

The method to re-establish the Khilafah



Members of Hizb ut-Tahrir in Britain

Contents

Contents	2
<i>Introduction</i>	4
Part One: The Vital Issue	6
<i>The Vital Issue – The measure of life and death</i>	6
<i>The vital issues according to Islam</i>	8
<i>Establishing the Khilafah and the rule by what Allah (swt) has revealed is the vital issue for the Muslims.</i>	12
Part Two: The Khilafah is an obligation	15
<i>The Re-establishment of the Khilafah is an obligation upon all Muslims</i>	15
<i>The Time Limit given to Muslims to Establish a Khaleefah</i>	19
<i>The Khilafah System and its Obligations</i>	19
<i>The Vision of the Khilafah</i>	23
Part Three: The Need for Ijtihad	27
<i>The mind is not a source of legislation</i>	27
<i>Ijtihad</i>	28
<i>Ahkam Shari’ah deduced from the Daleel (evidences) that are definite</i>	29
<i>Ahkam Shari’ah deduced from Daleel that are indefinite</i>	30
<i>The method to re-establish the Khilafah requires Ijtihad</i>	32
Part Four: The Invalid Methods	34
<i>The Invalid Methods</i>	34
<i>The error of “Gradualism”</i>	35
<i>Fighting the Ruler</i>	36
<i>The Promise of the victory leading to non-action</i>	38
<i>Perfecting oneself</i>	40
Part Five : The Method	42
<i>The establishment of Political Parties</i>	43
<i>The example of the Messenger (saw)</i>	44
<i>Emulating (Ta’asi) the actions of the Messenger of Allah (saw)</i>	45
<i>The Prophets’ (saw) methodology for establishing the Islamic State</i>	48
<i>The first stage of the Da’awah: The Stage of Culturing (Dawr al-Tathqeef)</i>	48
<i>The Second Stage of the Da’awah:</i>	50
<i>The Interaction Stage (Dawr al-Tafa’ul)</i>	50
<i>Seeking the Nussrah (Talab al-Nussrah)</i>	53
<i>The Third stage of the Da’awah:</i>	57
<i>The Stage of Ruling (Dawr al-Hukm)</i>	57
Part Six - The Return of the Khilafah is near (insha Allah)	62
<i>The Return of the Khilafah</i>	62

The Experience of Hizb ut-Tahrir

66

The Warm Call of Members of Hizb ut-Tahrir in Britain

69

P

Introduction

All praise is to Allah (swt), the Lord of the Worlds. And we send peace and blessings upon the master of the Messengers, the Imam of the Muttaqeen (those who fear Allah), and upon his family, his companions and upon everyone who makes *Da'awah* with his message, and who confines himself to the method of the Messenger (saw), and follows in the footsteps of the Messenger (saw) and takes the Islamic *Aqeedah* as the basis of his thoughts, and the *Shari'ah* rules as the standard for his actions and as the reference for all his opinions.

The Muslim *Ummah* has become well aware that the re-establishment of the *Khilafah* is the most vital issue facing them today since it is the *Khilafah* that will establish the prayer, unify the Islamic lands, and implement the *Shari'ah* on the earth. Throughout the entire world the sons and daughters of this *Ummah* are calling and working for its return so that the light of Islam that guided the world in the darkest of ages returns to enlighten humanity once again.

Unfortunately, after the destruction of the *Khilafah*, Islam became absent from the realm of life and became something from which the Muslims were detached. The minds of the Muslims were such that they could not imagine any system of government except the rotten and tyrannical regimes imposed on the Muslim countries. The Muslims in the West became subdued by the situation, due to their detachment from the Muslims in the Islamic lands, and began to look with hope and desperation to the capitalist way of life and its rotten fruits.

What must be realised is that the responsibilities of the work to re-establish the *Khilafah* that rest on the shoulders of the Muslims of Britain and the Western World are no different to the responsibilities upon all the Muslims. No Muslim on the face of this earth has an excuse to abandon the duty of establishing the *Deen* which Allah (swt) has ordered, that is, the establishment of a *Khaleefah* for the Muslims, when there is no *Khilafah* on the earth, and no one to implement the *Hudood* (limits) of Allah (swt) to protect the sanctities of Allah (swt), and no one to implement the laws of the *Deen*, and unify the Muslim community under the banner of *La ilaha illa Allah, Muhammad ur-Rasul Allah*. There is no permission in Islam given to any Muslim, in Britain, the West or elsewhere, to abandon the work for this duty until it is indeed accomplished.

The seduction of Muslims by the Western culture and the submission of their minds to the corrupt situation in which they find themselves has led some in the West to propagate and call for ideas which are far from the Islamic ideas, and methods which are distant from the method of the Messenger (saw).

The call for a unique identity and role for the Muslims in the West, distinct from the Muslims in the Islamic lands, is one such erroneous call that aims to occupy the Muslims of the West with localised goals, cheap struggle and a narrow vision far from the wide-ranging vision of the *Sahabah* (ra) who from the first day of this struggle realised that Islam had come to dominate the entire world.

The calls for gradualism in applying Islam and pragmatism in following its rules are aimed at diverting the Muslims of the West from the pure and pristine ideas and rules of Islam which were perfected more than fourteen centuries ago by the Messenger of Allah (saw), who along with his *Sahabah* (ra) never accepted anything short of the Islamic rules, and never faltered or wavered in the face of oppression, propaganda and boycott, until Allah (swt) honoured them with the victory.

Similarly, the calls for democracy and participation in government are added obstacles in the path to re-establish the *Khilafah*, which encourage the Muslims globally, and those in the West in particular to be satisfied with a system of government other than the one ordained by the *Deen* of Islam, which is the *Khilafah*.

This book, written with the needs of Muslims in Britain and the Western World in mind, has been issued by Members of *Hizb ut-Tahrir* in Britain. The book explains the need for Muslims to realise that Islam has laid down a precise, detailed and practical method that they should adopt in their quest for the *Khilafah's* return. It deals with subjects such as the vital issues according to Islam, the need for *Ijtihad*, emulation of the Messenger (saw) and the detailed Prophetic method for re-establishing the *Khilafah*.

It also presents a powerful refutation of invalid methods such as gradualism, pragmatism, and the call for democracy and participation in government, by exposing their defects and contradiction with Islam.

We ask Allah (swt) to assist us in our endeavour to re-establish the *Khilafah* with His Help and His Strength, and to accept from us this effort, and to overlook our mistakes. We ask Him also to guide all Muslims to adhere to the *Shari'i* ruling, to honour them with the re-establishment of the *Khilafah*, and restoring the rule with the Book of Allah (swt) and the *Sunnah* of His Messenger (saw). Indeed, this is not difficult for Allah (swt).

“And so judge between them by what Allah has revealed and follow not their vain desires, but beware of them lest they turn you far away from some of that which Allah has sent down to you. And if they turn away, then know that Allah’s Will is to punish them for some sins of theirs. And truly, most of men are Fasiqun (disobedient)” (TMQ al-Ma’idah: 48-49)

Part One: The Vital Issue

“...by Allah, if they were to put the sun in my right hand and the moon in my left, on condition that I relinquish this matter, I would not relinquish it until Allah has made it dominant or I perish therein”

The Vital Issue – The measure of life and death

The instinct of survival makes it incumbent upon every nation in the world and every people on earth to have its own vital issues, for which a nation or a people would give its blood with consent and with utmost fervour, without any hesitation or any argument or debate. These issues are those related to either perishing or staying alive, or related to the removal of a people from existence or the safeguard of its survival. Such measures are unique and almost identical to all people and the measures undertaken towards them are similar or very similar to all people, because they are tangibly life threatening. Hence, the measure is the same and the issues are also the same. However, these issues related to the survival instinct are not all the vital issues, nor are the vital issues only those related to the survival instinct; for there are other vital issues related to the spiritual instinct or to the procreation instinct. However, people differed in these issues according to the difference in their viewpoint about life; thus they differed in the measures undertaken towards them. This is because what makes these issues vital is the specific viewpoint about life; thus they differ and the measure also differs. Therefore, the vital issues differed between peoples and nations according to this difference in the viewpoint about life. The Muslims are one *Ummah* and they undoubtedly have a host of vital issues. The *Ummah*'s vital issues, whether these are related to the survival instinct, the spiritual instinct or the procreation instinct, should be according to their viewpoint about life. Their viewpoint about life is determined by Islam alone. Hence, it is Islam that determines the vital issues and also determines the measure.

Islam has explained to people the vital issues and made the measure of life and death towards them an obligation. Hence, the Muslims have no choice in determining their vital issues. That which is considered by Islam to be a vital issue must be viewed by the Muslims as such. Likewise, they have no choice in the measure of life and death undertaken towards such issues; because when Islam determined the vital issues, it also determined the measure that Muslims should undertake towards them. For Islam to have faced events which threatened it and for Muslims to have come up against what threatened their existence, in their capacity as Muslims, was inevitable. It is self evident for any movement in life to face that which threatens its existence, especially the movements of reform and more specifically the sound movements.

Ever since the dawn of Islam, the struggle has been at its fiercest between Islam and *Kufr*. This struggle has been about the fate of *Kufr* and the fate of Islam. The bloody struggle that has been added to the intellectual struggle since the establishment of the Islamic State in Madinah was in defence of the vital issues. Hence, the existence of vital issues was to the Muslims inevitable and axiomatic, and their undertaking of the measure of life and death towards them was also inevitable and axiomatic. It is a matter for which *Jihad* has been made one of the most important duties, in which the Messenger of Allah (saw) said: **“The head of the matter is Islam, its pillar is the *Salah* and the peak of its hump is *Jihad*”**. It is also a matter for which *Jihad* will continue until the Hour comes, for he (saw) said: **“And *Jihad* has been constant since Allah sent me until the last generation of my *Ummah* fight the *Dajjal*, it will not be revoked by the tyranny of a tyrant nor by the justness of a just”**. The Messenger of Allah (saw) also said: **“*Jihad* is constant with the pious and the dissolute”**. Hence, the Muslims did not slacken for one moment in standing for the vital issues, nor did they ever hesitate in undertaking the measure of life and death towards every vital issue.

Therefore, when they were faced with what threatened their fate as an *Ummah* and as a State during the Crusades, they undertook towards this the measure of life and death; thus they engaged the *Kuffar* Crusaders in a fierce war for more than a century. The Islamic *Ummah* managed to repel the fatal blow that threatened her. Likewise, the Muslims acted in the same way when the Mongols invaded the Islamic lands. The Islamic *Ummah* considered this invasion as a matter that threatened her existence, thus she undertook towards it the measure of life and death, and the Muslims engaged the Mongols in a war in which they sacrificed their lives without seeking any worldly gains until the decisive victory was theirs.

Therefore, the Muslims used to perceive the vital issues and used to undertake towards them what was obligatory upon them, that is the measure of life and death. This was because that which Islam had explained in terms of vital issues was considered as fact by the Muslims, which they clutched with a tight grip, and the danger of neglecting them was clear. Hence, it was inconceivable for them to face a situation that threatened their existence without undertaking towards it that which Islam had obliged upon them, that is the measure of life and death. Neither the Islamic *Ummah*, nor the Islamic State ever failed in the past to perceive and be aware of the vital issues, nor failed to perceive and be aware of the measures. Thus they never neglected them. However, when the perception of Islam receded to the level of deviation and when the piety in the souls weakened to the level of keeping silent over the flagrant *Kufr*, these vital issues lost their consideration as being vital, and the measure of life and death was not undertaken towards them. Consequently, the threat to their existence loomed and the Muslims failed to give their blood and their lives generously in order to repel this threat. Hence, the *Khilafah* was destroyed, the system of Islam was abolished and the whole of the Islamic *Ummah* was threatened with extinction.

Hence, it is imperative to perceive the vital issues from the Islamic viewpoint as Islam decreed in the Book and the *Sunnah*. It is also imperative to perceive the compulsory measures which ought to be undertaken towards them as outlined by the Qur'an and by the *Hadith* of the Messenger of Allah (saw). Only then will awareness of the vital issues and of the compulsory measure towards them be generated and their neglect then become inconceivable.

The vital issues according to Islam

If one were to review the Book and the *Sunnah*, he would find that Islam has determined these vital issues in an explicit manner and, determined the compulsory measure towards them as being a matter of life and death. Islam has for instance considered apostasy from Islam, be it by an individual or a group, as a vital issue. It has made the measure undertaken towards it one of life and death, that is either repentance or death. Hence, Islam has determined the issue and also the measure. The Messenger of Allah (saw) said, **“He who changes his Deen must be killed.”** It is also reported on the authority of Ibn Mas’ud who said, “The Messenger of Allah (saw) said, **The blood of a Muslim person who professes that there is no god but Allah and that I am the messenger of Allah is not violable except in three instances: the adulterer, the slayer of another person and the apostate who abandons the group.**” This issue was to the Muslims a dominant concept and a fact to which they held onto with a tight grip. The Muslims used to implement it, thus they would kill the apostate who refused to repent. The *Sahabah* did this in Yemen in the lifetime of the Messenger of Allah (saw), they also did this after him (saw) and those who succeeded them did the same. In the *Hadith* of Abu Musa, it is reported that the Messenger of Allah (saw) said to him, **“Go to Yemen!”** Then he (saw) sent Mu’adh ibn Jabal to join him. When he reached him Abu Musa threw him a pillow and said to him: “Get down.(from your camel)” As Mu’adh was about to dismount, he noticed a man who was tied up; so he asked: “What is this?” Abu Musa replied: “He had been a Jew, he then embraced Islam and then he Judaized again.” Upon this Mu’adh said to him: “I shall not sit until he is killed. He who revokes his *Deen* must be killed.” Abu Dawud reported this as follows: “A man who apostasised from Islam was brought to Abu Musa, so he invited him to repent for twenty nights or so; then Mu’adh came and invited him to repent but he refused so he struck his neck.” Al-Darqutni and Al-Bayhaqi extracted the following: “Abu Bakr invited a woman called Umm Qarfah to repent, having embraced Islam and then apostasised, but she refused to repent, so he killed her..” Also, when many of the Arab tribes apostasised, following Musaylamah the false prophet, Abu Bakr (r.a.) brandished the sword against them and fought them until he brought them back to the fold of Islam.

It is reported in Al-Fateh on the authority of Abdullah ibn Sharik on that of his father who said: “It was said to ‘Ali (r.a.): ‘There are people here at the door of the mosque who claim that you are their god’. So he (r.a.) summoned them and said to them: ‘Woe to you! What are you saying?’ They said: ‘You are our god, our creator and our provider.’ He said: ‘Woe to you, I am but a servant like you. I eat just like you and I drink just like you do. If I obeyed Allah He would reward me if He wished, and if I disobeyed Him I feared that He punished me so fear Allah and repent’. They still refused to repent. On the following day, they were brought to him and Qanbar came and said: ‘By Allah they went back to saying the same thing’. So ‘Ali (r.a.) said: ‘Let them in’. So they again said the same thing. On the third day ‘Ali (r.a.) said to them: ‘If you were to say the same thing again I shall kill you in the worst possible way’. They still refused. So ‘Ali ordered for a hole to be dug for them between the entrance of the mosque and the palace; then he ordered for wood to be thrown in the hole and lit up. He then said to them: ‘I shall throw you in if you do not repent’. They still refused, so he threw them in.”

When Ibn ‘Abbas (r.a.) heard of their burning, he expressed his disagreement over their burning and said that they should have been killed. Akrama reported: “A group of apostates were brought to the Amir of the believers ‘Ali (r.a.) so he burnt them; Ibn ‘Abbas (r.a.) heard of this and said: ‘If I had been him, I would not have burnt them because the Messenger of Allah (saw) has prohibited this by saying: **‘Do not punish with the punishment of Allah’**. I would have killed them because the Messenger of Allah (saw) said, **‘He who changes his Deen must be killed.’**” In the days of *Al-Mahdi* the number of atheists and apostates increased; and he used to invite them to repent, and he who refused used to be killed. *Al-Mahdi* killed a considerable number from them.

Hence, the Muslims, among them the *Sahabah*, those who succeeded them and the *Khulafaa’* used to kill the apostate. They were firm in the matter without any slackness. However, when the *Khulafaa’* became weak and the understanding of Islam also weakened, slackness in the killing of the apostate occurred, until atheism and apostasy spread and this reached the point where some of the apostates established groups and adopted a *Deen* alien to Islam. As a consequence, the fear crept into the hearts of the Muslims, despite the fact that this was a vital issue on the one hand and a matter in which intercession and forgiveness were out of the question on the other hand.

Hence, it was not surprising for a man like Mustafa Kemal to declare war against Islam, i.e. apostasise from Islam with no one to execute the rule of *Shari'ah* upon him; because the issue of apostasy was no longer a vital issue, and this is what happened. Therefore, it is imperative to put back this issue in its rightful place and consider it to be a vital issue, by killing every apostate, even if they numbered millions.

However, this does not mean that we can be casual in judging a person to be an apostate because he carries a doubtful opinion; we ought to be decisively certain before we can judge him to be a *Kafir* and an apostate. If what he says makes him 99% an apostate and 1% does not make an apostate, then the 1% should take precedence and he should be considered a Muslim, and he should not be judged as an apostate. This is because the Muslim in essence is a Muslim and he should not be judged to be a *Kafir* or an apostate unless this was conclusive. Likewise, we should not make excuses for him or seek pretexts to remove the rule of apostasy from him if he were conclusively an apostate, because this would impede the measure of life and death to be undertaken in a vital issue.

