



Wasīla, Circumambulating Graves & Accusing Others of *Shirk* and *Kufr*

A reply from the Muftī of the Republic of Egypt, Dr ‘Alī Jumu‘ah

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***Al-Waṭan* publishes¹ the opinion of the Muftī of Egypt regarding *wasīla* and circumambulating graves in response to some Kuwaitis.**

Dr ‘Alī Jumu‘ah: There is an enormous and vast difference between *wasīla* and *shirk*, as *wasīla* is commanded to in the Revealed Law.

The Muftī of the Republic of Egypt, Dr ‘Alī Jumu‘ah, has made his contribution to the debate between the general secretary of the General Secretariat of Awqāf, Dr Muḥammad ‘Abdul Ghaffār Al-Sharīf and Shaykh Ṣāliḥ Bin Fawzān Al-Fawzān, a member of the supreme council of scholars in the Kingdom of Saudi Arabia, as well as Fayṣal Qazāz Al-Jāsim, whose comments have also been published as part of this debate that is taking place in the pages of *Al-Waṭan* regarding a number of Islamic issues. The Muftī of Egypt’s contributions have come as an answer to a question that was previously submitted to the Egyptian Fatwa Office via fax by Muḥammad Al-Fahd, Bassām Al-Hārūn, Aḥmad Al-Niṣf, Aḥmad Al-‘Abīd and ‘Abdur Raḥmān Al-Kandarī and registered under no.1113 for the year 2006.

What follows contains the text of the response that Dr Jumu‘ah gave to the question and which was published by *Al-Waṭan* because of its connection to this Islamic discussion over an issue that causes a lot of division:

¹ Originally published in Arabic in the Kuwaiti newspaper “*Al-Watan*” on Monday, 21 August 2006.

'Praise be to Allah alone, and prayers and peace be upon the one after whom there is no other prophet, our Master, Muḥammad, the Messenger of Allah, as well as his family, his Companions, and those who follow him in excellence until the Day of Judgment. We have been informed of the request that has reached us via fax from the Profs. Muḥammad Al-Fahd, Bassām Al-Hārūn, Aḥmad Al-Niṣf, Aḥmad Al-'Abīd and 'Abd Al-Raḥman Al-Kandarī and registered under no.1113 for the year 2006. It contains the following:

'An interview with one of our respected Shuyūkh was published in Kuwait in *Al-Ra'ī* newspaper on the 20th of March, 2006/20th Ṣafar 1427, and this Shaykh was, for a certain period of time, the dean of the Faculty of Sharī'ah at the University of Kuwait. The interview included this response to a question that was given to him regarding *shirk*: 'As for circumambulating graves, this is not rightful according to all the scholars of the Muslims, including the Sufis, and they have differed over whether it is *ḥarām* or *makrūh*, and none of them said it was *shirk* apart from a few that could be counted on one's fingers from the people of knowledge.' This led to a great uproar in several articles, some of which were written by professors of Sharī'ah, which attacked the Shaykh's words and denounced him, and they even went as far as accusing him of propagating *shirk*. Due to the fact that your rank and your words have a special place in our hearts, we wanted you to say the word of truth with regards to clarifying Allah's ruling in this matter and thus put an end to this controversy that is having blameworthy consequences.

The Answer:

It is befitting to put forward three principles that should be kept in mind when discussing this issue and others like it:

- 1) The principle with regards to the actions that are committed by a Muslim is that they are to be interpreted in a way that does not oppose the principle of *tawḥīd*. It is not permissible to hastily accuse him of *kufr* or *shirk*, because his Islam is a strong affiliation that requires us not to interpret his actions in a way that would necessitate *kufr*. This is a general maxim that all Muslims should adhere to. Imam Mālik, the Imam of *Dār Al-Hijra*, may Allah the Exalted have mercy on him, expressed this by saying: 'If someone commits an action that could be interpreted as *kufr* from ninety-nine angles and as *īmān* from only one angle then we interpret it as an action of *īmān*.' Let us give one example of a statement and another of a physical action.

