

5. Spanish Morocco (1942-1947): First Confrontations with Moroccan scholars and the Issue of Shaving the Beard

5.1. Back to Morocco to accomplish a mission

In March 1942, Al-Hilālī returned to Morocco at the request of Hajj Amīn al-Ḥusaynī (1893-1974). The latter asked him to accomplish a mission for him in Morocco and to deliver an ‘oral message’ (*risāla shafawiyya*)¹ to ‘Abd al-Khāliq al-Ṭurrays (d.1970), the leader of *Ḥizb al-Islāḥ al-Waṭanī* (the Party for National Reform). Al-Hilālī himself does not mention what kind of mission he had to fulfil in Morocco, except for the fact that it concerned the Islamic *Umma* and the Muslims. In his doctoral dissertation, Lauzière states that Al-Hilālī was secretive about his departure from Germany.² In fact, Al-Hilālī left Germany in order to contact Moroccan nationalists, to enlist their help in an effort to assist the Axis impede the Allies as much as they could. On the basis of a German political document, Umar Ryad has suggested that this ‘message’ had something to do with Al-Ḥusaynī’s plan to establish a centre for Arab Legions by setting up a German-Arab *Lehrabteilung* in North Africa after any successful German advance into the region.³

Moreover, in *The Arab War Effort* the American Christian Palestine Committee reported that Al-Ḥusaynī’s contacts with the pro-Axis leaders of the Muslims in North Africa were very strong. He had even submitted a plan to the German Military Command for the recruitment of 500,000 Moroccan, Tunisian and Algerian soldiers. While he had been in Germany, Al-Ḥusaynī had opened a special North African Bureau (*Maktab al-Maghrib*) which was supported financially by *Das Arabische Buro des Grossmufti in Berlin*⁴ and Hajj

¹ Al-Hilālī (2005a), 37.

² Lauzière, Henry (2008), 265.

³ Ryad and Nordbruch eds (2014), 138.

⁴ The *Büro des Grossmufti* was a special Office of Haj Amīn al-Ḥusaynī, initially established in Berlin and later in Oybin, with branches in other parts of Germany and Italy. Its activities included: (1) radio propaganda; (2) espionage, sabotage and parachute expeditions; (3) the organization of Muslims into military units in Axis-occupied countries and in North Africa; (4) establishment of the Arab legions and the Arab Brigade. See The American Christian Palestine Committee (1947), 19. See also Schechtman (1965), 127.

Amīn had broadcast to North Africa on numerous occasions, urging Muslims to help the Axis do everything in their power to thwart the Allies.⁵

Jeffrey Herf claims that by 1941 a ‘complete harmony of interests’ had developed between the Nazi leaders and pro-Nazi Arab nationalists.⁶ This is confirmed by ‘Abd al-Majīd Benjelloun, who maintains that, after France had been defeated, the Moroccan nationalists strengthened their links with Nazi agents to such an extent they actually believed that their collaboration would result in the liberation of their country.⁷ In early 1941, Al-Ṭurrays took the opportunity to forge links with the Germans and he even travelled to meet Goering and Himmler, in the greatest secrecy, to try to convince the Germans to help Morocco achieve its independence. On his return to Morocco, on 8 February 1941, Al-Ṭurrays told his comrades, especially the Spaniards, that, as well as seeing Goebbels and Himmler, he had also met Hitler.⁸ According to Umar Ryad, who bases himself on a letter of 14 November 1941, Al-Ṭurrays guaranteed Al-Ḥusaynī that his National Reform Party and all the other nationalist organizations would be placed under Al-Ḥusaynī’s command and that they were ‘ready to make any sacrifice’.⁹

Al-Ṭurrays and his comrades in the National Reform Party believed that Germany could really help Morocco to become independent of Spain, or at least to convince the latter to grant internal autonomy to some regions. This co-operation took different forms: financial support, the provision of weapons and the spreading of propaganda in support of the Moroccans. On the 8 November 1942, Al-Hilālī acted as an interpreter for ‘Abd al-Khāliq Al-Ṭurrays (d.1970), the leader of the Party of National Reform, who had everything in readiness to receive and distribute money and weapons from the Germans to his party.¹⁰ On 1 July 1977, Al-Hilālī gave the following testimony:

In the 8 November 1942, a German came to see Al-Ṭurrays with whom I was sitting. I was the one who interpreted their conversation. I could see the man handing Al-Ṭorris

⁵ The American Christian Palestine Committee (1947), 42. See also Schechtman (1965), 131.