Therefore, if a Muslim were to perpetrate that which renders him an apostate, such as praying in a church, with the Christians and in the way they pray, or if he were to utter something that renders him an apostate, such as: "The story of Ibrahim mentioned in the Qur'an was not narrated by history, thus it is a false story", or if he were to believe in that which renders him an apostate, such as believing that Islam is not valid for this age, or such as believing in the separation of the *Deen* from the state, or if he were to doubt a conclusive fact, thus becoming an apostate, such as doubting that the Qur'an is the word of Allah, in all such cases and in other similar cases, he would conclusively become an apostate. Then the issue must be treated as a vital one, and the measure of life and death must be undertaken towards it, i.e. either repentance or death.

Likewise, Islam has made the unity of the Islamic *Ummah* and the unity of the State one of the vital issues, and made the measure undertaken towards it a measure of life and death; thus it has determined the issue and the measure.

This is manifested in two cases: one is the issue of the plurality of *Khulafaa'* and the other is the issue of the rebels. It has been reported on the authority of Abdullah ibn Amr ibn al-'Aas that he heard the Messenger of Allah (saw) say: "**He who pledged his Bay'ah (oath) to an Imam giving him the clasp of his hand and the fruit of his heart shall obey him as long as he can, and if another comes to dispute with him, you must strike the neck of that man.**" It has also been reported on the authority of Abu Said Al-Khudri that the Messenger of Allah (saw) said: "**If a Bay'ah has been taken for two *Khaleefah's*, kill the latter of them.**" Hence, he (saw) made the unity of the State a vital issue when he prohibited the plurality of the *Khulafaa'* and ordered the killing of the one who attempts to establish a plurality in the *Khilafah*, unless he retracts. It has also been reported on the authority of Arfaja who said: 'I heard the Messenger of Allah (saw) say: "**He who comes to you while your affair has been united under one man, intending to drive a wedge between you or fragment your group (*Jama'ah*), kill him.**" Hence, he (saw) made the issue of the *Ummah's* unity and the issue of the State's unity a vital issue when he prohibited the fragmentation of the group and ordered the killing of he who attempts to do so, unless he retracts.

As for the rebels, Allah (swt) says:

"If two factions from among the believers fall into a quarrel, make peace between them; and if one of them transgresses against the other, then fight the one that transgresses until it complies with the Command of Allah" (TMQ al-Hujarat, verse 9). This is because once the Imamah of the Muslims has been established, meaning when a *Khaleefah* for the Muslims has been chosen, rebellion against him is forbidden, due to the fact that rebellion leads to the disunity of the Muslims, the shedding of their blood and the squandering of their wealth. The Messenger of Allah (saw) said, "**He who rebels against my *Ummah* while they are united strike his neck with the sword whoever he may be.**"

Hence, those who separate from the Imam are considered rebels. They should be invited to repent and their doubts should be dissipated, but if they persist, they should be killed.

By prohibiting the plurality of the state and the rebellion against it, and by prohibiting the division of the *Ummah*, the unity of State and that of the *Ummah* becomes a vital issue, because Allah (swt) has decreed that the measure to be undertaken towards them is a measure of life and death. Hence, he who perpetrates such an act should either repent or be killed. The Muslims had implemented this and used to consider it to be amongst the most important and most critical of matters. They never used to be lenient in this towards any Muslim whoever he might have been, thus 'Ali (r.a.) was never lenient with Mu'awiyah. Moreover, 'Ali (r.a.), the Umayyads and the Abbasids were never lenient with the *Khawarij*, and the established facts pertaining to this are innumerable. However, when the *Khilafah* became weak and the understanding of Islam declined, Muslims kept silent over the breakaway of Islamic lands from the body of the *Khilafah*. Thus a wedge was driven between the Muslims and they turned into several states. This is despite the fact that the breakaway of any land from the body of the State is a vital issue that stipulates either the repentance of the rebels, or the waging of war against them, regardless of the cost in lives or wealth.

The situation reached the point where Muslims lived in several states and the *Khilafah* became one of these states; the situation even worsened to the point where some Muslims started to call for an Islamic league, i.e. to have the *Khilafah* state enter into agreements with the states which broke away from her. Thus the *Khilafah* State would approve of their separation and of becoming several states; i.e. to support the disunity of the Muslims so that they turn into several peoples and nations, despite the fact that this was a vital issue and despite the explicit *Ahadith* about repentance or death. Hence, it came as no surprise when Mustafa Kemal declared the dismemberment of Turkey from the rest of the lands of Islam, and even declared his approval of surrendering the Islamic lands to the Kufr states to decide their fate because the issue was relegated from the level of being a vital issue. Thus the calamity took place and the Muslims became indifferent towards having to live in several states, and being divided into several peoples and nations. This was only because the issue of the *Ummah's* unity and the issue of the state's unity were no longer regarded as vital issues and the measure undertaken towards them was no longer a measure of life and death.

Hence, it is imperative to restore this issue at its rightful place and to consider it a vital issue, thus preventing the dismemberment of any country from the body of the *Khilafah*, even if this led to several years of fighting and even if it led to the killing of millions of Muslims.

Likewise, Islam has made the displaying of flagrant disbelief (*Kufr*) one of the vital issues, and made the measure undertaken towards it a measure of life and death; thus Islam determined the issue and the measure. Muslim reported in the *Hadith* of 'Auf ibn Malik that the Messenger of Allah (saw) said: **“Amirs will be appointed over you, and you will find them doing good deeds as well as bad deeds. The one who hates their bad deeds is absolved from blame, the one who disapproves of their bad deeds is also safe, but the one who approves and follows is doomed.”** It was said: “O Messenger of Allah! Should we not fight them with the sword?” He said: **“No, as long as they continue to establish prayer amongst you.”** In another narration: “They said: “O Messenger of Allah, should we not fight them then? He (saw) replied: **“No, as long as they continue to establish prayer amongst you.”** Bukhari reported on the authority of 'Ubadah Ibn-us-Samit who said: “The Messenger of Allah (saw) invited us, so we pledged our Bay'ah to him to hear and to obey in weal and woe, in ease and in hardship and evil circumstances; that we would not dispute with the people in authority, unless we witnessed a flagrant *Kufr* of which there is a conclusive proof from Allah.” In Al-Tabarani's narration it said: **“evident *Kufr*.”** and in a narration by Ahmed, it said: **“As long as he does not order you to commit a flagrant sin.”** It was also reported on the authority of 'Auf Ibn Malik from Al-Ashja'i who said that the Prophet (saw) said: **“The best of your Imams are those whom you love and they love you and who pray for you and you pray for them, and the worst of your Imams are those whom you hate and they hate you and you curse them and they curse you”**. We asked: ‘O Messenger of Allah shall we not then resist them?’ He said: **“No, as long as they continue to establish prayer amongst you”**.

Establishing prayer is reflected in the establishment of the *Deen*; it is also tantamount to the rule by Islam and the manifestation of its rites. The flagrant *Kufr* is the *Kufr* manifested in the actions performed by the ruler, i.e. the rule by *Kufr*. Hence, the concept behind these *Ahadith* is that the *Khaleefah* ought to be resisted by the Muslims if he started to deviate from the rule of Islam and if he failed to uphold its rites, and that he ought to be fought by them if he established the rule of *Kufr*. Also, the Muslims must challenge the people in authority if they witness a flagrant *Kufr*. Challenging them means generating the challenge even if this led to fighting them. It is mentioned in Al-Fateh: “The scholars have agreed upon the obligation of obeying the dominant

Sultan and of performing *Jihad* alongside him; that his obedience is better than rebellion against him, for this would spare lives and appease the populace; however they excluded from this the case where the flagrant *Kufr* is displayed by the Sultan, in which case it would be forbidden to obey him, he should rather be fought by those who are capable, as mentioned in the *Hadith*.”

Imam al-Shawkani wrote in his book entitled *Nayl al-Awtar*, “Those who hold the opinion that it is obligatory to resist the wrongdoers with the sword and struggle against them, they used as evidence the general texts in the Book and the *Sunnah* .”

Hence, the issue pertaining to the obligation of ruling by Islam and preventing the rule of *Kufr* is a vital issue, because Allah (swt) has made the measure that should be undertaken towards it a measure of life and death; thus he who does not rule by Islam and rules by a *Kufr* system should either retract or be killed.

The Muslims are ordered not to keep silent over the rule by other than what Allah (swt) has revealed, because it is a vital issue. However, when piety weakened in the souls of the Muslims and their understanding of Islam also weakened, it became easy for them to keep silent over the *Khulafaa'* and the rulers if they ruled by *Kufr* in one single matter. When their weakness increased, they found it easy to keep silent over the rulers if they ruled by *Kufr* in several matters. The long term consequence of this silence was that the rulers had the audacity to implement *Kufr* in a flagrant manner. The Muslims in Egypt kept silent when the ruler implemented the French civil law and abolished the *Shari'ah* rules. The Muslims kept silent in the Islamic State when the rules of *Kufr* were established as a constitution for the Muslims in 1909. Though they revolted against them at first, but they went silent afterwards. It came as no surprise when Mustafa Kemal destroyed the *Khilafah* and all the rules of Islam and declared the rule of *Kufr*. This was because the Muslims no longer regarded this issue as a vital one, thus the calamity occurred and it became easy for the Muslims to witness the flagrant *Kufr* without brandishing the sword to remove it; it even became easy for them to be ruled by *Kufr* without condemning it. Worse than that, the majority of Muslims accepted the rules of *Kufr*, became accustomed to them and relinquished the rules of Islam by choice. This situation reached the point where Muslims accepted *Kufr* and called for it, in addition to keeping silent over it and not brandishing the sword against it. All this was only because the issue of ruling by a *Kufr* system was no longer a vital issue, and the measure undertaken towards it was no longer that of life and death.

Hence, it is imperative to reinstate this issue in its rightful place and to consider it a vital issue, so that the rule by a *Kufr* system would be prevented even if this led to several years of fighting and even if it led to the killing of millions of Muslims and to the martyrdom of millions of believers.

Therefore, the perception of all the vital issues which Allah (swt) had outlined and determined and the perception of the life and death measures which He (swt) had made obligatory has weakened. The linkage of these issues to the Islamic *Aqeedah* has also weakened, and they were relegated from their position to the point where they were no longer perceived as being very critical *Shari'ah* rules, for which arms should be taken up. Thus, they were relegated from the position in which Allah (swt) had placed them, meaning they were relegated from the position of the vital issue. Consequently, the measure which the *Shari'ah* had decreed towards them was no longer deemed to be the resistance by force and the brandishing of the sword to remove the rule of *Kufr* and restore the rule of Islam. Therefore, the issue of destroying the *Khilafah*, thus removing the system of Islam, was not perceived as a vital issue. The fact that this was indeed a vital one was not dominant over the atmospheres and the souls. So Mustafa Kemal went ahead with his action, destroyed the *Khilafah* and wiped out Islam from the political map without anyone taking up arms against him and fighting him. Therefore, the *Kuffar's* destruction of the *Khilafah* and their removal of the system of Islam from existence occurred with this ease and simplicity, before the eyes of millions of Muslims. Had the Muslims been at the time aware that this issue was a vital one, upon which the fate of the Muslims and the fate of Islam depended, and that the inevitable measure towards it was to take to take up arms and fight Mustafa Kemal, they would not have been dealt this blow, this horrific calamity, and this major tragedy. Hence, the Muslims' failure to perceive that this issue was a vital issue which necessitated a measure of life and death, was the cause of this calamity that befell them.

Establishing the *Khilafah* and the rule by what Allah (swt) has revealed is the vital issue for the Muslims.

The Muslims are at present experiencing the severest of trials and the worst of ordeals. The effective remedy for them lies in the perception of whether their issues are vital or not, and in undertaking of a life and death measure towards every vital issue, especially if the issue in question encompasses all the vital issues put together. As long as this perception is not achieved in a manner that dominates over the souls and the atmospheres, the Muslims will continue to be in a constant decline and degeneration, and they will never rise amongst the nations. Therefore, it is incumbent upon the Muslims to discern their vital issues and to have their perception of these issues find its way to the hearts, the souls and the general atmospheres so that it becomes a perception that drives them towards undertaking what the vital issues necessitate in terms of life and death measures with an unshakable resolve and unrelenting zeal. This is the point at issue, and this is the basis of all that which the Muslims are attempting to undertake to deal with the reality they are currently facing.

The reality of the Muslims today is sensed by every Muslim, it does not require any explanation nor does it necessitate any elaboration. Their lands are ruled by *Kufr* systems, thus they are conclusively a *Kufr* household (*Dar ul-Kufr*). They are divided into more than four entities, ranging from States, Emirates, Sultanates and Sheikdoms. They are weaker than being capable of standing up to the *Kuffar*. Hence the issue of every country in the Islamic world is to turn it into an Islamic household (*Dar ul-Islam*) and then unite with the rest of the Islamic countries. This issue is a vital issue; it is even the whole of the vital issues put together; thus it is imperative to undertake towards it the measure of life and death.

However this vital issue, i.e. the issue of transforming the lands into *Dar ul-Islam* and uniting them with the rest of the Islamic lands, is an objective the Muslims aim to achieve. The method which ought to be undertaken to achieve this objective is to establish the *Khilafah*, thus restoring its existence. Hence, the issue facing the Muslims today is the establishment of the *Khilafah* as a ruling system through which the transformation of the lands into *Dar ul-Islam* is achieved, and consequently, unity with the rest of the lands of Islam. However, it should be made absolutely clear that what is facing the Muslims today is not merely the appointment of a *Khaleefah* so as to say that this is a duty of sufficiency (*Fard al Kifayah*), thus making it a non-vital issue. Rather, what is facing the Muslim *Ummah* today is the establishment of the *Khilafah*, meaning the generating of the *Khilafah* system as a ruling system. The responsibility of this task is huge, and the reality of it is other than merely appointing a *Khaleefah*, although the establishment of the *Khilafah* necessitates the appointing of a *Khaleefah*. Ibn 'Umar (r.a.) reported that the Messenger of Allah (saw) said: **“And whosoever dies without having a Bay'ah upon his neck (without a system of Bay'ah existing), he dies the death of Jahiliyyah”**.

Establishing the *Khilafah* is conclusively a vital issue. This is because, in addition to being a method to transform our lands from *Dar ul-Kufr* into *Dar ul-Islam*, its establishment is also aimed at destroying the *Kufr* systems thus removing the flagrant *Kufr*, which is in itself a vital issue. So the Messenger of Allah (saw) ordered restraint from the spilling of blood: **“Unless you witness a flagrant *Kufr*”**. Also because it is mentioned in the *Hadith*: “ ... They said: ‘O Messenger of Allah, should we not resist them with the sword?’ He (saw) said: **‘No, as long as they establish prayer amongst you’**”. Therefore, by establishing the State the vital issue of removing the flagrant *Kufr* is attained. Consequently, the establishment of the *Khilafah* is a vital issue, because it is the method to achieve a vital issue, and because the *Shari'ah* evidence from the *Sunnah* indicates that it is so. Thus, it is imperative to undertake towards it the measure of life and death.

Ever since their affairs were controlled by the hands of the *Kuffar*, the hypocrites and the apostates, the Muslims have not ceased in attempting to break free from the noose of the *Kufr* authority and the hegemony of its masters and agents. However, they failed to realise that the issue for which they were struggling was vital, and that it had no other measure but the measure of life and death. Hence, it was this lack of perception among the masses of the Muslims, that stripped them in their quality as a community, or an *Ummah*, from their readiness to endure harm, imprisonment and torture, in addition to enduring poverty, devastation and death, something which can never be detached from the battles of struggle over the vital issues. Therefore, these

attempts had been predestined to inevitable failure and they failed to move one single step forward towards achieving the issue they were struggling for.

There was no need for the Muslims to exert extraordinary thought in order to perceive that their issue was a vital one. It was immediately evident to any sighted person, as it is evident today, that it is rationally impossible for the *Kuffar* to allow Islam to return to the political scene in the form of ruling. As long as the *Kuffar* persisted in one iota of oppression against those who worked towards the *Khilafah* it remained self-evident that this was a vital issue. The rank of the apostates and the hypocrites were equally brutal in terms of crime and oppression. They threw everything they had of their power into the battlefield to fight those believers who aimed at exacting the power from them in order to establish the rules of Allah and to protect the sanctities of Allah through establishing the limits (Hudood) of Allah. Thus, it was self-evident that this was a vital issue.

Therefore, it would be impossible for any attempt, undertaken by the Muslims for the sake of this issue, to bear fruit unless they considered it to be a vital issue, whose achievement depended upon the measure of life and death. Due to the fact that the Muslims failed to perceive the nature of the battle and the sound rule of Allah (swt) pertaining to this battle, they set about liberating themselves in a method unworthy of the vital issues. Hence, their measure towards this was below the measure of life and death. Nevertheless, the fact is that the issue whose nature is vital, such as the removal of the *Kufr* systems and the establishment of the system of Islam, regardless of whether it was perceived on this basis or not, could never be achieved, no matter how great a force or how tremendous an effort used, unless it was considered, and illustrated, during this process as being vital. That is to say, the measure of life and death was undertaken towards it.

