi notes that “ISIS’ position does not recognize the various meanings and usages of the word democracy, nor does it understand how it functions, since democracy does not interfere with religion or aim at eradicating or replacing it.” Furthermore, he goes on to add that “excommunicating Muslims due to their adoption of democracy is absolutely wrong and is a crime against Islam itself, which affords people the right to decide on the form of their government.”

In chapter five, al-Yaqubi addresses the question of whether ISIS’ followers are to be considered Muslims or not. According to him, the opinion of the majority of Islamic jurists have been that the original Khawarij sect were to be considered Muslims, but it was still obligatory to fight against them in order to stop their transgression. He goes on to point out, however, that “a number of distinguished jurists of the past and in recent times have

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20 Al-Yaqubi, Refuting ISIS, 62.
21 Ibid., 62.
22 Ibid., 63.
23 Ibid., 69.
openly declared that the *Khawarij* are not Muslims.”\(^{24}\) Al-Yaqoubi is of the opinion that the claims made by ISIS that the group supports Islam are “refuted by their actions,” and he declares that “ISIS’ leaders are people of unbelief and misguidance.”\(^{25}\) He also finds an uncanny resemblance of the group in a *hadith* from ‘Ali b. Abi Talib, recorded by Nu’aym b. Hammad in the 9th century:

> When you see black flags, stay where you are, and do not move your hand or legs. Then, a group of people shall emerge; they are weak, insignificant, and their hearts are like pieces of iron. They are people of the State. They never fulfill any pact or contract. They call to the truth though they do not belong to it. Their names shall be agnomens and their ascriptions will be after villages. Their hair shall be left down like the hair of women. [They will emerge] until they begin to quarrel amongst themselves. The God will give the truth to whomever He wills.\(^{26}\)

In chapter six, al-Yaqoubi provides evidence in support of his view that “fighting ISIS is a religious duty.”\(^{27}\) He expresses his opinion, in no uncertain terms, as he explicitly states: “I issue here the *fatwa* that fighting the group known as ISIS is a communal obligation (*fard kifaya*) upon Muslims.”\(^{28}\) He also warns Muslims against joining the group and calls the followers of ISIS to “repent to Almighty God” and defect from the organization.\(^{29}\) In chapter seven, al-Yaqoubi declares that an oath of allegiance to their so-called caliph Abu Bakr al-Baghdadi is void,\(^{30}\) and in chapter eight he clarifies that according to the opinion of the majority of Islamic jurists, it is permissible for Muslims to seek the help of non-Muslims when fighting the *Khawarij*.\(^{31}\) In chapters nine and ten, al-Yaqoubi presents some “legal rulings regarding Muslims in

\(^{24}\) Al-Yaqoubi, *Refuting ISIS*, 74.

\(^{25}\) Ibid., 76.

\(^{26}\) Ibid., 76-77.

\(^{27}\) Ibid., 81.

\(^{28}\) Ibid., 84.

\(^{29}\) Ibid., 84.

\(^{30}\) Ibid., 87.

\(^{31}\) Ibid., 91.
western countries” and “non-Muslims in Muslim countries” to clarify that Muslims in non-Muslim countries are obliged by contract to obey the laws of their countries of residence.

Furthermore, al-Yaqoubi affirms that non-Muslims in Muslim countries are protected by covenant of protection that applies to all Muslims. Regarding Muslims living in Western countries, al-Yaqoubi quotes Ibn Nujaym (d.970) who said that “When a Muslim businessman enters the land of non-Muslims under safety, it is forbidden for him to harm them in any way as that would be treachery, and treachery is forbidden,” and ‘Ala al-Din al-Haskafi al-Hanafi (d.1088) who said that “Any Muslim who enters the land of war (meaning a non-Muslim land even during times of war) under an agreement of safety, it is forbidden for him to kill, loot, or commit fornication, as Muslims stand by their contracts.”

Regarding non-Muslims in Muslim countries, al-Yaqoubi quotes two hadiths from the collection of al-Bukhari to assert that “Whoever kills a non-Muslim under contract will never smell the scent of Paradise,” and “It is a covenant that goes for all Muslims. Anyone who breaches this covenant shall be cursed by God, the angels, and all mankind.” Al-Yaqoubi also quotes Ibn Hajar al-’Asqalani who explained, in his commentary on the first hadith, that “It means anyone who has a contract with Muslims, whether by jizya (tax), by truce from a sultan, or by protection from a single Muslim, is included.”

In chapter eleven, al-Yaqoubi offers his advice to the countries fighting ISIS regarding “changing the conditions which enable the growth of extremism,” by making five propositions. First, he exhorts the government of Iraq to “remove oppression from the Sunni population…and to give them their political rights.” Second, he demands that the regime of Bashar al-Asad in Syria “cede authority to the Syrian people.” Third, he contends that steps should be taken to “resolve the Palestinian issue, and protect the sacred sites of Jerusalem and al-Aqsa Holy Mosque.” Fourth, he demands that “the international community must respect the rights of Muslim minorities, especially in countries like Myanmar.

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32 Al-Yaqoubi, Refuting ISIS, 97.
33 Ibid., 101.
34 Ibid., 100.
36 Ibid., 99.
37 Ibid., 101.
(Burma) and the Central African Republic.” And finally, while he calls “Muslims to respect Western societies and cultures,” he is also of the opinion that “Western countries must also respect Muslim values and sacred figures and re-assess the boundaries of free speech.”

Finally, in his conclusion, al-Yaqoubi reiterates his position that ISIS “is a group of deviators that do not represent Islam in any form,” and that the “followers of ISIS do not want to adhere to Islamic law, rather they desire to twist Islamic law to conform to their fantasies.”

Refuting ISIS is a well-argued and convincing fatwa from a scholar whose extensive knowledge and expertise lend it considerable clout and credibility within the Islamic world - credibility that ISIS lacks. Shaykh al-Yaqoubi’s argument is based on authentic Islamic sources (the Quran, hadith, legal opinions of respected scholars) and he offers a wealth of evidence which make the fatwa all but impossible to reject. Although al-Yaqoubi is not the only prestigious Islamic scholar to have explicitly condemned ISIS, in fact most scholars have done the same, his fatwa is the most detailed and widely distributed (not to mention translated into English) of its kind so far. It is an absolutely indispensable source of information to those who lack knowledge about mainstream Islamic teachings, or have doubts regarding the status of the renegade terrorist organization that unfortunately calls itself the “Islamic State.”

38 Al-Yaqoubi, Refuting ISIS, 107-108.
39 Ibid., 109-110.
Author Bio

Tomi Pulkkinen is an undergraduate student at California State University, San Bernardino, with two majors in Middle Eastern History and the Arabic language, as well as a minor in Middle Eastern and Islamic Studies. Tomi is a Finnish national, and has resided in the United States since 2010. Tomi wants to pursue a career in academia, and is preparing for graduate studies in the field of history, with an emphasis in Islam and the Middle East.