⁶ Herf (2009), 45.

⁷ Benjelloun (1988), 220-224.

⁸ Ibid.

⁹ Ryad and Nordbruch eds (2014), 138.

¹⁰ Benjelloun (1988), 224.

7,000 Marks and offering him weapons, but Al-Ṭurrays refused [his offer], telling him that what he wanted was impossible, because the Americans would occupy Morocco.¹¹

Al-Ṭurrays and his comrades in the PRN believed the best expedient was to rely on Germany to liberate Morocco or at least to oblige Spain to grant Morocco the autonomy of its internal zones.¹²

Most likely, the second reason Al-Hilālī left Germany was, as outlined above, the fact that when Germany had defeated France and taken control of it, the German Ministry of Foreign Affairs forbade Al-Hilālī to write anything hostile to French colonialism in Morocco or to criticize any high-ranking French representative in Morocco. Despite this restriction, Al-Hilālī adds, that the managing-director of Radio Belin allowed him to say anything he liked about Britain. According to his own statement, Al-Hilālī replied that he would never again write another new article for Radio Berlin and immediately resigned.¹³ Al-Hilālī claims that after his resignation, he never received the 12,000 Marks which Radio Berlin was supposed to pay him as his annual salary.¹⁴

When Al-Hilālī arrived in the city of Tetouan in the north of Morocco in March 1942, the Spaniards were annoyed by his arrival, because they believed that Germany had sent him specifically to collaborate with the Moroccan nationalists in building up opposition to Spain. They made sure he would be prevented from returning to Germany by confiscating his passport and putting him under surveillance. Al-Hilālī denied all the Spanish accusations.¹⁵ The Spaniards demanded Al-Hilālī prove that he was not a Nazi collaborator by writing an article condemning Germany in which he was to declare that the Germans did not have any right to colonize Morocco. Instead in his own words, Al-Hilālī wrote an article declaring that Morocco belonged to the Moroccan people and that neither the Germans, the French nor the Spaniards had any right to colonize it.¹⁶ After the publication of this article, the Spanish authorities relented a little and allowed him to write on religious matters, but warned

¹¹ Ibid.

¹² Ibid.

¹³ Al-Hilālī, “al-Islām yukāfiḥu al-’Isti‘mār,” 1947, 12-13.

¹⁴ Ibid.

¹⁵ Al-Hilālī (2005a), 71.

¹⁶ I was not able to trace this article. However, in his book Muḥammad al-Majdhūb mentions that it was published in Majallat al-Ḥurriya in 1942. See Al-Majdhūb (1977), 203.

him to steer clear of politics, under pain of transferring him to the French Zone.¹⁷

Immediately after his return to Morocco, Al-Hilālī remained unemployed for the period of one year, but he was able to survive thanks to Hajj Amīn al-Ḥusaynī who sent him money on many occasions and offered him a position as his salaried personal secretary.¹⁸

One year after publishing the above-mentioned article, the Spanish Governor-General assigned him, according to in Al-Hilālī's own words, to an honourable position which was only open to such senior scholars as Mudīr Khizānat Ma'had al-Bāḥithīn (the Director of the Library of the Institute of Researchers), and gave him a monthly salary of 300 Pesetas.¹⁹ Supplementing this, Al-Hilālī also received a salary of 500 Pesetas from the Ministry of *Awqāf*. One wonders why Al-Hilālī accepted a salary from the official religious authorities as he had become a fierce, open opponent of the Mālikī School. Indeed, at that time Aḥmad al-Raysūnī (1917-1980), asked the Minister of *Awqāf*, Muḥammad ibn Mūsa (d. 1965), the following question:

Oh Minister! How could you give 500 Pesetas from the Muslim *awqāf* to Al-Hilālī, who opposes the Malīkī School, criticizes the saints and denies the dignity of the Ash'arī Doctrine?