Hence, the Muslims should be frankly told, be it individuals or groups, that they have no other choice, but to carry out the struggle against *Kufr* on the basis of the life and death measure. This is because the nature of their issue necessitates such a measure and because the *Shari'ah* has in the Book and the *Sunnah* decreed this measure. Besides, the Messenger of Allah (saw) has taught us how to determine our issues and ordered us to undertake the measure of life and death towards every vital issue. When Allah (swt) sent him with the Message of Islam, and when he started conveying the *Da'awah* through the intellectual struggle, he (saw) determined his issue as being the triumph of Islam and he undertook towards it the measure of life and death. It is reported that when he (saw) was told by his uncle Abu Talib what the Quraysh had wanted from him, i.e. to make Muhammad (saw) refrain from attacking them, and when Abu Talib said to him: "Spare me and yourself, and do not put on me a burden greater than I can bear." The Messenger of Allah (saw) said to him: **"O uncle, by Allah, if they were to put the sun in my right hand and the moon in my left on condition that I relinquish this matter, I would not relinquish it until Allah has made it dominant or I perish therein."**

When he (saw) established the State and performed *Jihad* by the sword, he also determined his issue as being the triumph of Islam and he undertook towards this issue the measure of life and death. It has been reported that, at the incident of al-Hudaybiah, when he (saw) was in Usfan, two junctions away from Makkah, on his way to perform *Umrah*, he met a man from Bani Ka'ab and asked him whether he had any news about the Quraysh. His answer was: "There are Quraysh who have heard of your coming and have come out wearing leopards' skins and have encamped at Dhu Tuwa vowing that you shall never enter Makkah in defiance of them. This man Khalid ibn al-Walid is with their cavalry which they have sent in advance to Kura-Al-Ghamim". Upon this the Messenger of Allah (saw) said: **"Woe unto Quraysh! War has devoured them. What harm would they have suffered if they had left me and the rest of the Arabs to go our own ways? If they should kill me, that is what they desired, and if Allah should give me victory over them they would enter Islam in flocks. If they do not do that they will fight while they have the strength; so what are Quraysh thinking of? By Allah, I shall not cease to fight for the mission with which Allah has entrusted me until He makes it triumphant or this Salifah gets severed"**. The *Salifah* is the surface of the neck, and its severance is tantamount to death. Then the Messenger of Allah (saw) continued his march until he reached Al-Hudaybiah.

In these two cases: the case of carrying the *Da'awah* through intellectual struggle, and the case of carrying it through *Jihad*, the Messenger of Allah (saw) determined his issue as being the triumph of Islam, and he (saw)

made it a vital issue, thus undertaking towards it the required and inevitable measure in both cases, that is the measure of life and death. Therefore, the Messenger of Allah (saw) said in the first instance:

“O uncle, by Allah, if they were to put the sun in my right hand and the moon in my left on condition that I relinquish this matter, I would not relinquish it until Allah has made it dominant or I perish therein”, and he (saw) said in the second instance: **“By Allah, I shall not cease to fight for the mission with which Allah has entrusted me until He makes it triumphant or this Salifah gets severed.”**

Had the Messenger of Allah (saw) not made this issue a vital one and had he not undertaken the measure of life and death towards it, Islam would not have triumphed, neither by conveying the *Da'awah* through intellectual struggle, nor by conveying it through *Jihad* with the sword. This is similar to the Muslims' reality today, that is the dominance of the *Kufr* systems over them and the hegemony of the *Kuffar* and the hypocrites over them, if they do not treat their issue as vital issue, and if they do not undertake the measure of life and death towards it, their endeavour would not yield anything and they would not be able to move one single step forward.

Therefore, we call upon every single Muslim, amidst this *Kufr* dominating the Islamic lands, to work towards establishing the *Khilafah* as a method to transform his own country into *Dar ul-Islam* and to unite it with the rest of the Islamic lands carrying the *Da'awah* to the world in order to make Islam triumphant. This work must reflect with truthful belief, enlightenment and awareness the saying of the Messenger of Allah (saw) : **“...by Allah, if they were to put the sun in my right hand and the moon in my left on condition that I relinquish this matter, I would not relinquish it until Allah has made it dominant or I perish therein”,** and his (saw) saying: **“By Allah, I shall not cease to fight for the mission with which Allah has entrusted me until He makes it triumphant or this *Salifah* gets severed.”**

Part Two: The Khilafah is an obligation

“The Prophets ruled over the children of Israel, whenever a Prophet died another Prophet succeeded him, but there will be no Prophet after me. There will be Khulafaa’ and they will number many. They asked: What then do you order us? He said: Fulfill the Bay’ah to them one after the other and give them their due. Surely Allah will ask them about what He entrusted them with.”

The Re-establishment of the Khilafah is an obligation upon all Muslims

The *Khilafah* is a common leadership for all the Muslims in the world. Its role is to establish the laws of the Islamic *Shari’ah* and to carry the *Da’awah* of Islam to the world. The *Khilafah* is also known as the Imamah, both terms have the same meaning. Several *Sahih Ahadith* mention them with the same meaning, neither of the two terms has ever differed in meaning in any *Shari’ah* text i.e. the Qur’an or the *Sunnah* of the Prophet (saw), these being the only *Shari’ah* texts. It is not compulsory to hold to the term of *Khilafah* or Imamah, but rather it is compulsory to hold to the meaning of the term.

The establishment of a *Khaleefah* is an obligation upon all Muslims in the world. Performing this duty, like any of the duties prescribed by Allah (swt) upon the Muslims, is an urgent obligation in which there can be no choice or complacency. Negligence in performing this duty is one of the greatest sins, for which Allah (swt) punishes severely.

The evidence that the appointment of a *Khaleefah* is obligatory upon all Muslims is found in the *Sunnah* and the *Ijma’a* (consensus) of the *Sahabah*. As for the *Sunnah*, Nafi’a reported saying: “Umar said to me that he heard the Prophet (saw) saying: **‘Whosoever takes off his hand from allegiance to Allah (swt) will meet Him (swt) on the Day of Resurrection without having any proof for him, and whoso dies whilst there was no Bay’ah (allegiance) on his neck (to a Khaleefah), he dies a death of Jahiliyyah (ignorance).’**” So the Prophet (saw) made it compulsory upon every Muslim to have a Bay’ah on his neck, and described whoever dies without a Bay’ah on his neck that he dies a death of Jahiliyyah. The Bay’ah cannot be for anyone except the *Khaleefah*, and the Prophet (saw) made it obligatory upon every Muslim to have on his neck a Bay’ah to a *Khaleefah*. Yet he did not make it an obligation upon every Muslim to give Bay’ah to a *Khaleefah*. The duty is the existence of a Bay’ah on the neck of every eligible Muslim, i.e. the existence of a *Khaleefah* who accordingly deserves a Bay’ah upon the neck of every Muslim. So it is the presence of the *Khaleefah* which places a Bay’ah on the neck of every Muslim, whether the Muslim gave a Bay’ah to him in person or not.

Therefore, this *Hadith* of the Prophet (saw) is an evidence that the appointment of the *Khaleefah* is an obligation and not a proof that giving the Bay’ah is obligatory. This is because the Prophet (saw) rebuked the Muslim who has no Bay’ah on his neck until he dies, not the one who did not give Bay’ah.. Hisham ibn ‘Urwa reported on the authority of Abu Saleh on the authority of Abu Hurayrah that the Prophet (saw) said: **“Leaders will take charge of you after me, where the pious (one) will lead you with his piety and the impious (one) with his impiety, so listen to them and obey them in everything which conforms with the truth. If they act rightly it is for your credit, and if they acted wrongly it is counted for you and against them.”** Muslim narrated on the authority of al-A’araj, on the authority of Abu Hurayrah, that the Prophet (saw) said: **“Behold, the Imam is but a shield from behind whom the people fight and by whom they protect themselves.”** Muslim reported on the authority of Abu Hazim, who said: “I accompanied Abu Hurayrah for five years and heard him talking of the saying of the Prophet (saw): **The Prophets ruled over the children of Israel, whenever a Prophet died another Prophet succeeded him, but there will be no Prophet after me. There will be Khulafaa’ and they will number many.** They asked: What then do you order us? He said: **Fulfil the Bay’ah to them one after the other and give them their due. Surely Allah will ask them about what He entrusted them with.”** Ibn ‘Abbas narrated that the Prophet (saw) said: **“If anyone sees in his Amir something that displeases him let him remain patient, for behold, he who separates himself from the sultan (authority of Islam) by even so much as a hand span and dies thereupon, has died a death of the days of Jahiliyyah”**.

In these *Ahadith*, the Prophet (saw) informs us that leaders will run the affairs of Muslims, and the *Ahadith* include the description of the *Khaleefah* as a shield, i.e. a protection. So the description of the Imam as a shield is informative of the benefits of the presence of the Imam, thus it is a command for action, because if the information conveyed by Allah (swt) and the Prophet (saw) contained rebuke then it is a command of abstention, and if it contained praise then it is a command for action. If the ordered action is necessary to implement a *Hukm Shari'i* (divine law), or by its negligence a *Hukm Shari'i* will be neglected, then this command is decisive. In these *Ahadith* there is information also that those who run the affairs of Muslims are *Khulafaa'*, which indicates an order to appoint them. They also include a prohibition for Muslims to separate from the authority, which indicates the obligation upon Muslims to appoint an authority for themselves, i.e. ruling. Moreover, the Prophet (saw) ordered the Muslims to obey the *Khaleefah* and to fight those who dispute his authority as the *Khaleefah*, which indicates an order to appoint a *Khaleefah* and to protect his *Khilafah* by fighting against whosoever disputes with him. Muslim reported that the Prophet (saw) said: **“He who pledged allegiance to an Imam giving him the clasp of his hand and the fruit of his heart shall obey him as long as he can, and if another comes to dispute with him you have to strike the neck of that man.”** So the command to obey the Imam is an order to establish him, and the command to fight those who dispute with him is an evidence that this command is decisive in maintaining the presence of one *Khaleefah*.

In regards to the *Ijma'a* of the *Sahabah* they all agreed upon the necessity to establish a successor or *Khaleefah* to the Prophet (saw) after his death. They all agreed as well to appoint a successor to Abu Bakr (r.a.), then to 'Umar (r.a.), then to 'Uthman (r.a.), after the death of each one of them. The *Ijma'a* of the *Sahabah* to establish a *Khaleefah* manifested itself emphatically when they delayed the burial of the Prophet (saw) after his death whilst engaged in appointing a successor to him. This was despite the fact that the burial of the dead person is a *Fard*, and that it is *Haram* upon those who are supposed to prepare for his burial to engage themselves in anything else until they complete the burial. The *Sahabah* were obliged to engage themselves in preparing the burial of the Prophet (saw). Instead, some of them engaged themselves in appointing a *Khaleefah* rather than carrying out the burial, and some others kept silent on this engagement and participated in delaying the burial for two nights despite their ability to deny the delay and their ability to bury the Prophet (saw). So this was an *Ijma'a* to engage themselves in appointing a *Khaleefah* rather than to bury the dead. This could not be legitimate unless the appointment of a *Khaleefah* is more obligatory than the burial of the dead. Also, all the *Sahabah* agreed throughout their lives upon the obligation of appointing a *Khaleefah*. Although they disagreed upon the person to elect as a *Khaleefah*, they never disagreed upon the appointment of a *Khaleefah*, neither when the Prophet (saw) died, nor when any of the *Khulafaa' al-Rashidun* died. Therefore the *Ijma'a* of the *Sahabah* is a clear and strong evidence that the appointment of a *Khaleefah* is obligatory.

Furthermore, the establishment of Islam and the implementation of the *Shari'ah* rules in all walks of life is compulsory on Muslims through definitely proven evidences. This duty cannot be achieved unless there is a ruler who has an authority. The *Qaa'idah* (divine principle) states ‘that which is necessary to accomplish a *Wajib* (duty) is itself a *Wajib*’. So the establishment of a *Khaleefah* is also compulsory according to this *Qaa'idah*. This principle can be realised by the following examples,

The Prophet (saw) has stated in one *Hadith* as narrated by Imam Bayhaqi (ra) in his Sunan that, **“Nobody has the right vested in him to establish anything from the Hudood without the Sultan (authority of the State)”**.

Imam Tahawi also narrates a *Hadith* from Muslim ibn Yasar that the Prophet (saw) said, **“The (collection of the) Zakah, the (implementation of the) Hudood the (distribution of the) spoils and the (appointment of the) Jumu'ah are for the Sultan”**.

(A similar narration has been narrated by Ibn Abi Shaybah in his Musanaf and also by Imam Narghiyani. They have been deemed acceptable.)

Hence the obligation of establishing the *Khilafah* is the obligation upon which many other obligations rest, such as the *Hudood* (penal codes), collection and distribution of the *Zakah*, the organising of the main Jumu'ah and it's *Khateeb* and other obligations besides these. The removal of *Kufr* depends upon the resumption of the *Khilafah*. Establishing Islam in actuality means the establishment of the *Khilafah* as that is

the only method of implementing Islam. Indeed, without the *Khilafah* the *Deen* cannot exist in our societies. Hence the whole of Islam depends upon the *Khilafah* as that is the method that Islam defined to bring it into existence.

The current situation of the Islamic *Ummah* is a testament to this fact. The Islamic penal code is absent and is replaced with that of the European countries. The economic system of Islam has been replaced by that of the Capitalists and today the resources of the Muslim *Ummah* are the spoils that are distributed by the *Kuffar*. The Islamic lands are occupied despite the military capacities of the Muslim armies. The absence of the Islamic way of life in our countries is ever affecting the societal fabric with nightclubs and bars arising in the holy lands of al-Quds, as well as many other major cities and capitals in the Islamic world. These stark facts unfortunately clearly illustrate the absence of Islam and the truthfulness of the statements of the Messenger of Allah (saw).

Moreover, Allah (swt) has ordered the Prophet (saw) to rule between Muslims by that which He (swt) revealed to him, and the order of Allah (swt) to him was in a decisive manner. Allah (swt) addressed the Prophet (saw) saying:

“And rule between them by that which Allah revealed to you, and do not follow their vain desires away from the truth which came to you”.
(TMQ al-Ma'idah, verse 48)

And He (swt) said:

“And rule between them by that which Allah revealed to you and do not follow their whims, and beware (be on the alert) that they may deviate you away from even some part of what Allah revealed to you”.
(TMQ al-Ma'idah, verse 49)

The speech of Allah (swt) to the Prophet (saw) is a speech to his *Ummah* unless there is an evidence which limits the speech to him. In this case there is no such evidence, so the aforementioned verses order all Muslims to establish the rule of Allah (swt). The establishment of the *Khaleefah* does not mean other than the establishment of the rule and the authority of Allah (swt). On the other hand, Allah (swt) made it obligatory upon Muslims to obey those in authority, meaning the ruler, which indicates that the existence of the ruler is obligatory upon Muslims. Allah (swt) said:

“O you who believe obey Allah and obey the Messenger and those in authority from amongst you”.
(TMQ al-Nisa'a, verse 59)

Allah (swt) does not order obedience to those who do not exist. This indicates that the existence of the ruler is obligatory. When Allah (swt) orders obedience to those in authority it is an order to establish them. The implementation of the *Shari'ah* depends upon the existence of the ruler, thus, the establishment of the ruler becomes obligatory as its absence will result in the sin of neglecting the *Shari'ah*.

Therefore, it is clear from these evidences that the establishment of the ruling and the authority amongst Muslims is *Fard*, and it is also clear that the appointment of a *Khaleefah* who takes charge of the rule and the authority, is compulsory upon Muslims in order to implement the *Shari'ah* laws; and not for the sake of ruling and authority only. Reflect upon what the Prophet (saw) said: **“The best of your Imams (leaders) are those whom you love and they love you, who pray for you and you pray for them; and the worst of your Imams are those whom you hate and they hate you and you curse them and they curse you.”** The Messenger of Allah (saw) was asked: ‘Would we not declare war on them (face them with the swords)?’ He said: **‘No, as long as they establish *Salah* (meaning Islam) among you.’** This *Hadith* is clear in informing about the good and bad leaders, and clear in prohibiting the challenge of their authority as long as they establish the prayer, which in this context indicates upholding of Islam, and establishing its rule.

So the obligation upon Muslims to appoint a *Khaleefah* who establishes the laws of Islam and conveys its call is a matter which has no doubt with regard to its certainty in the sound texts of *Shari'ah*. Moreover, it is an obligatory duty due to the fact that Allah (swt) made it a *Fard* upon Muslims to establish the authority of Islam and to protect the honour of Muslims. However, this duty is a collective one, so if some people of the *Ummah* accomplished it, the *Fard* is fulfilled and thus responsibility drops from the rest of the *Ummah*. And if part of the *Ummah* was unable to accomplish the *Fard*, though they carried out the actions of establishing it, then the responsibility remains upon all the Muslims, and the *Fard* remains upon every Muslim as long as Muslims are without a *Khaleefah*.

To refrain from establishing a *Khaleefah* for the Muslims is a great sin because it is abstaining from carrying out a very important *Fard* of Islam, upon which the implementation of the divine laws depends, even upon which the presence of Islam in the battlefield of life depends as well. So Muslims as a whole commit a great sin by refraining from establishing a *Khaleefah* for all Muslims. And if they agreed to remain without a *Khaleefah* the sin would befall all Muslims in the entire world. If some of the Muslims embarked on working to establish a *Khaleefah* and the others did not, the sin will drop from the shoulders of those who started to work to establish the *Khaleefah*, while the *Fard* remains on them until the *Khaleefah* is appointed. This is because the involvement in establishing the *Fard* removes the sin for the delay of its fulfillment in its time, and for its non-fulfillment, despite one's engagement in the work for establishing it, and despite his hatred of that which prevents him from accomplishing it.

As for those who were not engaged in the work for establishing the *Fard*, the sin would remain on them as soon as the three days period has passed, from the departure of the *Khaleefah* until the appointment of a new *Khaleefah*. This is because Allah (swt) had entrusted them with a *Fard*, which they did not carry out nor did they engage themselves in the work which was required for its completion. Therefore, they would be sinful and would deserve the punishment and shame from Allah (swt) in this life and the hereafter. They would be sinful due to their slackness in establishing the *Khaleefah* or from the actions which (according to *Shari'ah*) establish the *Khaleefah*. It is clear and obvious that a Muslim deserves the punishment of Allah (swt) when he ignores any of the duties enjoined upon him, particularly the duty by which the other duties are implemented, the *Shari'ah* rules are established, the matter of Islam is brought aloft and the word of Allah (swt) is exalted in the Islamic world and elsewhere.