A Muslim believes that the Messiah, peace be upon him, brings the dead back to life but with Allah's permission, and he is incapable of doing it by himself. Rather, it is Allah's power that does it. A Christian believes that he brings the dead back to life, but he believes that he does it with his own intrinsic power, and that he is Allah, or the son of Allah, or one person of the Trinity, as they believe. Therefore, if we hear a Muslim, who believes in Allah's Oneness, saying: 'I believe that the Messiah brings the dead back to life,' which is the same statement that the Christian makes, we should not assume that the Muslim has become a Christian because of these words. Rather, we interpret them according to the meaning that befits his affiliation to Islam and the creed of Allah's Oneness.

A Muslim also believes that it is not permissible to devote one's worship to other than Allah, while the idolater² believes that it is permissible to devote one's worship to other than Allah the Exalted. Therefore, if we see a Muslim doing an act that could be interpreted as being done for other than Allah, we must interpret it according to what befits his creed as a Muslim, because his pledge to Islam has been firmly established with certainty, and certainty is not removed by doubt or speculation. This is why, when Mu'adh Bin Jabal, may Allah be pleased with him, prostrated to the Prophet, may Allah's prayers and peace be upon him, as has been related by Ibn Mājah and declared as authentic by Ibn Ḥibbān, the Prophet, may Allah's prayers and peace be upon him, forbade him from doing so but he did not describe this action of his as *kufr* or *shirk*. Furthermore, it is undeniable that Mu'adh, may Allah be pleased with him, is the most knowledgeable of this Ummah with regards to the *ḥalāl* and the *ḥarām*, and he was not ignorant of the fact that prostrating is an act of worship and it is not permissible to devote acts of worship to other than Allah. However, since prostrating can be interpreted to be something other than worship of the one being prostrated to, it is not permissible to interpret it as worship if it is done by a Muslim, or to declare that Muslim to be a *kāfir* in any way. Regarding this, Al-Ḥāfiẓ Adh-Dhahabī says: 'Have you not seen that the Companions, due to their boundless love of the Prophet, may Allah's prayers and peace be upon him, said: 'Should we not prostrate to you?' He said: 'No.' Thus, if he had permitted them, they would have prostrated to him out of honour and respect, not worship, just as Yūsuf's brothers prostrated to him, peace be upon him. Likewise, the position regarding a Muslim who prostrates to the grave of the Prophet, may Allah's prayers and peace be upon him, out of exaltation and reverence, is not accused of disbelief but rather he is disobedient and he is informed that this action is prohibited. The same goes for praying towards graves.'³

Violating this principle is the standard practice of the Khawārij. According to Ibn 'Umar, may Allah be pleased with both of them, this was the starting point of their misguidance. He said: 'They took the āyāt that referred to the disbelievers and applied them to the believers.' Al-Bukhārī narrated it with a suspended chain⁴ of transmission in his *Ṣaḥīḥ* and it was completed by Ibn Jarīr Al-Ṭabarī in *Tahdhīb Al-Āthār* with an authentic chain of transmission.

- 2) There is an enormous and vast difference between *wasīla* and *shirk*, as *wasīla* is commanded to in the Revealed Law in the Exalted's Statement: **"O you who believe! Have taqwā of Allah and seek the means [*wasīla*] of drawing near to him, and do jihad in His Way, so that hopefully you will be successful."** [Al-Mā'ida 5:35] The Glorified also praised those who do *tawassul* in their supplications when He said: **"Those they call on are themselves seeking the means by which they might approach their Lord – which of them are closest to Him? – and are hoping for His mercy and fearing His punishment."**

² (tn): Ar. *mushrik*

³ *Mu'jam Al-Shuyūkh* p.56

⁴ (tn): Ar. *mu'allaq*. This refers to when a narrator quotes a ḥadīth but omits either a) the entire chain of transmission or b) the entire chain of transmission except for the Companion or the Companion and the Follower from that chain.