Al-Hilālī said that the minister replied to him saying: 'Do not pay any heed to popular rumours. There is no harm in attending his lectures in the Great Mosque of Tetouan, perhaps you will change your mind.'²⁰

Al-Hilālī had himself answered the afore-mentioned question by saying that he had been preaching in the Great Mosque in Tetouan at the request of a large number of people, adding that he did ask to be paid for his sermons. 'Abd al-Khāliq al-Ṭurrays was one of those who had arranged for him to preach by convincing Mawlāy al-Ḥasan ibn al-Mahdī (1912-1984), the incumbent Khalīfa in North Morocco, of his qualities.²¹

In that period, Al-Hilālī urged people to follow the *Qur'ān* and the *Sunna* and turn away from 'innovations'. Many had welcomed his call. Al-Hilālī also published a

¹⁷ Al-Hilālī (2005a), 71.

¹⁸ Al-Hilālī (2005a), 132.

¹⁹ Al-Hilālī (2005a), 71-72.

²⁰ Al-Hilālī (2005a), 60.

²¹ Al-Hilālī (2005a), 73.

commentary on Muḥammad ibn ‘Abd al-Wahhāb’s treatise *Kashf al-Shubuhāt*, entitled ‘Footnotes on [the Book Entitled] “Revealing Specious Arguments”’, which he attributed to “Imām Muḥammad ibn Sulaymān al-Dar‘ī”.²² At the same time, he also released a commentary on Ibn Taymiyya’s book about visiting shrines, *Ziyārat al-qubūr wa-l-istinjād bi-l-maqbūr*, (Visiting Graves and the Supplication of the Entombed), in which he used the same arguments, from the *Qur’ān* and the *ḥadīth*, as he had used in his booklet *al-Qāḍī al-‘adl fī ḥukm al-binā’ ‘ala al-qubūr*²³ (The Righteous Judge on the Ruling on Building on Tombs), which he had written in 1927 and has been discussed in Chapter 2. In order to attract a wider readership for this book, Al-Hilālī attributed it to ‘Imam Aḥmad ibn ‘Abd al-Ḥalīm al-Ḥarrānī’ and did not mention the name Ibn Taymiyya at all. Al-Hilālī asserted that both books angered the Sufi *shaykhs*, and this topic became the subject of many Friday sermons, which also annoyed the prime minister, Aḥmad al-Ghanīma. However, some nationalists, among them Muḥammad al-Ṭangī (d.1991) and ‘Abd Allāh Guennūn (d.1989), welcomed the publication of these books, copies of which were sent to Shaykh Muḥammad ibn Ibrāhīm (d.1969), the Chief Judge of Saudi Arabia, who praised the strategy to which Al-Hilālī had resorted to circulate the books more widely. In his book *Al-Da‘wa*, Al-Hilālī claimed that he managed to sell 1,000 copies of each book.²⁴

Al-Hilālī used both books as major references in his lessons, especially the commentary on Muḥammad ibn ‘Abd al-Wahhāb’s treatise *Kashf al-Shubuhāt*, entitled ‘Footnotes on [the Book Entitled] “Revealing Specious Arguments”’. He also used *Fatḥ al-Majīd* on *Kitāb al-Tawḥīd*, a famous commentary by Muḥammad ibn ‘Abd al-Wahhāb during his lessons. In this period, Al-Hilālī also published some other books, among them *Kitāb al-Ṣirāṭ al-Mustaqīm fī Ṣifāt Ṣalāt al-Nabī al-Karīm*, devoted to the proper way of praying without admitting any ‘innovations’. To spread his message, Al-Hilālī took to preaching in many towns and villages in northern Morocco. This was not very successful as, on many occasions, local ‘*ulama*’ insulted him and accused him of being a Wahhābī, sowing *fitna* (dissension) and opposing the Maliki School.²⁵

²² Al-Hilālī (2005a), 55-57 ; Al-Hilālī, “Ḥāshiya ‘Alā Kashf al-Shubuhāt,” 1949, 27.