Accordingly, no Muslim on the face of this earth has an excuse to abandon the duty of establishing the *Deen* which Allah (swt) has ordered, that is, the establishment of a *Khaleefah* for Muslims, when there is no *Khilafah* on the earth, and no one to implement the limits (*Hudood*) of Allah (swt) to protect the sanctities of Allah (swt), and no one to implement the laws of the *Deen* and unify the Muslim community under the banner of *Laa ilaha illa Allah, Muhammad al-Rasul Allah*. There is no permission in Islam to abandon the work for this duty until it is indeed accomplished.

The Time Limit given to Muslims to Establish a Khaleefah

Indeed the time limit given for Muslims to establish a *Khaleefah* is two nights. So no Muslim is allowed to stay for more than two nights without having a Bay'ah on his neck. Making the upper limit as two nights is due to the fact that appointment of a *Khaleefah* is *Fard* from the moment the previous *Khaleefah* dies or is deposed. But it is allowed to delay the appointment while engaging in it for two nights. If the delay exceeded two nights and the Muslims did not establish a *Khaleefah*, the matter is examined. If the Muslims were busy in establishing a *Khaleefah* but could not complete it within two nights due to overwhelming matters they cannot resist, then the sin will drop from them because they were engaged in establishing the duty and they were forced to delay it by compelling power. The Prophet (saw) said: **“The sin due to mistake, forgetfulness and compulsion is removed from my Ummah.”** But if they were not engaged in performing the duty, then they would all be sinful until the *Khaleefah* is established and at that time the *Fard* will drop from them. But the sin they committed in neglecting the establishment of a *Khaleefah* does not drop from them, it rather remains on them, and Allah (swt) will bring them to account for it the same way He (swt) brings any Muslim to account for any disobedience he commits when he neglects to perform a duty.

In regard to the evidence concerning the two nights time limit given to Muslims to perform the duty of establishing a *Khaleefah*, it is an *Ijma'a* of the *Sahabah*. The *Sahabah* started to meet in the courtyard of Bani Sa'idah, to discuss the appointment of a successor to the Messenger of Allah (saw) as soon as the news of the death of the Prophet (saw) reached them. They kept discussing in the courtyard, and on the second day they gathered the people in the mosque in order that they might give the Bay'ah. This took two nights and three days. Also, when 'Umar (r.a.) became certain that his death was imminent as a result of the stab wound, he entrusted the people of influence, the six remaining senior *Sahabah*, and gave them three days to choose a new *Khaleefah*. He ordered that if after the three days an agreement was not reached the one who disagreed should be killed. This was despite the fact that these were of the eminent *Sahabah*. 'Umar (r.a.) also empowered fifty Muslims with swords to kill the one who disagreed. These orders were given in front of the *Sahabah*, and no one was reported to deny or disagree with it, so it becomes *Ijma'a* of the *Sahabah* that Muslims are not permitted to stay without a *Khaleefah* for more than two nights and three days, and the *Ijma'a* of the *Sahabah* is a legitimate *Daleel Shari'i* (evidence) like the Qur'an and *Sunnah* of the Messenger of Allah (saw).

Therefore, the re-establishment of the *Khilafah* is the most vital issue and the priority obligation for the Muslims. It was worth not only the lives of the *Sahabah* (ra) but also the Messenger (saw) was prepared to give up his life for the establishment of this *Deen*. He (saw) stated to his uncle concerning the Mushrikeen, **“...by Allah, if they were to put the sun in my right hand and the moon in my left, on condition that I relinquish this matter, I would not relinquish it until Allah has made it dominant or I perish therein”**. (Tareekh ut-Tabari by al-Tabari Vol. 6 par. 1179).

Hence the re-establishment of the *Khilafah* is the priority issue for the Islamic *Ummah* and the matter which will restore all the *Faraa'id* (obligations) of Islam and remove all the *Munkaraat* (evils) that are effecting the Islamic world and establish the *Ma'roof* (good).

Imam Shatibi has stated in his book *Al-Muwafaqaat fee Usul il Ahkam* (Vol. 1 Section 1 page 119-121) that the obligation of appointing an *Imam* falls upon those that are capable of establishing it and those who are capable of taking that position but if they do not appoint him then everyone else must work to ensure that those who are capable fulfil their obligation and hence it becomes a *Wajib* to work with those that are capable to resume the *Imamah* based upon the principle “Whatever is necessary to accomplish an obligation is in itself an obligation”.

Therefore it is an obligation upon every single Muslim today to work to remove the current systems in the Islamic lands in order to re-establish the *Khilafah* and bring Islam back to the *Ummah*.

The Khilafah System and its Obligations

It is necessary that any political movement or any Muslim working to re-establish the *Khilafah* has a clear insight into the nature of the Islamic system. The following is from the book *Nidhaam ul-Hukm fil Islam*, the Ruling System in Islam by Taqiuddin an-Nabhani (may Allah have mercy on him), which details the ruling system. The extract elaborates the structure of the State.

The framework of the ruling system in Islam

The Islamic ruling system is distinct from all other existing ruling systems in the world. It is different in the basis on which it is built, different in its principles and concepts, different in its criteria and laws by which it governs and looks after the affairs, different in its constitution and implementation and execution of laws, and in the way the state is represented which distinguishes it from all other systems in the world.

The framework of the Islamic ruling system is not monarchical

It does not approve of the monarchical form of government nor does it have anything in common with it. The monarchical system of government adopts a hereditary rule. The sons inherit the throne from their fathers, and they inherit their legacies. Whereas in Islam, there is no hereditary rule, the rule is performed by whom the *Ummah* gives her pledge of allegiance willingly and selectively.

The monarchical system allows the monarch special privileges and rights exclusively to him, he is above the law and he is answerable to none, he is the symbol of the country, either a monarch without ruling powers like the monarchs of Europe, or a monarch who rules and even becomes the source of the rules, running the land and the people as he wishes, like the kings of Saudi Arabia, Morocco and Jordan.

The Islamic system however, does not allow the *Khaleefah* or the Imam any special privileges or rights, he has the same rights and duties of every single individual of the *Ummah*, he is not the symbol of the *Ummah* who holds an honorary position without any ruling powers, nor is he a symbol that rules and runs the country and people's affairs as he pleases. He is a trustee (representative) of the *Ummah* in rule and in authority, the *Ummah* selects him and gives him the pledge of allegiance of her own choice to implement on her Allah's *Shari'ah*. He is guided and restricted in his actions, ways of looking after the affairs of the *Ummah* and her interests by the *Shari'ah*. Besides there is no hereditary monarchy in Islam, it even abhors hereditary rule and forbids that the rule be taken by legacy. The rule is assumed by the *Khaleefah* only when the *Ummah*, willingly, gives him the pledge of allegiance.

The framework of the Islamic ruling system is not republican

The Islamic ruling system is not republican either. The republican system is based on the democratic regime, where the supremacy is to the people. The people have the right to rule and legislate, they reserve the right to appoint the ruler and depose him. They reserve the right to adopt a constitution and enact new laws, to abolish, alter or modify the rules.

Whereas the Islamic ruling system is based on the Islamic *Aqeeda* and on the *Shari'ah* laws. The supremacy is to the *Shari'ah* of Allah and not to people (*Ummah*), the *Ummah* has not the right to legislate, nor does the *Khaleefah*. The sole legislator is Allah (swt), the *Khaleefah* has only the right to adopt the rules for the constitution, and the laws that are derived from the Book of Allah (swt) and the *Sunnah* of His messenger. The *Ummah* does not have the right to remove the *Khaleefah*; what removes him is the *Shari'ah*; however the *Ummah* has the right to appoint him. For Islam has that the authority belongs to her and the rule belongs to her as well, so she is represented by a *Khaleefah* whom she selects and give the *Bay'ah*.

In the presidential framework of the republican system, the president of the republic takes up the mandatory powers of the head of state and the prime minister, he does not have in his cabinet a prime minister, but secretaries of state, like in the US. In the parliamentary framework, the president has a prime minister, and the

mandatory ruling powers are in the hands of the ministerial cabinet not the president of the republic like in France and Germany.

In the *Khilafah* there are no ministers, nor a council of ministers working with the *Khaleefah* like in the democratic system, where ministers have special portfolios and mandatory powers of their own. The *Khaleefah* has assistants who work with him and assist him with the executive duties. The *Khaleefah* heads them in his capacity as the head of state and not prime minister, nor as a head of an executive body. The *Khaleefah* has no council of ministers working with him, he has all the mandatory powers; his assistants help him to execute those mandatory powers.

Besides the republican system, in both its framework, presidential and parliamentary, the president is responsible and accountable to his people, and his representatives (deputies, M.P.s, congressmen). The people and their representatives have the right to remove the president for the supremacy in the republican system belongs to the people.

This is contrary to the *Imara* of the believers, verily the Amir of the believers, even if he is responsible before the *Ummah* and her representatives and even if he is accountable to the *Ummah* and her representatives, the *Ummah* has no right to remove him, and thus their representatives have no right to remove him either. He is removed only if violates the *Shari'ah* in a way which the Court of Unjust Acts deems that it deserves his removal.

In the republican system, whether it is presidential or parliamentary, the term of the presidency is fixed and cannot be exceeded.

Whereas the *Khilafah* system does not determine the *Khaleefah's* term of office, it is determined by the implementation of *Shari'ah*, for as long as the *Khaleefah* is implementing the Islamic rules to the full, the rules that are derived from the Book of Allah, and the *Sunnah* of his Messenger, he remains a *Khaleefah* in office, regardless of how long his *Khilafah* term lasts. If the *Khaleefah* violated the *Shari'ah*, and deviated from implementing the Islamic rules his term in office would be terminated even if it were for one month, or one day. He must be removed.

We conclude therefore that the differences between the *Khilafah* system and the republican one are wide, so is the difference between the *Khaleefah* and the president of a republic. It is therefore forbidden to claim that the Islamic system is a republican system, for there exists a big contradiction between the bases on which the two systems are founded. In addition to the difference in the framework and other institutions.

The framework of the Islamic ruling system is not imperial

It is neither imperial, since the imperial system of government is far from the Islamic one. Despite the differences of race, the regions ruled by Islam, although governed by a single administration - in (central office) - they are not ruled by an imperial system. The Imperial system does not treat the races equally in the various regions of the empire. The empire's central region has always some privileges, in the rule, finance and economy. The Islamic way of ruling is to equate between all the subjects in all the regions of the state. Islam grants non-muslims who hold citizenship, the full rights that the Muslims have, they enjoy also the same privileges furthermore, every single citizen regardless of his or her creed enjoys better rights than in any other system, even better than a Muslim living abroad and holding no citizenship. With this equity, the Islamic system differs completely from the Imperial one. The Islamic system does not make the regions under its rule colonies, nor areas of exploitation, nor sources of wealth pouring into the central region alone, but rules and treats all regions the same, for Islam considers all regions to be one single entity, no matter how far apart they were, and no matter how many different races there are. Every single region is considered to be part of the state and its citizens enjoy the same rights as those in the central region. Islam makes the ruling authority, the system and its legislation the same in all the regions.

The ruling system in Islam is not a federal one

The ruling system in Islam is not federal. Its regions have autonomy over their own affairs and enjoy some kind of self rule, but unite in the general rule, a system of unity, where Marrakesh in the West is considered to be the same as Khurasan in the East, the province of Al-Fawwoum would be the same of Cairo if it were the Islamic capital. The financing and the budget is one and the same for all the regions. Money is spent equally on the affairs of the subjects, regardless of the *Wilayah*. If for instance, the taxes collected in one *Wilayah* were double its expenditure, the money spent will be to cover the *Wilayah's* needs but not according to how much tax it raised. If another *Wilayah's* taxes fell short of its expenditure, this would not be considered, but dismissed and money will be spent to satisfy the *Wilayah's* needs from the general budget whether it raised enough taxes or not.

Therefore the ruling system is unitary not a federation. That is why the Islamic ruling system is distinguished from other known systems, in origins and its bases, even if some aspects were similar to other systems. In light of what we listed so far, we conclude that the Islamic system is central in its rule, where the high authority is at head office, and where the authority and hegemony engulfs every single part of the state no matter how remote. Independence of any part of it is not allowed, ensuring that the state does not disintegrate. The high authority, is the body which appoints the army commanders, the *Walis*, rulers and finance and economy officials. It appoints judges in all the regions and the ones whose duties are to rule; it is the initiator of all the rules all over the country.

The ruling system in Islam is a *Khilafah* system, the general *Ijma'a* about the unity of the *Khilafah* has been established so has the unity of the state, and the unlawfulness of giving the *Bay'ah* to more than one *Khaleefah*. All the *Imams*, jurists and Scholars have agreed on this. If another *Khaleefah* is given the pledge, while a *Khaleefah* is in office or a *Khaleefah* had already been given a pledge, the second one should be fought until he himself gives the pledge of allegiance to the first *Khaleefah* or be killed, for the pledge has been lawfully confirmed to be the right of the one who is properly given it first.

The Vision of the Khilafah

The mandatory powers of the *Khaleefah*:-

The *Khaleefah* is the state. He possesses full mandatory powers given to the state and they are:-

A - It is he who makes the divine laws that he adopts binding. They would then become laws that have to be obeyed and their violation would be forbidden.

B - He is responsible about the internal and foreign policies of the state; he is the high commander in chief of all the armed forces and he has full powers to declare war, hold peace treaties, truces and all other treaties.

C - He has the powers to accept (foreign) ambassador's and to refuse them, as well as the power to appoint Muslim ambassadors and to remove them.

D - It is the *Khaleefah* who appoints and removes the assistants and Walis; they are all responsible before him and before the council of the *Ummah*.

E - It is he who appoints and removes the supreme judge (*Qadhi-Qudhat*), as well as district administrators, army commanders, chiefs of staff, and the commanders in chief; they are all (responsible) answerable to him and not to the Council of the *Ummah*.

F - It is he who adopts the Divine laws, on the light of which the state's budget is drafted, and he decides the details of the budget and the expenditure of each department which is allotted according to its needs, whether it is revenues or expenses.

Evidence of these mandatory powers is drawn from the fact that the *Khaleefah* in its essence is a general rule over all the Muslims worldwide, with the objective of implementing the *Deen's* rules and of carrying the Message of Islam to the world, which is another evidence. However the word state is a terminology, whose meaning differs among different nations. For Western people for instance state means the land, inhabitants and the rulers, for the state in their view is defined within borders they call the country, and sovereignty in their view belongs to the people, with collective and not individualistic ruling. Thus the concept of the state became known as the sum total of the country, the inhabitants and the rulers. Therefore, they have a head of state, i.e. head of the government, the people and the country (land) and a chief of government i.e. a prime minister.

However, in Islam, there are no permanent borders, for the Message has to be carried to the whole world, and therefore frontiers move with the authority of Islam; the term country means the place where a person resides permanently i.e. his home and homeland, no more no less. The supremacy is to the *Shari'ah*, not to the people; the rulers are directed by the will of the *Shari'ah* and the *Ummah* is also directed (controlled) by the *Shari'ah*; Ruling is individual and not collective. The Messenger of Allah (saw) said: **“If three of you set off in a Journey, appoint one of you (as leader).”**

He (saw) also said: **“If three of you went out on a journey, you should appoint a leader from among you.”** He (saw) also said: **“If a bay'ah has been taken for two *Khaleefahs*, kill the latter of them.”**

Therefore, the meaning of the state in Islam differs from that in other systems. The state in Islam means the leadership and ruling, and its mandatory powers rest with the authority of the leader, and since the *Khaleefah* is the one who takes up the authority, he then is the state. When the Messenger of Allah (saw) established the Islamic state in Madina he was the head of state and the whole of the authority belonged to him, and all powers related to the rule were his, and this was so during all his lifetime until he (saw) died. Then after him came the *Khulafa Al-Rashideen*, and each one of them enjoyed the full authority and possessing all the mandatory powers related to the rule. This also serves as evidence that the *Khaleefah* is the state. Besides, when the Messenger of Allah (saw) warned against rebellion and disobedience to the *Amir*, he expressed it as being a rebellion against the authority. He (saw) said: **“If anyone sees in his Amir something that displeases him, let him remain patient, for behold! He who separates himself from the Sultan (authority of Islam)**

by even so much as a hand span and dies thereupon, he has died the death of Jahiliyyah.” The *Khilafah* is the rule over the believers, the *Khaleefah* is therefore the authority, and he has all the mandatory powers, i.e. he is the state and possesses all the powers given to the state. This is the general evidence about these mandatory powers. As for the listing of these powers enjoyed by the *Khaleefah*, this is in fact the listing of the powers which exist within the state, and we now move onto the listing of the detailed rulings of these powers.

As for the detailed (elaborate) evidence about the six sections mentioned above, the evidence about section “A” is the general consensus of the *Sahabah*. As for law, it is a term which means the order which the authority (Sultan) issues so that people abide by it; law has been described as being the group of principles which the Sultan (authority) compels people to follow in their relationships (transactions) i.e. if the Sultan issues rules, then these rules became law and people have to abide by them, and if the Sultan does not issue them, then they do not become law and people are not obliged to abide by them. The Muslims follow the rules of *Shari’ah*, so they abide by Allah’s commands and prohibitions. What they abide by are the commands and prohibitions of Allah, not those of the Sultan, so what they follow are divine laws and not the orders of the Sultan. However these *Shari’ah* laws have been interpreted differently by the *Sahabah*, so that their understanding of divine rules differed, and each one of them complied by rules which accorded with his own understanding.

