since the Muslims are one unified body and are represented by their eaders and scholars. [136]

[36] Imaam Ash-Shawkaanee said: "Its manner, i.e. that of the *bay'ah*, is that a group amongst the influential people of status and position gather together and agree to give the pledge of allegiance (*bay'ah*) to him...The point here is that he bay'ah must be given to him, i.e. the Imaam, by the influential people of status and position, for this is the matter by which obedience to him becomes binding, and allegiance to him becomes affirmed, and differing with him becomes forbidden. The evidences and proofs establish and affirm this. Allaah has eliminated for us the burdens of having to undertake travel, suffer journeys and traverse deserts with the bay'ah of the influential people of status and position who give allegiance to the Imaam, since by this, his Imaamate will become affirmed and the Muslims will be obligated to obey him. It is not a condition for affirming the Imaamate of someone that everyone who is fit to give the *bay'ah* gives him allegiance, neither is it a condition for a man's obedience to the Imaam that he must be from those who personally give *bay'ah* to him. These two conditions are rejected according to the unanimous agreement of the Muslims, the first and last of them, the former and latter of hem." [*As-Sayl-ul-Jarraar*: 4/511 and 513]

Someone might say: *Bay'ah* should not be given to anyone except for the maam that is universal for all of the Muslims, as was the condition during the ime of the righteous Khaleefahs. So we respond to this misconception, and with Allaah lies the success, by saying:

maam Ash-Shawkaanee, may Allaah have mercy on him, said: "Since the slamic Imaamate is designated to one person and the affairs return back to im and are connected to him, as was the case in the days of the Sahaabah, the Taabi'een, and their followers, then the legal ruling concerning the second eader that comes after allegiance to the first leader has been established is that e must be killed, if he does not repent from causing this rift. But after Islaam spread, its lands became vast, and its borders grew distant from one another, hen it is well known that in each region or regions allegiance was given to a eader or a ruler, and the same applied for all the other regions. And a command or a prohibition in the other ruler's region would not pass over some of them. So there is no harm in having numerous leaders and rulers. Furthermore, each one of these rulers, after the allegiance has been given to im, must be obeyed by the people of that region in which his commands and

prohibitions are implemented. The same thing goes for the ruler in another region.

So if there appears someone who rivals the leader in the region in which his authority has been established and to whom the people have given allegiance to, then the ruling with regards to this person is that he must be killed, if he does not repent. The inhabitants of the other regions are not required to obey him or enter under his authority due to the vast distance between the regions. So be aware of this, for it indeed corresponds to the religious fundamentals and it conforms to what the proofs indicate. And leave off what is said in opposition to it, for the difference between what the Islamic rulership required during the first part of Islaam and what it is like now is clearer than the sun above a river. And whoever rejects this is deluded and does not deserve to be spoken to with proofs since he will not comprehend them." [Abridged from *As-Sayl-ul-Jarraar*: 4/512]

There is another misconception that goes as such: "There can be no Imaamate without the selection and consent of the subjects, particularly the influential people of status and position. We say: These words do not come except from two individuals: Either he is ignorant of the Sunnah, so the matter should be clarified to him, and we should ask Allaah to open his heart. Or he is an ignoramus that knows the truth yet rejects it. This person follows his desires and there is no point in speaking to him. To refute this misconception, we say, seeking Allaah's assistance:

Everyone from the students of knowledge and common folk should know that the Khilaafah and the Imaamate can be achieved in several ways: (1) Either by choosing the person who is most qualified and best positioned for it, as was the case with Abu Bakr As-Siddeeq, may Allaah be pleased with him; or it can be achieved by (2) the former leader passing it onto his successor, as was the case when Abu Bakr delegated the authority over to 'Umar; or it may occur by (3) delegating the matter to a specified group of well-known individuals to choose someone from amongst them, as was the case when 'Umar delegated the authority to the people of the *Shooraa* (Committee). Then when 'Uthmaan was martyred, the people gave the oath of allegiance to 'Alee. Or leadership can be achieved by (4) victory through battle, as was the case with Banu Umayyah and other, for the Khilaafah of Banu Umayyah occurred in Andalus, while the Khilaafah of the 'Abbaasee tribe was established in Baghdad. And the Imaams and scholars of the Sunnah were abundant and spread out during this time, amongst whom were Hameed At-Taweel, Shu'bah bin Al-Hajaaj, Ath-