²³ Al-Hilālī (2009). Unfortunately, the present author has not been able to lay his hands on a copy of this publication. See on this subject see further Al-Hilālī, “Al-Fatāwā al-Hilālīyya,” 1976, Vol1, 145.

²⁴ Al-Hilālī (2005a), 56-57.

²⁵ Al-Hilālī (2005a), 61-62, 69-70, 85.

It was also at this time, at the request of his Salafī students who wanted to learn about ‘True Islam’, Al-Hilālī wrote one of his most important Salafī books in the northern Moroccan city of Shafshāwan. He entitled his book *Mukhtaṣar hady al-khalīl fi-l-‘aqā’id wa ‘ibādat al-jalīl*.²⁶ (Summary of the Guidance of an Intimate Friend to the Creeds and the Worship of the Magnificent). This book confirms that by this time Al-Hilālī had become a purist Salafist in many religious matters. He strictly formulated the concepts of *Tawḥīd* and faith to protect them against innovations, undermining everything that, he thought, contradicted ‘Authentic’ Islam. One way of making sure he achieved his goal was by founding a Salafī journal called *Lisān al-Dīn* (The Mouthpiece of Religion) in the city of Tetouan in 1946. This journal proved an efficient vehicle for the propagation of ‘True’ Islam and for answering the questions of its followers. In the meantime, although he used to issue different *fatwas* on various topics ranging from *‘Ibādāt* (matters of ritual) to innovations, his central topic remained *Tawḥīd*.²⁷

After five years Al-Hilālī subverted the covenant he had made with the Spanish authorities. On one of his audio files which are in the possession of his family, Al-Hilālī states that he was then actually running the risk of life imprisonment for a number of reasons. First of all, he was in regular contact and co-operated with the nationalists and Moroccan political leaders. Secondly, he gave lessons in mosques without the permission of the Spanish authorities. Thirdly, he used to publish political articles in his journal, *Lisān al-Dīn* and, last but not least, he was co-operating with Ḥasan al-Bannā (1906–1949), who had asked Al-Hilālī to become the Moroccan correspondent for the Muslim Brotherhood.²⁸ Adding fuel to the fire, Al-Hilālī wrote many articles criticizing the British and the French colonial policies in the region. His criticisms led the British Embassy and the French Consul to lodge a complaint about Al-Hilālī’s articles in the North Moroccan newspaper *Al-Ḥurriyya*. Heeding these protests the Spaniards took their revenge on the journal by closing it down.²⁹

Taking notice of these offences, the Spanish colonial authorities were quite prepared to punish Al-Hilālī for his misdemeanours. Al-Hilālī claims they used a religious pretext to

²⁶ Al-Hilālī (1977).

²⁷ Al-Hilālī (2005a), 69.

²⁸ Al-Hilālī (2005a), 101.

²⁹ Al-Hilālī (2005a), 101. Aḥmad Al-Raysūnī’s son, ‘Ali al-Raysūnī, confirmed this to the present author during a personal conversation with him, 9 August 2011, in his house in the Moroccan city of Chefchaouen, Morocco, on 9-8-2011.