However, there are some divine rules related to managing the affairs of the *Ummah* that all the Muslims should abide by with one single opinion, and not according to each individual’s own *Ijtihad*. This in fact took place in the past. Abu Bakr for instance considered it fit to distribute the wealth equally among all Muslims for it was their equal right. Umar deemed it wrong to give in the same way to those who had fought the Messenger of Allah (saw) and those who fought alongside him, as well as equally to both the wealthy and the needy. However when Abu Bakr was the *Khaleefah*, he ordered his opinion to be enacted (enforced) and the judges and *Walis* executed his opinion and Umar submitted to Abu Bakr’s opinion and executed it. And when Umar became *Khaleefah* he enforced his own opinion which differed from that of Abu Bakr’s i.e. he ordered the money to be divided according to merit (excellence) and not equally, thus the Muslims were given according to the length of time they had been Muslims and according to their needs. Muslims abided by this rule, and the judges and *Walis* executed it. Therefore a general consensus of the *Sahabah* was established stating that the Imam has the right to adopt specific rules and order them to be implemented. Muslims therefore have to abide by such rules even if they contradicted their own *Ijtihad*, and they must abandon their own opinions and *Ijtihads*. These adopted rules are in fact laws. Thus the enacting of laws belongs to the *Khaleefah* alone and no one else has this right.

As for section “B”, its evidence is derived from Allah’s Messengers’ (saw) actions. He (saw) used to appoint the *Walis* and judges and hold them accountable. He (saw) used to control sales and purchases and prohibit fraud and cheating. He (saw) used to distribute the wealth among the people, and help the unemployed find work. He (saw) used to run all the state’s internal affairs, and he (saw) used to address the kings and meet with the envoys and receive the delegations. He (saw) also ran all the foreign affairs of the state. He (saw) used to effectively take command of the armed forces, during the raids and he (saw) used to lead the battles, and he (saw) used to send all the expeditions and appoint their leaders. In one instance he (saw) appointed Usama Ibnu Zayd at the head of an expedition to Al-Sham; the *Sahabah* were not pleased at this due to Usama’s young age, but the Messenger of Allah (saw) forced them to accept his leadership, which proves that he effectively was the commander of the armed forces and not just its high Commander in chief. It was he (saw) who declared war on Quraysh, and on Banu Qurayzah, Banu Nadir, Banu Qaynuqa’, Khayber and the Romans. All the wars that took place were declared by him (saw). This indicates (proves) that only the *Khaleefah* possesses the right to declare war. It was also the Messenger of Allah (saw) who signed the treaties with Banu Madlij and their allies of Banu Dhumra; He (saw) signed a treaty with Yuhanna (Johnathon) Ibnu Ru’ba, the friend of Ayla, and he (saw) also signed the treaty of Al-Hudaybiyah. The Muslims on that occasion were outraged but he (saw) ignored their opinion and dismissed their pleas, and went ahead and signed the treaty. This proves that only the *Khaleefah* possesses the mandatory powers to sign treaties, whether these were peace treaties or any other.

As for the section “C”, its evidence is that the Messenger of Allah (saw) received the two envoys of Musaaylama, and it was he (saw) who received Abu Rafi’i, an envoy from Quraysh. It was also he (saw) who sent envoys to Hercules Chosroes, Al Muqaqas, Al-Harith Al Hossani King of Al-Heerla, Al Harith Al-

Hamiry. King of Yemen, the Negus Al-Habishi, and he sent Uthman ibn Affan to Quraysh during the Hudaibiyah affair. This proves that the *Khaleefah* is the one who accepts the ambassadors (envoys) and refuses them and it is he who appoints the ambassadors.

As for section “D”, its evidence is that it was the Messenger of Allah (saw) who used to appoint the *Walis*, for he appointed Mu’adh as *Wali* over Yemen; and He (saw) used to remove them; he removed Al A’la’ ibn al-Hadhrami from his post as *Wali* of Bahrain after its people complained about him; this indicates that the *Walis* are responsible before the people of the *Wilayah* (region-district), and also the *Khaleefah*, as well as the council of the *Ummah*, for it represent all the *Wilayahs*. This is concerning the *Walis*. As for the assistants, the Messenger of Allah (saw) had two assistants: Abu Bakr and Umar. He did not remove them and appoint others to replace them during all his lifetime. It was he (saw) who appointed them and he (saw) never removed them. However, since the assistant derives his authority from the *Khaleefah* and since he acts in the capacity of his deputy, the *Khaleefah* therefore has the right to remove him, by analogy with the deputy for the mandator has the right to dismiss (remove) his deputy.

As for the section “E”, its evidence is derived from the fact that the Messenger of Allah (saw) appointed Ali as judge over Yemen; Uqabah ibn Amer reported that two men in dispute came to the Messenger of Allah (saw) seeking justice, so he (saw) said to me: **“Judge between them.”** I said: “You are better and worthier of that.” So he (saw) said: “It does not matter.” So I said: “What shall I do?” (how do I judge?). He (saw) said: **“Judge! And if you get it right, you shall get ten rewards and if you get it wrong you shall get one reward.”** It is narrated on the authority of Amru ibn Al A’as that he said that two men in dispute came to the Messenger of Allah (saw) so he (saw) said the me: **“O Amru Judge between them.”** I said : “You are worthier than me O Messenger of Allah.” He (saw) said: **“If you judge right between them you shall get ten rewards and if you don’t you shall get one reward.”**

Umar (may Allah be pleased with him) used to appoint and remove judges. He appointed Sharih judge over Kufa and Abu Musa as judge over Basra. He also removed Shurahbeel ibn Hasnu from his post as *Wali* over Al-Sham and appointed Mu’awiya instead. Shurahbeel said to him: “Is it because of an act of disobedience or treason that you removed me?” Umar replied: “Neither, but I wanted to appoint a different man.” Ali on one occasion appointed Abu Aswad and then he removed him so he asked him: “Why did you remove me. I never cheated or committed a crime?” Ali said: “I noticed that your voice rose above the disputing men.”

Umar and Ali did this before the *Sahabah* and none of them disapproved or censured their actions. This proves that the *Khaleefah* reserves the right to appoint the judges in principle, and he can also delegate someone to appoint the judges on his behalf. This is in analogy with the deputation, for he reserves right to assign to a deputy any of his mandatory powers and delegate someone to perform any of his dispositions. As for the state’s departments, the Messenger of Allah (saw) appointed secretaries for the various department of the state. They were considered to be as directors of those departments. He (saw) appointed Al-Harith ibn Auf Al Hazyi in charge of his stamp, and Nu’ayqib ibn Abi Fatima as secretary of the booty. He (saw) also appointed Hudhayfah ibn Al Yaman as the head of fruits and harvest assessment department, and Zubayr ibn Al Awwam as director of *Sadaqah*. He (saw) appointed Al Mughira ibn Shu’ba as director in charge of registering the various transactions and so on.

As for the army commanders and chief commanders, the Messenger of Allah (saw) appointed Hafiza ibn Abdul Muttalib as commander of an army of thirty riders to confront Quraysh on the seashore, and appointed Muhammad ibn Ubayda ibn Al Harith at the head of sixty fighters and instructed him to confront Quraysh in the Wadi of Rabigh. He (saw) also appointed Sa’ad ibn Abi Waqqas at the head of an expedition numbering twenty riders and dispatched him towards Makkah. Therefore, he (saw) used to appoint the army commanders which proves that it is the *Khaleefah* who appoints the commanders and the army chiefs of staff.

All these were answerable to the Messenger of Allah (saw) and nobody else, which indicates that the judges, directors of departments, army commanders, chiefs of staff and various senior officials are answerable to none but the *Khaleefah*. They are not answerable to the council of the *Ummah*. Only the delegated assistants, the *Walis* and the *Amils* are responsible before the council of the *Ummah* for they are rulers and nobody else is responsible before the council, but everyone has to report back to the *Khaleefah*.

As for section “F”, the revenues and the expenditures are controlled and managed according to the *Shari’ah* rules, every single *Qirsh* (-penny) is debited according to *Shari’ah* and every single *Qirsh* spent in the same way. However the details of the expenditure or what is known as the breakdown of the expenditure are left to the *Khaleefah* to decide according to his *Ijtihad*. So are the details of revenues. It is the *Khaleefah* for instance who decides on the amount of the *Kharaj* of land, and the *Jizya* as well as any other levies and revenues. It is the *Khaleefah* who decides on the expenditures reserved for each project, such as road works, hospitals etc. All such matters are left to the *Khaleefah* to decide, and it is the *Khaleefah* who reserves the right to act on his own *Ijtihad* and opinion. The Messenger of Allah (saw) used to receive the revenues from the *Amils*, and spend them. It was he (saw) who authorised the *Walis* on some occasions to receive monies and spend them. This was the case when he (saw) appointed Mu’adh over Yemen. Then the *Khulafa Rashideen* did the same, each one of them collected the revenues and spent them according to his opinion and own *Ijtihad* in his capacity as *Khaleefah*. None of the *Sahabah* ever disapproved, and nobody ever spent a single *Qirsh* without the *Khaleefah’s* consent. When Umar appointed Mu’awiya as *Wali*, he gave him a general *Wilayah* whereby he had powers to collect and spend. All this proves that the details of the budget are decided by the *Khaleefah* or anyone acting on his behalf.

These are the detailed evidences about the *Khaleefah’s* mandatory powers and these are confirmed by the *Hadith* of Allah Messenger (saw): “**The Imam is a guardian, and he is responsible over his subjects.**” The word he indicates the restriction or exclusivity, i.e. every matter related to the management of the subjects affairs is the responsibility of the *Khaleefah* and the *Khaleefah* alone. He reserves the right to delegate anyone with whatever task, however he deems fit, and this is analogous to deputation.

Part Three: The Need for Ijtihad

“Whosoever interprets the Qur’an without knowledge, let him seek his abode in the fire”.

The mind is not a source of legislation

Since the destruction of the *Khilafah* and the decline of the Muslims the *Ummah* has been subjected to host of alien thoughts that have been implanted in the Muslims under the guise Islam. Of the most dangerous of these concepts is the idea that mans intellect is a source of legislation either explicitly or implicitly through concepts such as benefit as a criteria to judge the *Hukm* (rule) of Allah.

This has become propagated to the Muslim *Ummah* and has been adopted by some within her. We should know that the *Hukm Shari* is defined as the Address (*Khitaab*) of the Legislator concerning actions of the servant. In other words for every Islamic rule we require an address (*Khitaab*) from Allah and this would be demonstrated from the revelation and the mind of man is not a receiver of revelation. Hence we need to go to what has been confirmed as revelation i.e. the *Kitab* of Allah, the *Sunnah* of his Messenger (saw) and those things which indicate revelation i.e. *Ijma’a* as *Sahabah* (ra) or through *Qiyas* with an *Illah* (divine reason) in the text.

It should be made clear that the *Hukm* of Allah can not be determined or judged through the limited mind of man. Indeed the role of the *Shari’ah* is to remove man from his own bias and whims to the justice and mercy of Allah.

It would not be allowed to use the mind to derive a rule as the intellect is not a source of revelation and therefore it is not a source of divine rules. The Prophet (saw) was reported in a *Hadith* narrated by Imam Tirmidhi as saying, “**Whosoever interprets the Qur’an according to his opinion, let him seek his abode in the fire**”, and in another narration, “**Whosoever interprets the Qur’an without knowledge, let him seek his abode in the fire**”. Furthermore, it is narrated by Abu Dawud and by Tirmidhi that the Prophet (saw) has said, “**Whosoever interprets the Qur’an according to his opinion, even if he get’s it right, he has indeed committed a sin**”.

The *Hukm* of Allah (swt) is not judged by the intellect, as the right of legislation is solely for Allah (swt) alone. The mind cannot judge the rules of Allah (swt) that govern our life, nor His (swt) direction on how to establish His (swt) *Deen*, this is beyond the limits of the mind and is a sin.

Imam Shatibi mentions in his book *al Muwafaqat fee Usul il Ahkam* (Vol.2, page 25), “The objective behind the *Shari’ah* is to liberate the individuals from his desires in order to be a true *Abd* (slave) of Allah and that is the legitimate *Maslaha*.” He further went on to say, “Violating the *Shari’ah* under the pretext of following the basic objectives or values (*Maqasid al-Shari’ah*) is like the one who cares about the spirit without the body and since the body without the spirit is useless therefore the spirit without the body is useless too.”

So we are required when deriving the Islamic methodology for establishing the *Khilafah*, to realise that these would form part of the *Ahkam Shari’ah* and therefore we would have to derive them from the *Wahi* i.e. the Islamic evidences. This is done through a process of *Ijtihad*.

As this is a new matter that has never faced the Muslims before in their history. The Muslims have never been in a situation wherein the *Khilafah* has been destroyed and replaced by the systems of *Kufr*. Therefore this requires *Ijtihad* as we can not follow an *Ijtihad* or set of *Ahkam* that the scholars of the past have handed down to us as none of them ever faced this issue and therefore never delivered the *Hukm* of Allah pertaining to the current status quo.

Therefore we are required to understand what actually is *Ijtihad* and what are its limitations and restrictions and also the nature of the various different ideas that are and have been presented as methodologies in the quest for the re-establishment of the *Khilafah*.

Ijtihad

As we know the mind is not the source of the *Shari'ah* rather making it such would be a complete negation of the *Shari'ah*. *Ijtihad* is not using the intellect to derive rules, rather *Ijtihad* is focussing the usage of the intellect around two fundamental roles, understanding the reality of the subject matter at hand so as to fully comprehend the nature of the issue at hand, and in understanding the Islamic texts that are connected to the issue.

So in order to establish the Islamic method of establishing the *Khilafah* we are required to study the Islamic evidences and extract the rule. Imam Shafi'i stated in his renowned work *Ar Risala* page 75: "No one should give an opinion upon a specific issue by merely stating that it is permitted or prohibited, unless he has sure knowledge, and this knowledge is based on the Qur'an or the *Sunnah* or derived from *Ijma'a* or through *Qiyas*."

He went on to say on page 288 paragraph 493: "On all matters touching the (life of a) Muslim there is either a binding decision or an indication as to the right answer. if there is a binding decision then it should be followed. If there is no indication then it is sought by *Ijtihad*."

Hence for every single human action there is a *Hukm Shari* and for every *Hukm Shari* there is *Daleel* from the *Wahi* (revelation), and so the *Ahkam Shari'ah* (divine rules) are derived from the detailed evidences via the process of *Ijtihad*.

Allah (swt) states in Surah al-Ma'idah,

"This day I have perfected for you your *Deen* and completed my favour upon you and have chosen Islam as your *Deen*." (TMQ al-Ma'idah, verse 4)

Imam Suyuti mentions that all the *Ahkam* of Islam were revealed and so in that sense the *Deen* had become completed at this point (Al Itqan fe 'Ulum ul Qur'an quoted by Sabuni in his Tibyan fe 'Ulum ul Qur'an p18-19). Hence we have been given a perfected and completed *Deen* where no human problem has not been addressed in the form of *Ahkam Shari'ah* i.e. rules that Allah (swt) has laid down for the Muslims in order to live their lives. Hence the *Shari'ah* rules are the sole reference point of the believers in all that they do, including the methodology of establishing the *Khilafah*

Allah (swt) states in the Qur'an,

"Whatever the Messenger (saw) gives you take it and whatever he forbids you leave it, fear Allah for verily Allah is most stern in His punishment." (TMQ al-Hashr, verse 7)

So we can only adopt from the revelation of the Qur'an and the *Sunnah* and what indicates it, namely the *Ijma'a* of the *Sahabah* (ra) or what it points to, that is *Qiyas* (Analogy). Similarly we are prevented from adopting any rule or law from other than these sources in all of the affairs of life.

The Prophet (saw) stated," **Whosoever enacts an action not established upon our affair will have it rejected**"

(Narrated by 'A'ishah (ra) in the Jami'u us Sahih of Imam Muslim)

So we are required to restrict ourselves to the *Ahkam Shari'ah* in all of our actions irrespective of whether in determining an obligation e.g. prayer, the appointing of a *Khaleefah*, fasting in *Ramadhan* etc., a prohibition e.g. *Zina*, lying, the prohibition of ruling by *Kufr* etc., a permission e.g. eating and drinking, utilising technology, experimentation in natural sciences etc. or any other classification of *Shari'ah* rule such as the

favourable (*Mandoub*) or disliked (*Makruh*). All of these would require evidence from the Qur'an or the *Sunnah* to determine the view of Islam and *Hukm* of Allah on any issue.

Hence after having determined that the resumption of the Islamic way of life by establishing the *Khilafah* is the vital issue that faces the *Ummah* we are required to look to Islam to determine the actions that we are required to undertake in order to re-establish the *Khilafah*, thereby bringing Islam back to the affairs of life.

So we must realise that for every human action there is a *Hukm Shari'i*, i.e. divine rule. For every *Hukm Shari'i* there is an evidence from the Qur'an and the *Sunnah* or the *Ijma'a* of the *Sahabah* or indicated through *Qiyas* based upon the texts.

***Ahkam Shari'ah* deduced from the *Daleel* (evidences) that are definite**

When scrutinising the Qur'an and the *Sunnah* we would find that there are certain rules whose evidence is indisputable and there is no room for *Ijtihad*. They are found in the verses of Qur'an whose meaning is *Qat'i* (definitive) and those *Ahadith* of the Prophet (saw) which are indisputably known to be from the Prophet (saw) (*Mutawatir*) and whose meanings are also *Qat'i*. These are *Qat'i* evidences which can only be understood in one manner and the rejection of which would lead a person to *Kufr*. For example, matters of *Aqeedah* such as the belief in *Jannah* (Paradise) and *Jahannam* (Hellfire), and the belief in the Day of Judgement are indisputable and are definitive parts of the *Deen* that we must believe in.