The punishment of your Lord is truly something to be feared.” [Al-Isrā’ 17:57]. In the Arabic language, *wasīla* means ‘rank, ‘connection’ and ‘nearness’, and thus the overall meaning is drawing near to Allah the Exalted by way of that which He the Glorified has legislated and that includes extolling everything that Allah the Exalted has extolled, whether it is places, times, individuals or states. Thus, a Muslim strives, for example, to pray in Al-Masjid Al-Ḥarām and supplicate at the grave of Al-Muṣṭafā, may Allah’s prayers and peace be upon him, and this is extolling the places that Allah the Exalted has extolled. A Muslim seeks to pray on Laylat Al-Qadr and supplicate within the time of response⁵ on Friday as well as in the last third of the night, and this is extolling the times that Allah has extolled. A Muslim draws near to Allah by loving the Prophets and the righteous, and this is extolling the individuals that Allah has extolled. A Muslim seeks to supplicate while travelling and when rain falls, and other instances, and this is extolling the states that Allah has extolled, and so on, and all this falls under the Exalted’s statement: **“That is it. Whoever extolls Allah’s sacred rites, then that comes from the taqwā in their hearts.” [Al-Ḥajj 22:32]**

As for *shirk*, it means to devote an act of worship to other than Allah in a way that should only be done for Allah the Exalted, even if it is done with the objective of drawing nearer to Allah. Allah the Exalted has said: **“If people take protectors besides Him – ‘We only worship them so that they may bring us nearer to Allah.’” [Az-Zumar 39:3]** We have only said ‘in a way that should only be done for Allah the Exalted’ in order to exclude everything that goes against worship in terms of what it describes even if its outward description doesn’t. For example, the word *du‘ā’* can mean a supplication, and thus it is worship of the one being supplicated to: **“What they call on [yad‘ūna] apart from Him are female idols.” [Al-Nisā’ 4:117]** However, it can also mean simply to call someone, and thus not be a supplication: **“Do not make the Messenger’s summoning [du‘ā’] of you the same as your summoning of one another.” [Al-Nūr 24:63]** Also, the context may tell us that supplication is being made *for* someone and not *to*: **“for beggars and the destitute.” [Al-Ma‘ārij 70:25]** There is also the word *isti‘āna*,⁶ which may be worship of the One Whose help is being sought: **“You alone we worship and**

⁵ (tn): Ar. *sā’at ul-ijāba*. Imam Yaḥyā Al-Nawawī says: ‘We have related in the two *Ṣaḥīḥ* collections of Al-Bukhārī and Muslim, on the authority of Abū Hurayra, may Allah be pleased with him, that the Messenger of Allah, may Allah’s prayers and peace be upon him, mentioned Friday and said: **“On that day there is a time in which no Muslim slave who coincides with it while he is standing and praying and asking Allah the Exalted for something except that He gives it to him.”** He then indicated with his hand that it was a short time. I say: The scholars from the *salaf* and the *khalaf* have differed over when this time is, giving many dispersed opinions, and I have gathered all the opinions on the matter in *Sharḥ Al-Muḥadhdhib* [i.e. *Al-Majmū’*, the Imam’s 27-volume fiqh book and ultimate reference work for the Shāfi‘ī school] and explained who has held what position, and indeed many of the Companions held the position that it was after ‘Asr. What is meant by “standing and praying” is the own who is waiting for the prayer, because it is as if he is in prayer. The most authentic position that has reached us in this matter is what we have related in *Ṣaḥīḥ Muslim* on the authority of Abū Mūsā Al-Ash‘arī, may Allah be pleased with him, who said: ‘I heard the Messenger of Allah, may Allah’s prayers and peace be upon him, saying: **“It is what is between the imam sitting until the prayer is finished.”** i.e. sitting on the minbar. [Translated from *Al-Adkhār min Kalām Sayyid Al-Abrār* by Al-Imām, Al-Ḥāfiẓ, Shaykh al-Islām Muḥyī Ad-Dīn Abī Zakariyā Yaḥyā bin Sharaf Al-Nawawī Al-Dimashqī Al-Shāfi‘ī (Damascus: Al-Maktaba Al-‘Asriya, 2000/1421) p.141] For further details, one can refer to *Al-Futūḥāt Al-Rabbāniyyah ‘ala Al-Adhkār Al-Nawawīyyah* by Imam Muḥammad Bin ‘Alān, (Beirut: Dār Iḥyā’ Al-Turāth Al-‘Arabī) v.4, p.227-9.