achieve their purpose. They solicited the co-operation of the emir of the city of Shafshāwn who asked the Minister of *Awqāf* for help. In January 1947, the Spaniards prepared a *fatwa* declaring that reciting the *Qur'ān* aloud was permissible, knowing full well that Al-Hilālī had admonished congregations in the mosque not to read the *Qur'ān* aloud. On the 17 January 1947, during the Friday prayer, the emir of Chefchaouen ordered worshippers to abide by 'Imam Mālik's' *fatwa*. Annoyed, Al-Hilālī reiterated the *ḥadīth* of the Prophet Muḥammad. To no avail, the emir ordered him to keep silent. When Al-Hilālī retaliated with a verbal abuse, he was arrested and put in prison for a month.³⁰

5.2. First Confrontations with Moroccan Scholars

During these years, Al-Hilālī was embroiled in many religious controversies with the religious scholars in North Morocco especially those from the family of Ibn al-Ṣiddīq al-Ghumārī. The chief thorn in his side was Aḥmad Ibn al-Ṣiddīq (1902-1962), who was a leader of the Ṣiddīqiyya Sufi Order, a branch of the larger Al-Shādhilī Order, but he was also in hot water with 'Abd al-'Azīz Ibn al-Ṣiddīq (1920–1997),³¹ 'Abd Allāh Ibn al-Ṣiddīq (1910-1993),³² 'Abd al-Ḥayy Ibn al-Ṣiddīq (1985-1917)³³ and Muḥammad al-Zamzamī Ibn al-Ṣiddīq (1910-1988). As had their father Muḥammad Ibn al-Ṣiddīq (d.1935), the Ibn al-Ṣiddīq brothers adhered to Sufism. They were among the leading Moroccan scholars who were critical of and rejected Salafism. Moreover, in North Morocco they enjoyed the reputation of being the most productive contributors to Sufi Islam. The debate between Salafism and Sufism intensified and it was not long before it erupted into friction and open hostility between Aḥmad Ibn al-Ṣiddīq and Al-Hilālī. The latter maintained that the former entertained a completely mistaken opinion about what was 'genuine' Islam.³⁴ Al-Hilālī strongly condemned Sufism and Sufi festivals (*mawāsīm*) and he was obdurate that anyone who believed in pantheism was an

³⁰ Al-Hilālī (2005a), 102-104.

³¹ 'Abd al-'Azīz Ibn al-Ṣiddīq was among the scholars who rejected the extremist Wahhabi doctrine, see Ibn al-Ṣiddīq, 'Abd al-'Azīz (1985).

³² He studied at the University of al-Qarawiyyīn in Fes. Towards the end of 1930 he travelled to Egypt and attended Al-Azhar. He is the author of over a hundred books.

³³ One of his important *fatwas* is *Ḥukm al-Laḥm al-Mustawrad min Urubbā al-Naṣrāniyya* (The Status of Meat Imported from Christian Europe), in which the author argues against the point of view of the Malīkī *Madhhab* as represented by al-Qaḍī Abū Bakr Ibn al-'Arabī. See Ibn al-Ṣiddīq, 'Abd al-Ḥayy (1994).

³⁴ Ibn al-Ṣiddīq, Aḥmad (2002), 37.

infidel and anyone asking help from anyone other than Allāh was an infidel as well. Anyone who did not comply with the teachings of the *Qur'ān* and *Sunna*, and who imitated others in following a deviant path was, in his eyes, dangerously misguided.³⁵

Aḥmad Ibn al-Ṣiddīq did not hesitate to answer Al-Hilālī in the same aggressive, harsh language which had tended to characterize Salafist rhetoric most of the time.³⁶ Besides criticizing the symbols adopted by Salafism, he censured its leaders, describing Ibn Taymiyya as a man ‘obsessed with debate, with a passion to prove that his opinion was right, using false arguments to defeat his opponents by any means; this has led him to become resentful and go astray.’³⁷ Aḥmad Ibn al-Ṣiddīq describes the icons of Salafism as ‘Ulama’ al-Zāhir [scholars concerned with the outer shell of religion], ‘who believed that they are the ones who had inherited the true knowledge, because of their ignorance, egotism, falsehood and untruthfulness.’³⁸