Similarly certain *Ahkam Shari'ah* are definitive and indisputable, and the rejection of these would be *Kufr* (disbelief).

For example the Qur'an and *Sunnah* contain numerous evidences concerning the obligation of the establishment of the regular *Salah* (prayer). The rejection of this obligation would be *Kufr*. An example of a *Daleel* for this would be when Allah (swt) said in Surah al-Mu'minin,

“Verily the believers have attained the Success (in the hereafter), those who guard their prayers.” (TMQ al-Mu'minin, verses 1-2)

Also the *Hadith* of the Prophet (saw) as narrated authentically in the Musnad of Imam Ahmed ibn Hanbal:

“The covenant between myself and yourself is the *Salah* whoever abandons prayer commits an action of disbelief”

Hence the *Hukm Shari'i* is definitive on the obligation (*Fard*) of *Salah*.

Another example of a definite rule would be the prohibition of *Riba* (usury/interest) that has been established without any room for misunderstanding in the Qur'an when Allah (swt) said:

“And Allah has permitted trade but forbidden usury.” (TMQ al-Baqarah, verse 275)

This amongst other evidences are clear and definitive in their import and can only mean the prohibition (*Tahreem*) of interest dealings in their totality, whether this occurred through personal banking, the taking of IMF loans or the supporting of the IMF through donations.

Other examples of *Ahkam* that are indisputable are matters such as the obligation of fasting in the month of *Ramadhan*, the prohibition of *Kuffar* having authority in the Islamic lands such as al-Quds, the obligation of restoring the rule of Allah and the obligation of *Jihad*. All of these *Ahkam* are indisputable since they have *Daleel* that are definitive.

There is no room in these matters for any differences of opinions or divergences of views.

***Ahkam Shari'ah* deduced from *Daleel* that are indefinite**

Ahkam Shari'ah are also derived from evidences where there is room for interpretation regarding meanings, connection with the problem at hand and validity. This is where we are required to scrutinise the evidences further, since Allah (swt) orders the Muslims,

“Then if you dispute in a matter return it to Allah and His Messenger (saw)” (TMQ al-Nisa’a, verse 59)

Hence, in matters where the *Daleel* (evidence) is interpretable in more than one manner the utmost must be done in understanding the relevant evidences and weighing them up in light of the Qur’an and the *Sunnah* i.e. weighing up all the related evidences pertaining to the matter under discussion.

This process is known as *Ijtihad*. The Prophet (saw) guided the *Sahabah* to make *Ijtihad* as the methodology to extract the *Ahkam Shari'ah* from their *Daleel*. It has been narrated that when the Prophet (saw) sent Mu’adh and Abu Musa Al-Ashari to Yemen, he (saw) said, ‘**What are you going to rule by?**’ They said, ‘If we don’t find the rule in the Qur’an and the *Sunnah*, we will compare a case to another and whatever is closer to the Haqq, we will act upon it.’ This analogy made by the *Sahabah* (ra) and approved by the Prophet (saw) described the process of *Ijtihad* in deriving rules. Also, it was narrated about him (saw) that, “When he sent Mu’adh as a governor to Yemen, he (saw) said to him, ‘**What are you going to rule by?**’ Mu’adh said, ‘By the Qur’an of Allah.’ The Prophet (saaw) then asked, ‘**If you don’t find (the rule)?**’ He said, ‘By the *Sunnah* of the Messenger (saw) of Allah.’ The Prophet (saw) said, ‘**If you don’t find (the rule)?**’ Mu’adh said, ‘I exert my utmost and give my opinion.’ The Prophet (saw) said, ‘**Alhamdu Lillah (Praise be to Allah) that He led the Messenger of Allah to that which Allah and His Messenger like.**’ This Hadeeth clearly permits Mu’adh to perform *Ijtihad*. Moreover, knowing the *Hukm Shari’* (divine rule) is inexorably linked with *Ijtihad* to the extent that it is not possible to know the rules without it.

The Prophet (saw) said in one Hadeeth, “**When the judge makes *Ijtihad* and he errs he gets one reward and if he hits the mark he gets two rewards**” (Sahih al-Bukhari with a similar narration in Sahih Muslim)

So when the Mujtahid performs *Ijtihad* in order to extract a divine rule and exerts his utmost in understanding the evidences he will be rewarded whether he is correct or not. Hence in these areas it is natural for there to be differences of opinion as long as these different opinions are extracted by qualified *Mujtahideen* having exerted themselves in understanding the relevant evidences.

The following is an example to illustrate this point:

In a well known Hadith the Prophet (saw) is narrated to have stated, “**There is no prayer (Laa Salaat) for the one who does recite the Fatiha of the Kitab in every single rakaa’a.**”

The jurists have differed in their understanding in the purport of this narration. Some have stated that the Prophet (saw) negated the validity of *Salah* (*Sihhatu Salah*), prayer without reciting *Surah Fatiha* and therefore it necessary to read it in every single prayer including behind the *Imam*. As this is the obvious meaning of the text and can not be understood in any other manner except with another *Daleel*. This understanding has been attributed to Imam Shafi’i.

Others have said that the expression *laa salaah* meaning ‘no prayer’ is not a negation of validity (*Sihhah*) but rather a negation of perfection (*Kamala*) as in the hadeeth authenticated by Imam Nawawi in his *Arbaeen*, “**Laa yuminoo.....**”, “**Not one of you has attained Iman until he loves for his brother what he loves for himself.**” Therefore the following of the *Imam* takes precedence over the reciting the *Fatiha* and therefore

should not be done behind the *Imam* but only recited when prayer by ones self. This opinion has been attributed to Imam Abu Hanifah.

A third view exists and this view has been attributed to Imam Malik, which is that when behind the *Imam* one should only recite the *Fatiha* in the raka'at that the *Imam* is silent, but not recited when the *Imam* recites aloud i.e. the first two *Raka'at* of *Maghrib*, *Isha* and *Salatul Fajr*.

This example should illustrate how *Ijtihad* is actually based upon the Qur'an and *Sunnah* and does not merely mean using the mind to derive a rule.

Similarly we are required to scrutinise the ideas that are put forward as methodologies and whether they are actually the relevant Islamic evidences or whether they are *Ijtihadaat*.

The method to re-establish the *Khilafah* requires *Ijtihad*

In order to arrive at the methodology to re-establish the *Khilafah* *Ijtihad* is required since this issue is a unique reality that is not comparable to any situation that the Muslim *Ummah* has come across in the past. This is because for thirteen centuries she lived in the shade of the *Khilafah* and under the authority of Islam. It is a unique situation that requires us to derive the *Hukm Shari'i* for this problem, from the Qur'an and *Sunnah* through a detailed process of *Ijtihad*. This should detail the steps to the re-establishment of the *Khilafah*, and thereby practically address the Vital Issue that Islam defined.

Hence what is required is to have detailed understanding of this *Ijtihad* like any other. For example, *Salah* is definitely *Fard* but the details of *Salah* are derived via *Ijtihad*. However it is still required to have a detailed understanding of its rules otherwise it would be impossible to know how to undertake the actions that are prerequisites for and components of *Salah* such as *Wudu*, *Niyah*, *Ruku* and so on. Similarly it is required to have a detailed understanding of the method to re-establish the *Khilafah* otherwise one would not know Allah's (swt) *Hukm* on the matter, and as a consequence one would be unable to resume the Islamic way of life, by giving the *Bay'ah* to a *Khaleefah* to rule the Muslims according to Islam.

Likewise, if a Muslim was unaware of the rules of fasting he would be unable to fast properly. If he did not know the detailed rules of *Zakah* it would be impossible for him to implement this obligation. In the same manner, he would not be fulfilling Allah's (swt) command to re-establish the *Khilafah* unless he had derived the *Hukm Shari'i* connected to it. Vague statements, rhetoric, and slogans of just following Qur'an and *Sunnah* without understanding would never be enough.

Such vagueness is widespread. However, a recent occurrence is that the Islamic *Ummah* is becoming more able at seeing through it. For example, take the idea that the way for revival is via *Jihad* on the internet as that is where the power lies! This is not only a confused view of the world and how it works but also an extremely dangerous conception of the key Islamic concept of *Jihad*. In actual fact, *Jihad* is the method to remove the physical barriers, such as the states and militaries, in the process of calling people to Islam. *Jihad* is not the *Hukm Shari'i* connected to the re-establishment of the *Khilafah*, and is definitely not fought exclusively over the internet, but in real life.

A further example to illustrate this point would be regarding cursory glances at one or two ayaat of the Qur'an and then building all arguments on this extremely selective foundation. This is done with the often mis-quoted verse of Allah (swt),

“Verily Allah will not change the circumstances of a people until they change that which is within themselves” (TMQ al-Ra'd, verse 11)

Subsequently it is argued that the situation of the *Ummah* will only change when Muslims start to rectify themselves individually, disconnected to the political reality.

This argument is flawed on many accounts. Firstly, the actual understanding of the *Ayah* is incorrect. Allah (swt) is describing the situation of a nation (*Qawm*) and if the nation sticks to the correct path then it will remain in His favour, if it abandons this then it will fall into disarray at which point the only way to rectify the nation again would be by returning fundamentally to the correct foundation and *Millah* (way) that it was upon, and that would be a radical transformation including every single aspect. The subject matter is clearly the nation and not the individual as the *Ayah* remains in the plural form throughout. The *Mufasssireen* emphasised the rulers as they represent what the society is upon and hence the rectification of the rulers and the political change would be a major aspect. Indeed, it has been narrated, “The people are upon the *Deen* of their rulers”. This interpretation is given by Imam Qurtubi in his *Tafseer* of the Qur'an Jam'iu Ahkam ul-Qur'an.

Secondly, this *Ayah* does not establish *Hukm Shari'i* connected to how to re-establish the *Khilafah*. Therefore to build actions upon it alone would be *Haram*. What would be required is an understanding of this *Ayah*, but also other *Hukm Shari'i* derived from the Qur'an and *Sunnah* regarding how to initiate political change. Then action would be mandatory.

Other instances which are also common are where evidences connected to other aspects of Islam are used in the discussion of how to change the *Ummah*. Whilst it is known that the *Dhikr* and *Du'aa* are important for the Muslims in order to remind them of Allah (swt) and are a form of spiritual strength and ammunition to the believers, they are not the *Hukm Shari'i* connected to creating political change. If any human problem were studied, such as the matter of economics one would need to look at the relevant evidences connected to economic matters e.g. nature of properties, nature of lands, types of companies etc. If the problem at hand was a social problem connected to the relationship between men and women one would look at the relevant texts concerning the issue e.g. the *Hadith* of *Khalwah*, the permitted and prohibited instances of mixing, the concept of *Mahram* etc.

Similarly, when discussing the Islamic perspective upon creating political change it would be necessary to look at the relevant evidences connected to the subject i.e. political change. Hence one would find the Prophet (saw) himself spoke of how he (saw) and his *Sahabah* (ra) engaged in the struggle when he stated in a well known *Hadith* narrated by Abu Dawud, **“The master of martyrs is Hamza and any man who stands in front of a tyrant ruler and orders him (with good i.e. the implementation of the *Deen*) and prohibits him (from the evil of other than the *Deen*) and is slain by him”**. (Authenticated by Ibn Hajr al-Hathami in *Majmoo' al-Zaaid*)

So a detailed study of the relevant evidences and a derivation of the methodology suited to the current situation is required in order to practically resume the Islamic Way of life.

Part Four: The Invalid Methods

“But no, (I swear) by your Lord! They have no Iman until they make you (O Prophet) the judge in all their disputes and then they find no resentment in their souls regarding your judgement and they utterly submit to it” (TMQ al-Nisa’a, verse 65)

The Invalid Methods

Before the method based upon a correct *Ijtihad* in working to re-establish the *Khilfah* is discussed, it is important to highlight the false methods that exist today that are carried by some Muslims. Those methods that are not based upon a correct *Ijtihad* include gradualism, whilst those that are based upon a semblance of evidence (*Shubhat Daleel*) include fighting the present leaders. Through this, one will see that there is a pressing need to illustrate the correct method.

The error of “Gradualism”

A widespread concept that is passed to the Islamic *Ummah* is the concept of the *Tadarruj* or ‘Gradualism’. This ‘methodology’ follows the logic that Islam is a *Deen* that is massive and it is impossible to radically implement Islam. Therefore one must seek to gradually implement the *Shari’ah* rules and this will take place over a long period of time gradually bringing Islam back to the life of the Muslims. This process would normally occur through sharing power with the existing government and through working within the system.

After which certain arguments are brought as a justification for this view such as ‘the revelation of the Qur’an was in stages and as problems arose the Qur’an addressed them in that manner’. The fact that Allah (swt) prohibited alcohol in three stages is quoted as an example of this gradualism.

A further argument is brought in by principles such as, ‘That which cannot be completely attained should not be completely left’. Hence, it would be argued, some Islam is not as bad as no Islam, thus a gradual approach is acceptable.

It is important that the Islamic *Ummah* realises that none of these are legal (*Shari’i*) arguments in Islam and that this concept is not only invalid but contradicts definitive evidences in Islam. The first point to bear in mind is that the concept that Islam is impossible to implement would mean that Allah (swt) had sent an impractical *Deen*! This is in contradiction to the belief that Islam is the only practical *Deen* for mankind which Allah (swt), the Creator of the Heavens and the Earth, had perfected. Allah (swt) states in the Qur’an,

“Allah does not place a burden upon a person except that which he is capable of.” (TMQ al-Baqarah, verse 282)

So Allah (swt) states that He would not place upon the *Ummah* an obligation that she couldn’t achieve and was impossible for her, so the resumption of Islam is a possibility and a responsibility.

The idea that it is impossible to establish Islam radically is at the heart of this pragmatic and supposedly practical argument. This is not only in contradiction with Islam but is a flawed view of the reality of political change. It was a radical change, which the Prophet (saw) brought about 1300 years ago. It was also a radical change that brought the corrupt doctrine of Communism and also a radical change which brought about Capitalism in Russia in the early 90’s to replace Communism, and if this is the case with the false *Aqeedah* and system then how can it be impractical for the correct *Aqeedah*. So the concept of the Islamic Revival being impractical is a false notion and reflects a defeatist outlook to the *Ummah* and towards Islam itself.

As for the claim that the Qur’an was revealed gradually and therefore can be implemented gradually, this is a statement that is in contradiction with the Qur’an and how it was revealed. Firstly the Qur’an was revealed according to the problems, questions, debates and political scenarios that occurred. This in Islam forms a branch of *Ulum* ul-Qur’an (Sciences of the Qur’an) known as the *Asbab un-Nuzul* (The causes of revelation).

As an example for this, the following is an incident that Bukhari has narrated (Vol. 6 No 109): ‘Urwa narrated that Az-Zubayr quarrelled with a man from the Ansar because of a natural mountainous stream at Al-Harra. The Prophet (saw) said, **“O Zubayr, irrigate (your land) and then let the water flow to your neighbour.** The Ansari said, “O Allah’s Messenger (saw) he is your cousin.” At that the Prophet’s face became red (with anger) and he said, **“O Zubayr irrigate (your land) and then withhold the water till it flows up to your wall and then let it flow to your neighbour”**. So the Prophet (saw) enabled Az-Zubayr to take his full right after the Ansari provoked his anger. The Prophet (saw) had previously given an order that was in favour of both of them. Regarding this Az-Zubayr said, “I think that this verse was revealed in this connection,

“But no, (I swear) by your Lord! They have no Iman until they make you (O Prophet) the judge in all their disputes and then they find no resentment in their souls regarding your judgement and they utterly submit to it” (TMQ al-Nisa’a, verse 65)

Hence, any time a legal problem arose that required a *Hukm* the Qur’an addressed it. There are narrations wherein the *Sahabah* (ra) approached the Prophet (saw) and he kept silent until Allah (swt) revealed the *Hukm* on the issue. An example of this is what has been narrated by al-Bukhari. Jabir (ra) narrates that “the Prophet (saw) and Abu Bakr (ra) came on foot to pay me a visit (during my illness) at Banu Salama’s (dwellings). The Prophet (saw) found me unconscious, so he asked for water and performed the ablution from it and sprinkled some water over me. I came to my senses and said to the Prophet (saw): ‘O Messenger of Allah! What do you order me to do regarding my wealth?’ Then the narration states that he was silent until the verses concerning inheritance were revealed.
(al-Bukhari Vol. 6 No. 101).

So all judgments and rules that took place were always addressed by Islam and as soon as the *Hukm* was revealed it was implemented immediately. There were no instances of gradualism in implementing any of the divine rules. It is clear that there was no case where the Messenger (saw) ignored the *Hukm* of Allah (swt) and delayed its implementation, this would be tantamount to accusing the Messenger (saw) of ruling by other than that which Allah (swt) had revealed, which is *Kufr*.

The ruling by Islam and the prohibition of ruling by *Kufr* whatsoever are matters that are known definitively from Islam and are not open to interpretation. Hence, gradual implementation in authority, or in sharing authority, would not be allowed under any shape or form.

Allah (swt) has stated in the Qur’an,

“Whosoever does not rule by what Allah has revealed then such are the disbelievers” (TMQ 5:44).

Ibn Kathir in his Tafseer of this verse states the views of Ibn ‘Abbas (ra) and many of the other *Mufasireen* that anybody who does not believe in the validity of the *Shari’ah* or even one rule of the *Shari’ah* that is known by Islam is a Kafir, and the ruler who rules by other than Islam and believes it acceptable is a *Kafir*, however the one who rules by *Kufr* acknowledging that he is doing so commits *Kufr* that is less than *Kufr* i.e. a major sin. (Ibn Kathir ‘Tafseeru Qur’an Al Atheem’ Vol. 2 pages 60-66). Hence the way of gradualism and power sharing is not permitted and is clearly not the method of Islam to create political change.