⁶ (tn): i.e. seeking help

from You alone we seek help.” [Al-Fātiḥa 1:5], “Mūsā said to his people: ‘Seek help from Allah and be patient.’” [Al-‘Arāf 7:128], but it might also not be worship: “Seek help through patience and prayer.” [Al-Baqara 2:45] Love, likewise, can be worship of the object of one’s love and at the same time it might not be, as the Prophet, may Allah’s prayers and peace be upon him, indicated when he said: **“Love Allah for the blessings that He provides you with, love me because of Allah’s love and love the people of my household due to my love.”** [Narrated by Al-Tirmidhī and declared authentic by Al-Ḥākim] and so forth, which means that *shirk* only refers to extolling other than Allah in a way that is only befitting of Allah the Exalted. For example, the Exalted has said: **“Do not, then, knowingly make others equal to Allah.”** [Al-Baqara 2:22] The Glorified has also said: **“Some people set up equals to Allah, loving them as they should love Allah. But those who believe have greater love for Allah.”** [Al-Baqara 2:165] Thus, the difference between *wasīla* and *shirk* has been made clear, because *wasīla* means to extoll that which Allah has extolled, which is ultimately extolling Allah, as Allah, Mighty and Majestic has said: **“That is it. Whoever extolls Allah’s sacred rites, then that comes from the taqwā in their hearts.”** [Al-Ḥajj 22:32] As for *shirk*, it means to extoll something else in addition to Allah, or merely something else. This is why the angels’ prostration to Adam, peace be upon him, was *īmān* and *tawḥīd* and the prostration of polytheists to their idols is *kufr* and *shirk*, even though both prostrations were, or are, made to created beings. However, the angels’ prostration to Adam, peace be upon him, was extolling that which Allah had extolled, and as Allah had commanded. It was a legislated *wasīla* and those who did it deserved reward. Polytheists’ prostration to their idols is extolling something in a way that only Allah should be extolled, and thus it is *shirk* and blameworthy, and those who do it deserve to be punished.

Based on this principle regarding the difference between *wasīla* and *shirk*, a group of scholars have said that it is permissible to swear by that which is extolled in the Sharīah: the Prophet, may Allah’s prayers and peace be upon him and his family, Islam, the Ka’ba, and this group includes Imam Aḥmad, may Allah the Exalted have mercy on him, in one of his statements, in which he deemed it permissible to swear by the Prophet, may Allah’s prayers and peace be upon him and his family, and he justified this because of the fact that he, may Allah’s prayers and peace be upon him, is one of the two pillars of the *shahāda*, without which it is incomplete. This is because such an act does not bear any resemblance to Allah the Exalted in any way. Rather it is extolling Allah by extolling what He has extolled. These scholars have also interpreted the aḥādīth that prohibit swearing by other than Allah to mean swearing in a way that contains resemblance to Allah, while the majority of scholars have forbidden it based on the outward, general meaning of the prohibition of swearing by other than Allah.

In order to clarify the first opinion and give it more weight, Ibn Mundhir, may Allah have mercy on him, says: ‘The people of knowledge have differed over the meaning of the prohibition of swearing by other than Allah. One group holds the position that it is specific to the oaths that were made by the people of *jāhiliyya* to other than Allah, such as Lāt, ‘Uzzā and their own ancestors. The one who makes such an oath has sinned and there is no expiation mentioned for it. As for what can be interpreted as extolling Allah, such as saying: ‘By the right of the Prophet’, or Islam, or the Ḥajj, or the ‘Umrah, or

guidance, or charity or the emancipation of slaves, and other things whose intent is extolling Allah and drawing near to Him, these do not fall under the prohibition. Those who hold this position include Abu 'Ubayd and a group whom we have encountered, and their proof is what has been related regarding the Companions consenting to a person swearing by emancipation, guidance and charity, and they consented to this person even though they were aware of the abovementioned prohibition. This indicates that according to them the prohibition was not general. If it were general, they would have forbidden it and not consented to it at all.⁷