Al-Hilālī disparaged Aḥmad Ibn al-Ṣiddīq, saying he took pride in the fact that he had so many followers, even though he knew full well that Al-Hilālī was weak because he was a stranger in the area without many supporters. Al-Hilālī claimed that the authorities supported Aḥmad Ibn al-Ṣiddīq while they opposed him because he was relentless in his criticism of Sufism.³⁹ When Al-Hilālī began calling on people to follow the *Qur'ān* and the *Sunna*, Shaykh Aḥmad began to contest his knowledge. Al-Hilālī reports that Aḥmad Ibn al-Ṣiddīq said: ‘This man who wears European dress, which is the garb of infidels, has come from Europe. How did he obtain his knowledge of the *Qur'ān* and the *Sunna*? Did he, by any chance, acquire this knowledge in Berlin or Bonn?’⁴⁰

³⁵ Al-Hilālī (2005a), 41.

³⁶ Ibn al-Ṣiddīq, Aḥmad (2002), 37.

³⁷ Abū Lūz, “New Salafist,” 2009, 60-61.

³⁸ Ibid.

³⁹ Al-Hilālī (2005a), 41.

⁴⁰ During his time in Germany, Al-Hilālī did shave his beard relying on *ḥadith* which says that shaving the beard is optional. According to his own statement, the things which one does by nature, like leaving beard unshaven, plucking one’s armpits and clipping the nails, are optional. He regarded shaving the beard as a minor sin according to the view of the majority of *imams*. See Al-Hilālī (2005a), 46.

Aḥmad Ibn al-Ṣiddīq is also reported to have said: ‘Someone among those preachers is claiming to combat the heresies which have arrived in Tangier. How can he pretend to be implementing the *Sunna* while when he believes that shaving the beard is not compulsory?’⁴¹ Despite this war of words, Al-Hilālī was successful in convincing one of the Ibn al-Ṣiddīq brothers, namely Muḥammad al-Zamzamī, to convert to Salafism. The Moroccan scholar Zeghal says that this demonstrates the extent of the influence of Al-Hilālī on Salafism in Morocco.⁴² Al-Hilālī stated in one of his *fatwas*: ‘We are very gladdened by the conversion of Shaykh Zamzamī⁴³ from the state of polytheism and his acceptance of monotheism by declaring his opposition to his former group. We need to help him and we should not be counted among his adversaries.’⁴⁴

5.3. The Issue of Shaving the Beard

During the time he spent in Tetouan, Al-Hilālī discussed the legal opinions about the issue of shaving the beard in mosques on many occasions.⁴⁵ For instance, in 1945, during his residence in the northern Moroccan city of Shafshāwan, where he remained for two years, Aḥmad al-Raysūnī⁴⁶ asked Al-Hilālī about the ruling of Islām about shaving the beard.⁴⁷ Al-Hilālī stated that a good Muslim should first look to the fundamental doctrine of Islam, which is monotheism in all its forms: the oneness in Worship, the oneness in Lordship and the oneness in Allāh's Names and Attributes. Whoever disagrees with the truth of this, is either a infidel or trespasses against essential matters of the Islamic creed. Al-Hilālī averred that the worship of Allāh is considered the most important exigency, for which He has created the

⁴¹ Ibn al-Ṣiddīq, Aḥmad (2002), 37.

⁴² Regarding Al-Hilālī's impact and influence on Muḥammad al-Zamzamī, Zeghal (2005),287-289.

⁴³ Shaykh Zamzamī converted to Salafism in April 1967. See Al-Hilālī, “Al-Fatāwā al-Hilāliyya,” 1976, Vol.1,139-140, 232.

⁴⁴ Al-Hilālī, “Al-Fatāwā al-Hilāliyya,” 1976, Vol.1, 12.

⁴⁵ Al-Hilālī (2005a), 46.