So it should be clear that any attempt at utilising the democratic structures that currently exist either through holding ministerial posts in governments that rule by *Kufr* would be prohibited. As would supporting *Kufr* political parties in their application of *Kufr* systems in the Islamic lands, in order to achieve some influence in the political decision making process. Similarly putting forth bills that attempt to apply some aspects of the *Shari’ah* rules and then voting on them would definitely be prohibited as this would be making the decision of man sovereign over the *Hukm* of Allah and this is something that is in complete contradiction with the Islamic *Aqeedah*.

So such ideas must be shunned and it should be realised that they are only barriers to the Islamic *Ummah* changing her situation and re-establishing the Khilafah.

Fighting the Ruler

Another view that is being addressed to the *Ummah* is the concept of fighting the rulers and that through military struggle Islam will return to the world stage. Again this is based upon a particular *Hadith*. It has been narrated from many sources including Imam Muslim that the Prophet (saw) said, **“Do not challenge the people of authority unless you see explicit *Kufr* of which you have clear proof from Allah(from Islam)”**. Ibn Kathir in his *Tafseer* states that if the *Khaleefah* reverts to the rule of disbelief, he would be fought until he returned to the implementation of Islam and the *Shari'ah*.

Ibn Hajr in his *Fateh al-Bari* also states that if he becomes a *Kafir*, or changes the *Shari'ah* he should be fought and removed. This view is also mentioned in *Nayl al-Awtar* and supported by Imam Shawkani. That is, if the ruler rules by other than the *Shari'ah* he is fought until he either repents or is removed. However that is the only situation that it applies to i.e. the ruling of a *Khaleefah* who resorts to the *Kufr* ruling and disobedience to Allah. It does not relate to the *Khaleefah* becoming tyrannical and also does not relate to his personality becoming corrupt. In which case obedience to him is binding and the Muslims should still pray behind him and fight *Jihad* behind him.

However, these *Ahadith* are not connected to the current situation. They are all connected to revolt and rising against the *Khaleefah* and are titled under the subject of '*Khurooj min al Khaleefah*' i.e. rising against the authority of a *Khaleefah* or an *Imam*.

The current situation is not that of the *Khulafaa'* who used to rule by Islam and then turned away from Islam. The current problem is also not merely related to removing a ruler by killing him. Rather, entire systems of *Kufr* have been implemented over Muslims for over 76 years, none of the rulers have ever ruled by the *Shari'ah* and none of them are *Khulafaa'* within a *Khilafah*. The systems that they are applying are either monarchies or Capitalistic with some sort of democratic framework. Hence, the reality isn't that of removing a bad *Khaleefah* within an Islamic State. The reality is of uprooting an entire *Kufr* system, including it's ruler, to again establish *Dar ul-Islam*. The current rulers are not comparable in any way to *Khulafaa'* who have introduced one *Kufr* law into the *Khilafah*. Hence these *Ahadith*, which have always been understood in the context of *Dar ul-Islam* i.e. where Islam is implemented and the Muslims possess the security, do not apply upon the current situation. The reality which they address is that of removing a *Khaleefah* who rules with *Kufr* within the Islamic State, not that of uprooting an entire *Kufr* system merely by fighting and killing the ruler of that system.

The only situation that is comparable from the evidences is the establishment of the Islamic State for the very first time by the Prophet(saw) and the struggle which he (saw) went through in order to establish this State and change *Dar ul-Kufr* to *Dar ul-Islam*. This is the struggle which he (saw) referred to in the *Hadith* of Hamza and as is illustrated in the Books of *Sunnah* and *Seerah*. As that is the only instance in which a complete system of *Kufr* existed and was changed to a complete system of Islam. So the matter is regarding the changing of a system, not merely a ruler. The *Ahadith* of fighting, apply to changing a ruler i.e. a *Khaleefah* who has gone astray not a system, only the struggle of the Prophet (saw) in Makkah applies to the changing of a system. So military struggle is not the method of re-establishing the *Khilafah*.

The Promise of the victory leading to non-action

Many of the Muslims have been struck by the affliction of fatalism. It is well known that the Prophet (saw) in many hadeeth foretold the domination of Islam over the world, including both the East and the West. There are also many narrations speaking of the return of the *Khilafah*. However these narrations for some have become a source of apathy where they advise the Muslims that they should not undertake political actions in order to establish the *Khilafah* rather they should wait for its promised return.

We need to realise the error of this view. In order to do that a clear distinction needs to be made between *Aqeedah* and the Promises of Allah (swt) and the *Shari'ah* rules which provide the stimulus and direction for the actions of the believer.

The subject matter of the *Aqeedah* is the subject matter of belief and creed. This refers to how the most basic questions that human beings must answer are understood. Such as 'what is the purpose life?', 'how did man appear in the universe?' and 'what happens after death and does life have any bearing upon it, meaning is there a relationship with this life and what is after this life?'. The answer to these questions form the belief, creed or *Aqeedah* of the Muslim. The primary concern of these questions is with understanding the reality of this Dunya. Hence, Muslims believe that Allah (swt) created man in order to worship Him and that He (swt) will account man in the Hereafter for every action undertaken in this life whether it was in obedience to Allah (swt), and following His guidance, or not. He (swt) sent Messengers for mankind with His guidance, which was conveyed to them through the Angels.

This *Aqeedah* alone does not direct any actions, albeit all actions must be based solely upon the *Aqeedah*. For actions Allah (swt) revealed guidance in the form of *Ahkam Shari'ah*. So the Islamic economic system, the Islamic ruling system as well as the way to worship Allah (swt) in the *Ibadah* cannot be comprehended merely through acknowledging the *Aqeedah* alone. Rather, *Ahkam Shari'ah* are needed. As a further illustration of this point, Muslims know and believe that Allah (swt) is *Ar-Raaziq* (the provider of sustenance). So He (swt) sustains the human beings and the animals and everything else in this universe. However this does not mean a Muslim should sit at home and wait for the sustenance (*Rizq*) to arrive automatically. Rather, one must follow the command of Allah (swt),

“Disperse in the Earth and seek from the Bounty of Allah”
(TMQ al-Jumu'ah, verse 10)

As another example Muslims believe that Allah (swt) is *An-Naaser* (the helper). That is that victory lies in the hands of Allah (swt), yet Muslims are obliged in their actions to follow the *Hukm Shari'i* and prepare their forces due to the order of Allah (swt) in the Qur'an.

“..and prepare for them (the enemy) all you can of force” (TMQ al-Anfal, verse 60)

Hence it must be clear that all actions must be derived from *Ahkam Shari'ah* and are not neglected due to the belief and trust (*Tawakkul*) that Allah (swt) controls all things, which is in any case an unchangeable belief regardless of ones actions. In fact, a well known incident occurred with the Prophet (saw) and one man who left his camel untied said to the Prophet (saw) “I trust in Allah”. The Prophet (saw) replied, “**Tie it up and (then) have trust in Allah**”.

Hence despite having strong *Iman* in the victory being from Allah (swt) and knowing that Allah (swt) will establish the *Mu'mineen* (believers) in authority, Muslims must still perform the relevant actions that Allah (swt) obliged. Sitting back, not doing anything but hoping for the Victory, even if this is accompanied with

many Du'aa is *Haram*. Struggle to implement this *Deen*, like the struggle of the *Sahabah* (ra) who struggled in the battlefield and challenged the leaders of the Quraysh is obligatory. Then it can be said to Allah (swt) on the Day of Judgement that one did ones utmost. This is what is demanded by the *Shari'ah* rules.

Whilst there are many *Hadith* that the Prophet (saw) spoke of the return of the *Khilafah* and Allah (swt) promising the believers of His victory, the Qur'an also obliges Muslims to follow and obey the commands of Allah (swt) related to the methodology of creating change. This is just like the Prophet (saw) who prepared for the battles and obeyed the *Shari'ah* rules relating to preparation. He (saw) did this whilst knowing that Allah (swt) had promised that Islam would dominate. The *Sahabah* too never waited around knowing that the *Deen* would dominate. Rather, they followed the *Hukm Shari'i* and remained firm in their *Iman* that Allah (swt) would give the victory and support He had promised them.

Similarly, today we are required to undertake the relevant set of actions in order to re-establish the *Khilafah* and we can not merely wait for the victory of Allah to descend. This would lead to the wrath of Allah on the Day of Judgement for neglecting to undertake an obligation i.e. a *Wajib*, not only a *Wajib* but one for which the Prophet (saw) was prepared to give his life for. So unless the Muslims realise this and give it the same value and proceed according to the *Shari'ah* rules the *Deen* will not be established in the lives of the Muslims nor in their societies as this can only occur through the struggle to re-establish the *Khilafah* in accordance with the *Shari'ah* rules.

Perfecting oneself

An equally dangerous conception if not more so is the idea that we should seek to only perfect ourselves and this will somehow lead to a radical change in the systems that are being implemented by the state. This is in direct contradiction with the call for the *Khilafah* and is in direct violation of the *Shari'ah* rules. They are also in direct contradiction with the very message of Islam and the aim for which Allah sent down the *Deen* to Muhammad (saw), which came to dominate over all other ways of life.

Islam was revealed to the Messenger Muhammad (saw) and he conveyed it to the people. He did not have in him even a tiny amount of selfishness as he sacrificed all to carry the *Da'awah* to the people. For none of us would even have smelt the sweetness of Islam had it not been for the *Da'awah* that came before us. The *Sahabah* had the best teacher who cultured them with the correct understanding of Islam. They likewise carried Islam to people through their sacrifice in the *Da'awah*, the fruits of which we witness today.

Among the most dangerous ideas which has affected the Muslims and made them shun the *Da'awah* for Islam, is to look down upon those who work to keep the *Munkar* out of society, and hold in high esteem those who do not concern themselves with other than the perfection of their own *Iman*.

In fact how could a person's *Iman* be perfected if he only had *Iman* in part of what Allah revealed. Whose *Iman* is perfected who believes in the prayer and is motivated by it but disbelieves in the *Zakah* and so does not pay it? Allah condemns the 'picking and choosing' from his *Deen*. He says:

"Then is it only a part of the Book that ye believe in and do ye reject the rest? But what is the reward for those among you who behave like this but disgrace in this life? and on the Day of Judgment they shall be consigned to the most grievous penalty. For Allah is not unmindful of what ye do." (TMQ al-Baqarah, verse 85)

So how can it be that some Muslims today can emphasise only some aspects of the Islamic *Shari'ah* and bring excuses to neglect the rest of Allah's *Deen*, particularly anything that is more than just individual *Ibadah*.

To claim that Muslims can improve their situation by isolating themselves from the affairs of society is false. Equally false is the notion that Muslims should just encourage each other to improve the individual personal actions to perfection before starting to discuss the affairs of society. These claims help the *Kuffar* to control the Muslims as we remain weak, never able to control our own affairs as we remain ignorant of how to manage them and defeat the *Kuffar's* conspiracies against us.

"And fear the Fitna (affliction, trial) which affects not in particular (only) those of you who do wrong, and know that Allah is Severe in punishment" (TMQ al-Anfal, verse 25)

The idea that Muslims should neglect calling the society to implement the Islamic rules in favour of performing individual *Ibadah* is warned of in this *Hadith*, as the selfish individualistic people do nothing to prevent the evil, but vainly concentrate on their own piety instead.

The Messenger of Allah (saw) was asked: "Will we be destroyed while there are righteous people amongst us?" He replied: **"Yes, when the evil becomes great"**.

The Prophet (saw) said, **"Any people amongst whom disobedience occurs, and they do not change it, are not more honoured and more secure than the sinners from the punishment of Allah sweeping them"**.

Ahmad and Tabarani narrated on the authority of Udai ibn Umairah that the Messenger of Allah (saw) said: **“Allah does not punish the general public because of the wrong doing of specific people until they see the evil (committed) among them while able to stop it and they do not. If they do that, Allah will punish the specific people and the general public”**.

Abu Dawud has narrated on the authority of Qays ibn Abi Hazm: “After Abu Bakr had glorified and praised Allah, he said: O people! You read this *Ayah* but you do not understand it:

“O you who believe! Guard your own souls: If you follow the right guidance none can hurt you from those who have gone astray”
(TMQ al-Maida:105)

‘I heard the Messenger of Allah (saw) say: **“The people when they see the tyrant and do not restrain his hands, Allah will be about to punish them all”**. And I heard the Messenger of Allah (saw) say: **“Any people amongst whom sins are committed, and they could change them but they did not (change), Allah will be about to bring a punishment which engulfs all.”** [Abu Dawud: Book of Battles/3775]

And this is how Abu Bakr al-Siddeeq (ra) had understood the importance of obeying Allah in this matter of speaking about the rulers who corrupt the society. Did Muhammad (saw) not tell us to take the example of the *Sahabah* as they were the best generation?

The Messenger Muhammad (saw) said: **“The example of the person abiding by Allah’s order and restrictions in comparison to those who violate them is like the example of those persons who drew lots for their seats in a boat. Some of them get seats in the upper deck, and the others in the lower. When the latter needed water, they had to go up to bring water (and that troubled the others), so they said, ‘Let us make a hole in our share of the ship (and get water) saving those who are above us from troubling them’. So, if the people in the upper deck left the others to do what they had suggested, all the people of the ship would be destroyed, but if they prevented them, both parties would be safe”** [Bukhari]

This shows the nature of ensuring that Islam is applied in the society and that is the means of protecting oneself and ensuring that the *Deen* survives. Hence the political mentality is something that every Muslim is required to possess and realise that he is responsible for looking after the affairs of the believers. This understanding is in direct contradiction with the corrupt concept of individual change only as the means of creating the revival in the Islamic *Ummah*.

The Messenger (saw) said, **“There will be leaders over you, (who will do things) you recognise (as part of the *Deen*), and things you don’t recognise. Whoever recognised he would be relieved (of sin), and whoever denied (the wrong), he would be safe”**.

Ahmad narrated on the authority of Abu Bakrah that the Messenger of Allah (saw) said, **“If the people see the Munkar (evil, wrong doing) and they do not change it, Allah will take them with a punishment”**.

How could we think that we would become better when Al-Bazzar and Tabarani narrated on the authority of Abu Hurayrah that the Messenger of Allah (saw) said, **“You shall enjoin good and you shall forbid munkar, or Allah will empower on you the evil ones, then your best ones will call upon Allah and He shall not respond”**.

Even this *Hadith* shows the error of the most pious people who neglect to command good and forbid evil and change the society.

Ibn Majah on the authority of Abu Saeed, Ahmad, Ibn Majah and Tabarani and Baihaqi on the authority of Abu Umamah, Ahmad and Nisa'i on the authority of the Tabi', Tariq ibn Shihab all narrated that the Messenger (saw) said : **“The best of *Jihad* is a word of truth in the face of a tyrant ruler”**.

Imam al-Khateeb narrated in his book, History, and Imam Al-Khattabee narrated that Umar ibn Al-Khattab (ra) said: “By Allah, what Allah protects and prevents by the ruler is greater than what he will protect and prevents by the Qur'an”. May Allah be pleased with him. (The *Hadith* of Al-Khateeb is *Narration* number 14284 in *Kanz ul Ummal* by Al-Muttaqi Al-Hindi)

Al-Baihaqi narrated on the authority of Ali (ra) that he said “the people will not be straightened except by an *Imam (Khaleefah)* whether he is good or bad”. (*Narration* number 14286 in *Kanz Ul Ummal*)

Bukhari narrated on the authority of Qays ibn Abi Hazim that Abu Bakr (ra) entered on a woman from the people of Ahmas named Zainab. She said “Until when will we stay on this good matter (Islam) which Allah brought after the times of ignorance?”. Abu Bakr said “as long as your rulers straighten on it”. May Allah be pleased with him. (*Hadith* number 2068 in *Jami'al Usul* by Ibn Al-Atheer.)

Al-Darmi narrated on the authority of Hayya ibnu Abi Hayya. She said...O slave of Allah (Abu Bakr): Until when will the ruling of Islam be like this? He said: “As long as your rulers straighten you”. (Ibn Katheer said this *isnad* (chain) is *hasan* and good)

Abu Nu'aim narrated in his book “*Hulyat Al-Awaliya*” on the authority of Abdullah ibn Umar, who said “The people in the *Ummah* will not suffer even if they were oppressors and sinful, if the rulers were guided and were guiding. But the people in the *Ummah* will suffer and perish even if they were guided and were guiding if the rulers were oppressors and sinful”. May Allah be pleased with him.

Hence the Muslims should know that they are the guardians of the *Ummah* and that is the means of guarding themselves. There is no conception of individualism in Islam rather this is alien to the Islamic *Ummah*.

In fact it would keep the *Ummah* from realising the vital issue and re-establishing *Khilafah* and focus them purely around themselves. This is an extremely dangerous concept that in actuality would serve as an obstacle in the resumption of the *Khilafah* and would delay the *Ummah* from working for it.

Simply put how can someone create political change without working for it? How can we abandon the *Ahkam* connected to changing the evil that we see and accounting the rulers? How can we abandon working for the *Khilafah* and neglecting a portion of the *Shari'ah* rules?

Hence it becomes necessary to understand the Islamic methodology for establishing the *Khilafah* i.e. what has the *Shari'ah* rules laid down for the Muslim *Ummah* to follow in her quest to re-establish the *Khilafah* and bring the *Deen* of Islam back into life's affairs.