Should any difference of opinion arise after that regarding certain forms of *wasīla*, such as making *tawassul* through the righteous and supplicating at their graves, for example, or if an error is committed therein by some Muslims, i.e. something that hasn't been legislated, such as prostrating to graves or circumambulating them, it is not then permissible to move this error or this difference of opinion from the scope of *wasīla* to that of *shirk* or *kufr*, because by doing so we would be mixing between matters and making the extolling of that which Allah has extolled to be the same as extolling something besides Allah, and Allah the Exalted has said: **“Would We make the Muslims the same as the evildoers? What is the matter with you? On what basis do you judge?”** [Al-Qalam 68:35-36]

- 3) There is also a difference between something being a means and believing that it is a creator and that it is able to affect things intrinsically, and this is just like the example we gave in the first principle of the Muslim believing that the Messiah, peace be upon him, is a means in the creation according to Allah's permission, as opposed to the Christian, who believes that he acts according to himself. If we see a Muslim requesting, asking, seeking help or hoping for some benefit or harm from other than Allah, then we must decisively interpret his action as one of seeking means and not due to believing that what is besides Allah is a creator or is able to affect things intrinsically. This is because we know that the creed of every Muslim is that intrinsic benefit and harm only come from Allah and that created beings only benefit and harm according to Allah's permission. All that remains after that is discussing whether this or that created being was the means or not.

Once these three principles have been established then we must bear them in mind when discussing the ruling regarding circumambulating graves, for if we know that we are talking about actions committed by Muslims, and that these Muslims are visiting these tombs and graves because of the righteousness of the people in them and in order to draw nearer to Allah the Exalted, and that visiting graves is a righteous action and it is a means [*tawassul*] of seeking nearness to Allah the Exalted, and that the discussion is only regarding the permissibility of certain actions committed by these Muslims, and that some of their actions are differed over by scholars and some are indisputably wrong; if we know all of this then it should be absolutely clear to us there is no place whatsoever for *shirk* or *kufr* when judging the actions of these Muslims. Rather, there is a difference of opinion over some *wasā'il* while some others are indisputably wrong, without there being any need to accuse someone whose Islam is established with certainty of committing *kufr*.

⁷ Quoted by Al-Ḥāfiẓ Ibn Ḥajar in *Fatḥ Al-Bārī* 11/535

In examining the opinions of the people of knowledge regarding the ruling for circumambulating graves, we see that it falls within the scope of whether it is *makrūh* or *ḥarām*, i.e. there are those who hold the position that circumambulating is an unlawful *wasīla* and that the one doing it is sinning and there are those who hold the position that it is better for a Muslim to leave it off but if he does do it he does not merit any punishment. The position that it is *makrūh* is the *mu'tamad*⁸ of the chief scholars of the Ḥanbalī school, as is mentioned in the book *Kashf Al-Qinā'* by the seal of their investigative scholars,⁹ Al-'Alāma Al-Bahūtī, and the position that it is *ḥarām* is the position of the majority of scholars, and that is the fatwa.

As for involving *shirk* and *kufr* in this matter, there is no need, unless it is assumed that the one circumambulating is actually worshipping whoever is in the grave, or he believes that the person in the grave can intrinsically harm him or benefit him, or he believes that circumambulating the grave is an act of worship that Allah the Exalted has legislated, just as He has legislated circumambulating the Ka'ba. These are all possibilities which the people of knowledge stay away from when interpreting the actions of a Muslim, as we've mentioned before, because the premise of the matter is regarding the Muslim who is circumambulating, and nothing else.

It is not permissible for Muslims to preoccupy themselves with matters like these and make them issues over which to attack one another. It is a pointless fuss and a means of breaking ranks, squandering efforts and distracting us from building our communities and uniting our Ummah. We ask Allah the Exalted to unite the hearts of the Muslims upon the Book and the Sunnah and to grant them a good understanding of the religion and the knowledge of what Allah the Exalted wants from His slaves. Amīn.



⁸ (tn): i.e. the most relied-upon position in the school

⁹ (tn): Ar. *muḥaqqiqīn*