⁴⁶ As mentioned earlier, Aḥmad al-Raysūnī asked the minister of *Awqāf*, , how can you give 500 Pesetas from the Muslim *awqāf* to Al-Hilālī, who is opposing the Malikī School and criticizes the saints and denies the dignity of the Ash‘arī doctrine. After this contrtemps, Al-Hilālī relied on the hospitality of Aḥmad al-Raysūnī for six months. Al-Raysūnī also helped Al-Hilālī to marry a woman from Shafshāwn.

⁴⁷ Al-Raysūnī's son confiremd this to me during my my personal conversation with him, 9 August 2011, in his house in the Moroccan city of Shafshāwn , on 9-8-2011.

world.⁴⁸ Therefore, whoever does not worship Allāh in conformity with the teachings of the Prophet Muḥammad, is like somebody who performs his prayers letting his hands hang down, or like somebody who mumbles away, pretending that this is worship. From Al-Hilālī's perspective, such Muslims had gone astray because they had betrayed Allāh, and because they had not worshiped Him in accordance with the religion He loves and has ordained for us. Al-Hilālī thought that the next most important exigencies were ethics, good manners and giving Muslims sound advice.⁴⁹

On the same subject, on the 7 January 1966, a petitioner (*mustaftī*) named Abū Manṣūr eagerly requested Al-Hilālī for clarification on the allegations made by some erring Muslims. Al-Hilālī explained that Shaykh Maḥmūd Shaltūt (d.1963), the Shaykh of Al-Azhar and one of the most eminent Muslim scholars of his time, shared his point of view. At that time, Shaltūt had issued a legal opinion on the matter of the shaving the beard.⁵⁰ One of the pieces of evidence he adduced was the following:

If we go ahead with prohibiting things on the grounds of their similarity to the customs of non-Muslims, then we would have even prohibited growing the beard, because this is a habit of all the priests in all the non-Islamic faiths. He went on to say: in fact, people related this issue to traditions and customs which have no links to religion or to belief and disbelief. Shaltūt declared that the truth of the matter was that asking people to comply with a specific aspect of outward appearance, such as growing the beard, should fall into the category of the traditions which take into account of the approbation of the social code. Actually, people should comply with the habits to which their society is accustomed. Not complying with things to which people are accustomed is a deviation from the social milieu.⁵¹

In Al-Hilālī's view, one should not argue that the imperative mode used in the Arabic language implies necessity, especially when it is remembered that the command is confirmed in some traditions which call upon Muslims to distinguish their disparateness clearly from

⁴⁸ (Qur'ān 51:56).

⁴⁹ My personal conversation with him, 9 August 2011 in his house in the Moroccan city of Shafshāwn , on 9-8-2011.

⁵⁰ Al-Hilālī, "Al-Fatāwā al-Hilāliyya," 1976, Vol.1, 163,; See also Shaltūt (1988), 229.

⁵¹ Ibid., 163.

polytheists. Al-Hilālī refers, for instance, to the saying of the Prophet: ‘Verily, the Jews and the Christians are not inclined to apply hair dye, so expose your disparateness from them.’ Al-Hilālī said the same statement had been made about dyeing white hair, as the wording of that *ḥadith* was of equal value to the former *ḥadith* about growing the beard. Therefore, he who believes that the first report implies an obligation, must attribute the same force to the second report; otherwise his statement would be both arbitrary and contradictory. However, no scholar had ever thought that hair dyeing was an obligation.⁵²

Al-Hilālī thought that a beard could never bestow pre-emption on anyone who expressed disbelief or polytheism, or committed sins as did the worshippers at shrines and the Sufī orders who danced and exclaimed. Al-Hilālī added that a beard will not turn disbelief into Islam, nor sin into obedience.⁵³ He reasoned that the same thing might be said about a Muslim who shaves his beard, but speaks the truth, confesses monotheism, follows the Prophet in declaring lawful those things that Allāh has permitted, while declaring unlawful things which Allāh has prohibited; shaving the beard will not turn falsehood into truth, nor truth into falsehood.⁵⁴ Al-Hilālī explained to Abū Manṣūr that shaving their hair did not give the Prophet cause to worry about his nation, because it did not change them. However, he was rather afraid of the shaving of the faith, because that was the greatest disease.⁵⁵

On the 6 April 1967, a certain ‘Alī al-Ṣadiq al-Khayyāfī, requested Al-Hilālī for an explanation of the claim made by the followers of Al-Zamzamī Muḥammad Ibn al-Ṣiddīq, that the prayer of someone who shaves his beard is unacceptable.⁵⁶ Al-Hilālī argued that Al-Zamzamī’s answer was totally in contradiction to the ruling of Islam. He argued that commands and prohibitions related to embellishment and the customs of nature should be understood in terms of recommendation and not in term of commands. Al-Hilālī’s reply was based on lengthy quotations of *ḥadith*.⁵⁷ Al-Hilālī pointed out that the prayer of the murderer, the man who disobeys his parents, the usurper, the oppressor and the defamer is not nullified;

⁵² Ibid., 163. See also Al-Hilālī (2005a), 46

⁵³ Al-Hilālī, “Al-Fatāwā al-Hilāliyya,” 1976, Vol.1, 164; See also Al-Hilālī, “Al-Fatāwā al-Hilāliyya,” 1976, Vol.2, 369.

⁵⁴ Ibid., 164; *ibid.*, 12-13.

⁵⁵ Ibid., 164.

⁵⁶ Ibid., 15; See also Al-Hilālī, “Al-Fatāwā al-Hilāliyya,” 1976, Vol.1, 237.

⁵⁷ Ibid., 12-15.

so how can prayer be nullified by shaving the beard?⁵⁸ In fact, a Muslim performs his prayers with his heart and not with his beard.⁵⁹ In order to elucidate his point of view, Al-Hilālī spoke about seven levels in religion: first, monotheism, in all its three forms; without acceptance of monotheism nothing is taken into consideration. The second: belief in the Messenger of Allāh, believing in everything he has said with approbation, submission, satisfaction and surrender. Then comes the belief in all the Prophets and the revealed books. The third: the worship of Allāh . The fourth: Muslims' innate rights including love, loyalty, support, co-operation and ensuring no harm befall them. The fifth: allowing things which Allāh has permitted and forbidding things which He has forbidden and not transgressing the limits He has imposed. The sixth: piety, abandoning superstition and making sure that what one eats is lawful. The seventh: embellishment by respecting the customs of nature, and complying with Muḥammad's moral principles which are the best and the most perfect principles.⁶⁰ Al-Hilālī asserted that whoever confused these levels, putting what Allāh made last in the first place and putting in the last position what Allāh made first, was either an ignorant of the fundamentals of Islamic law, or a victim of his own whim.⁶¹

On the 12 April 1969, at his home in al-Madīna in Saudi Arabia, Al Hilālī made the following remark in a note to his *fatwa* of the 7 January 1966:

The aim of all the comments I have made on the issue of the beard was to fight the polytheists and repress them [the Sufi people]; yet my opinion is unsound. The true opinion is to follow the *Sunna* of the Prophet and to comply with his commands, be they in the articles of faith, the obligations, the morals or in the customs related to the innate state. Accordingly, I repudiate the comments I made a long time ago. I believe truth must be accepted: a Muslim must let his beard grow, trim his moustache and demonstrate his disparateness from disbelievers.⁶²

We shall come back to this remarkable change of view in Chapter 9.

⁵⁸ See also Al-Hilālī, “Al-Fatāwā al-Hilāliyya,” 1976, Vol.2, 264.

⁵⁹ (Qur’ān 6: 144).

⁶⁰ Al-Hilālī, “Al-Fatāwā al-Hilāliyya,” 1976, Vol.1, 15

⁶¹ Ibid.. See also *ibid.*, 163.

⁶² Ibid., 166. See also Al-Hilālī, “Al-Fatāwā al-Hilāliyya,” 1976, Vol.2, 442.