Part Five : The Method

“*Verily in the Messenger of Allah (saw) you have the finest example*”

The establishment of Political Parties

Allah (swt) states in the Qur'an,

“Let there arise from amongst you a group that calls to the *Khayr* (Islam), Enjoins that which is *Ma'roof* (right) and forbids that which is *Munkar* (wrong), and they are the ones who have attained Success”.
(TMQ al-e-Imran, verse 104)

Allah (swt) calls for there to arise from amongst the *Ummah* (minkum) another *Ummah* i.e. another band of people like the *Ummah* but within the *Ummah* as it is a partative expression (*Tabaeed*) which indicates a block or section of the *Ummah*. It identifies the qualities of this block as being bound like the *Ummah* is bound but upon the forbidding of the *Munkar* and the enjoining of *Ma'roof* and the calling to the *Khayr* i.e. the whole of Islam.

Similarly any *Jama'ah* (group) would require an *Amir* as the Prophet (saw) stated in one *Hadith*, “If there are three of you in any part of the world appoint one of you an *Amir*”. Hence, this group would need to have a structure so that it can actually exist, as well as an understanding of *Ma'roof* and *Munkar*.

However, the establishment and maintenance of the *Ma'roof* and the *Munkar* can only be practically carried out through the State and it is impossible to do otherwise. Imam Qurtubi in his *Tafseer* has pointed out that only the *Sultan* has the ability of executing the *Ma'roof* and removing the *Munkar* by establishing the *Hudood* and through the framework of authority (Imam Qurtubi *Jami'u Ahkam ul Qur'an* vol. 4 page 47). This is because Allah (swt) states,

“Those who when we establish them (in authority) in the earth they establish the *Salah*, collect the *Zakah*, enjoin all that is *Ma'roof* and forbid all that is *Munkar*, and to Allah belongs the return of all matters”.
(TMQ al-Hajj, verse 41)

Hence the work of this party is primarily concerned with ensuring that the *Ma'roof* are established in the society and the *Munkar* removed i.e. the work of such a Party is political and is of accounting the State to monitor that it is fulfilling it's duties and carrying the call to Islam to the rest of the world through *Da'awah* and *Jihad*. Today's situation is, however, that almost all the *Ma'roof* have been removed due to the absence of Islam and almost all the *Munkar* exist due to the absence of the state that implements Islam.

We have defined the vital issue of the *Ummah* as the re-unification of her lands and the ruling of her lands by Islam through the restoration of the *Khilafah*.

The root *Munkar* by which all the *Munkar* will be removed is the removal of *Kufr* and the *Kufr* systems, and the *Mar'oof* which will bring back every *Ma'roof* absent and the whole *Deen* of Islam is the *Khilafah* which would re-establish Islam in all walks of life and carry the *Da'awah* of Islam to the rest of the world. Hence the work of the political party is to re-establish this *Khilafah* and carry the *Da'awah* of Islam to the rest of the world. It would need to take all the necessary steps in order to resume the *Khilafah*. So, for example, it must be acquainted with the details of the ruling, economic, social and educational systems and policies that

Islam has laid down for without them it would be incapable of resuming the *Khilafah*. It would also have to be unified in understanding as a structure, otherwise it would never be able to work collectively as a Party.

This is based upon the *Qaa'idah* (principle) in *Shari'ah* 'That which is necessary to achieve an obligation is in itself an obligation'. The question now arises as to the methodology of this political party and how it would be able to work to re-establish the *Khilafah*.

The example of the Messenger (saw)

The example of the Messenger (saw) demonstrates the only methodology of resuming the *Khilafah* and establishing an Islamic State, in other words changing *Dar ul-Kufr* to *Dar ul-Islam*.

Hence, a detailed understanding of how to derive the obligatory elements (*Arkan*) of the Methodology of the Prophet (saw) is needed. After this is clear it must be applied to our situation in determining the way to resume the *Khilafah*.

Emulating (*Ta'asi*) the actions of the Messenger of Allah (saw)

The principle of *Ta'asi* or emulating the actions of the Messenger (saw) has always occupied a section of the books on *Usul* when understanding the *Sunnah* of the Prophet (saw). The subject matter under discussion is how to emulate the Messenger (saw) in his behaviour and what value to give such emulation.

Allah (swt) states in the Qur'an,

“Verily in the Messenger of Allah (saw) you have the finest example” (TMQ al-Ahzab, verse 21)

Also Allah (swt) orders the Prophet (saw) to say to the believers,

“If you do love Allah then follow me, and Allah will love you and forgive you for your sins and Allah is Ghafoor al-Raheem”.

(TMQ al-e-Imran, verse 31)

Hence Muslims are obliged to emulate and follow in the footsteps of the Messenger (saw) if the forgiveness of Allah (swt) and entering into *Jannah* is hoped for. Therefore, it is an obligation to emulate him (saw) and imitate him. However, Muslims are required to imitate him correctly and in the manner which Allah (swt) obliges us to do so. The following is a breakdown of his (saw) actions.

Af'aal Jibiliyyah

These would be actions which are part of the nature of the Prophet (saw). So, for example Bukhari narrates that he (saw) would go red when he got angry. Also according to Imam Tirmidhi in his *Shama'il*, he (saw) would walk very quickly as though he was walking down a hill. These are permitted for us to copy out of love, as they were actions of the Prophet (saw), but they carry no legislative consequences, and thus fall under the *Mubah* (permissible).

Af'aal Khassah

These are actions that were specific to the Prophet (saw). So, for example his wives in the Qur'an were prohibited from remarrying after being widowed, whereas the believing women can remarry after their first husband dies or they divorce. He (saw) was also permitted to marry more than four wives whilst all Muslims are forbidden from this. He (saw) would fast day and night without stopping, but he prohibited the Muslims from doing so. *Tahajjud* was wajib upon him but *Nafilah* for all Muslims (al-Shakhsyyat ul-Islamiyyah Vol. 3). Muslims are prohibited from following the Messenger (saw) in these matters. So one cannot pray *Tahajjud* as a *Fard*, nor can one prevent the Muslim women re-marrying after they divorce or become widows. Nor can Muslims marry more than four wives. Following the Prophet (saw) in any of these would be *Haram*.

Af'aal 'Ammah/Tashri'a

These are the rest of the actions, speech or consent of the Messenger (saw) and carry legal consequences. So for example they may explain obligations, recommendations or permission. If the action that the Prophet (saw) was undertaking came as an explanation to a previous obligation (*Fard*) then that matter would become *Fard*. Allah (swt), for example, states in many *Ayaat* of Qur'an to establish the *Salah* at regular times. The

Prophet(saw) stated in a well known *Hadith* that is narrated by Imam Bukhari, **“Pray as you see me pray”**. So the fact that the Prophet (saw) repeatedly prayed in the same order (*Tarteeb*) and in repetition (*Ta’addud*) explains the previous obligation and hence is obligatory itself.

Also, Allah (swt) states,

“Whosoever amongst you witnesses the month let him fast”.
(TMQ al-Baqarah, verse 184)

The Prophet (saw) stated in a well known *Hadith*, **“Fast when you see it (the moon) and stop fasting when you see it (the moon) and if it is cloudy then complete the thirty days”** (Authenticated by Ibn Hajr al Asqalani in *Bulugh ul-Maram*). So this narration determines when to fast and when to stop fasting, thus explaining a previous order in the Qur’an and hence following the same rule i.e. the *Fard* of sighting the *Hilal* or the completion of the thirty days in order to begin fasting or end it.

Another example to illustrate this point is when Allah (swt) states in the Qur’an,

“The female and the male thief cut of their hands”.
(TMQ al-Ma’idah, verse 38)

It has also been narrated from ‘A’isha (ra) in a *Marfoo’* narration in Imam Muslims *Jami’u us-Sahih* that the Prophet (saw) said, **“There is no cutting except in one quarter of the Dinar”**. Hence this comes as an explanation of the initial rule.

Similarly, in the *Da’awah* the methodology was *Fard* on the Prophet (saw) and he was obliged to establish this *Deen*. This can be seen from the fact that he (saw) was prepared to give up his own life for it. He (saw) stated to his Uncle concerning the Mushrikeen, **“By Allah, if they were to put the sun in my right hand and the moon in my left, on condition that I relinquish this matter, I would not relinquish it until Allah has made it dominant or I perish therein”** (Imam Tabari in his *Tareekh* Vol. 6 par. 1179).

Hence the actions and statements which can be seen to be explaining this methodology would be deemed as obligatory elements of the methodology of resuming the Islamic way of life.

***Qurbah* (drawing near to Allah (swt))**

Gaining the pleasure of Allah (swt) and getting closer to Allah (swt) is the purpose of the believer and the fundamental premise of all of his actions. Hence those actions which earn Allah (swt)’s pleasure and if omitted can lead to punishment are deemed as *Fard*. However, those which bring a Muslim closer to Allah (swt) but if omitted do not carry a threat of punishment are deemed as recommended or preferable acts, *Mandoub*. If the actions of the Messenger (saw) indicate getting closer to Allah (*Taqarrub il Allah*) then they are also recommended. So for example the *Dhikr* and *Du’aa* gain Allah’s (swt) favour and are thus *Mandoub*. So, for example, it has been narrated from the *Shama’il* al-Tirmidhi that the Prophet (saw) used to commence eating with *Tasmiyah* (saying Bismillahir Rahmanir Raheem) this would serve as a reminder of Allah (swt) and would mean showing thankfulness and hence would be recommended.

***Mubah* (permissible)**

As for actions which carry no indication of *Qurbah* or threat of punishment and reward, they would merely be *Mubah* (permitted) and Muslims would engage in them if they so wished. For example, he (saw) used scribes

to preserve the Qur'an on date palm leaves. This style of preservation carries no reward or punishment hence it is *Mubah*. Other means such as CD's and Printing are similarly *Mubah*.

The relevance of this for the topic at hand is that one is able to distinguish those actions which he (saw) did as styles that weren't obligatory, from the obligatory (*Fard* or *Wajib*) actions, which he (saw) undertook as *Fard* and part of his methodology.

The Prophets' (saw) methodology for establishing the Islamic State

The Prophet (saw) established the first Islamic State in Madinah after which Abu Bakr (ra) became the *Khaleefah* followed by 'Umar (ra), 'Uthman and 'Ali (ra). This *Khilafah* continued to exist throughout the next thirteen hundred years until its destruction on the 3rd of March 1924.

Hence what is required is to derive the methodology from the Islamic sources that are available which in this instance is the *Sunnah* of the Prophet (saw) through understanding the Seerah of the Prophet (saw) from a legal perspective. Then to emulate those actions which he (saw) undertook as part of fulfilling his obligation in assuming the Islamic way of life in the practical sense.

The first stage of the Da'awah: The Stage of Culturing (Dawr al-Tathqeef)

Allah (swt) ordered the Prophet (saw):

“O you wrapped in garments, arise and warn, your Lord Magnify!” (TMQ al-Mudathir, verse 1-3)

Imam Abu Ja'far At-Tabari comments: “Allah commanded the Prophet (saw) to rise up to warn the people that Allah would punish them for ingratitude to their Rabb and their worship of the false gods and the idols to the exclusion of Him who created them and gave them their daily bread. He (saw) was also to tell them of his Lord's bounty to himself, with the words, “Of the bounty of your Lord let your discourse be..” According to Ibn Ishaq this was his Prophethood (at-Tareekh at Tabari Vol. 6 Par 1156).

It was after this Ayah was revealed that the Prophet (saw) addressed his people to carry his *Da'awah*. He started to warn them to embrace Islam, accept the Tawheed (oneness) of Allah, the *Khaliq* (Creator) and the Malik (Sovereign) with no partners, and to accept his (saw) leadership. He did this not through challenging any of the Quraysh, nor through challenging their way of life, rather through expressing the *Aqeedah* to them for them to embrace it. If they did then he would culture them with Islam as the *Ayaat* of the Qur'an came down.

This phase of the Prophet's (saw) *Da'awah* lasted for three years and he (saw) repeatedly undertook the two actions commanded although he utilised many different styles. So at times he (saw) invited people to his house, at other times he visited them. At other times he (saw) discussed with them at the markets and there are many narration's pertaining to this. However, he (saw) repeatedly undertook two actions, inviting people to embrace Islam, and building the strong understanding and *Iman* in Laa ilaha ill Allah, amongst those who accepted his message.

An important point to note here is that there were no *Ahkam* of *Salah*, nor *Ahkam* of fasting or *Sadaqah* revealed at this point. The *Da'awah* that was given to them was not to call to a ritual rather it was to an *Aqeedah*. An *Aqeedah* that was radically going to change their view to how they should live in this *Dunya*. They no longer lived for the idols, they no longer acted purely for the sake of this *Dunya* alone, nor merely to satisfy their desires. Rather they now realised their true existence and its purpose was for the *Akhirah* (Hereafter) and therefore they had to live life in the manner that Allah(swt) decided for them.

Therefore, the *Sahabah* (ra) were prepared from day one of embracing Islam to sacrifice everything for the sake of the *Deen*. Bilal (ra) the Ethiopian slave was placed in the hot burning sun under a large boulder. Sumayah (ra) gave her life, as did Yaasir (ra). This was the strong and unshakable Iman they had. They also understood their responsibility as the carriers of the *Deen*.

To further illustrate this, the early verses of the Qur'an would always remind them of the success that Allah (swt) would grant them as well as their responsibility. It has been narrated from Ibn Mas'ud (ra) that when the *Ayah*,

“This is nothing but a reminder to mankind, Jinn and all that exists”(TMQ al-Qalam, verse 52) was revealed they knew then, even though they were a small handful of Muslims at that time, that Islam would come to dominate the world (Jami'u al Bayan an Ta'wil ul Qur'an by Imam at-Tabari).

In fact, when the *Mushrikeen* would meet the Muslims they would scorn them by jeering, saying “Here are the masters of the Earth who will defeat Chosroes (of Persia) and Caesar (of Rome)” (Raheeq ul-Makhtoom). This was, however, initially the case as the Quraysh did not see in the Muslims any real threat.

Hence the Prophet (saw) would call the people to Islam and would culture those who embraced Islam with the firm understanding, *Iman* in the victory in this world and felicity in the *Akhirah*.

The example of how Umar ibn al Khattab (ra) embraced Islam upon finding out that his sister, and her husband, were privately being cultured by Khabbab ibn Arrat (ra) and then coming across the Qur'an has been well narrated by Ibn Hisham (Vol. 1/343). As well as the private culturing of the *Sahabah* (ra) in the house of al-Arqam.

He (saw) persisted in these actions for three years until Allah (swt) ordered him otherwise. This is what we are obligated to emulate as part of the method to establish Islam.

Hence, the key actions in the first phase of the *Da'awah* are:

- i) Calling people to Islam not through force but intellectual discourse.
- ii) Culturing those who responded with a strong understanding of this *Deen* and strong Iman in order to carry the *Da'awah* and shoulder its responsibilities.

Therefore, from the *Shari'ah* rules, the Islamic political party would be obliged to undertake these tasks of carrying the intellectual call of Islam, spreading the correct concepts and illustrating the fallacy of the erroneous concepts.

It would also need to seek to build its body and its members so they become capable of withstanding the responsibilities of carrying the *Da'awah* of Islam with firm *Iman* in Allah, His *Deen* and the resumption of Islam.

It would need to radically change the personalities of those Muslims who were going to take up the responsibility of carrying the Islamic *Da'awah* to be in line with the Islamic personality. As the Prophet (saw) stated in one *Hadith*, “**No one of you has attained Iman until his inclinations are in accordance to what I have brought (you)**” (narrated by Imam al-Isfahani in Kitab al-Hujja and authenticated by Imam al-Nawawi in his *Arba'een*).

**The Second Stage of the *Da'awah*:
The Interaction Stage (*Dawr al-Tafa'ul*)**

Imam Abu Ja'far At-Tabari (ra) states, "After three years of his Prophethood Allah (swt) commanded His Messenger (saw) to go out and proclaim the Message to the people publicly (enter the society) and summon them to it. Allah (swt) said to him,

"So proclaim what you have been commanded and turn away from the Polytheists"(TMQ al-Hijr, verse 94) (at-Tareekh at-Tabari Vol. 6 Par 1170).

It was in this phase of the *Da'awah* that the Prophet (saw) interacted with the society. He (saw) carried Islam to the people, in order to be established in authority. He (saw) challenged the authority of the Quraysh. He(saw) challenged the corrupt way they were running the affairs in their society i.e. the existing relationships. He (saw) also exposed their practices, facing with his *Sahabah* (ra) all types of persecution, boycotts and slander as a result. He (saw) rejected all attempts of the Quraysh and their leaders to be pliant and compromise on any aspect whatsoever. He carried Islam as the only leadership for the Arabs and the whole of humanity.

Hence the *Da'awah* took the way of an intellectual and political struggle in order to change every aspect of the system to establish the *Deen* of Allah, to uproot *Kufr* from its very basis and replace it with Islam.

This has all been narrated in the books of *Sunnah* and *Seerah* regarding the revelation of the verses of the Qur'an, the incidents surrounding them and the way in which the Prophet (saw) carried them to the people through the struggle.

The addressing of the relationships in the society

Allah (swt) in the various ayaat of the Qur'an addressed the various relationships and practices in the society. An example is when the Qur'an posed the question

"When the infant child asks, for what crime was she killed"
(TMQ al-Takweer, verse 8-9)

The books of *Seerah* narrate that this *Ayah* had a profound effect across the society as burying the daughters was a widespread phenomena at that time, albeit a tradition that they were finding difficult to justify. It has been narrated that Sumayah (ra), the mother of 'Ammar (ra) embraced Islam after these ayaat made her think of her own corrupt practices and therefore the new *Deen* of Muhammad (saw).

The Prophet(saw) also addressed, via the revelation, the way that cheating took place in the market place, the Qurayshi leaders were at the head of this particular practice and specifically when the unsuspecting pilgrims came. Allah (swt) stated in the Qur'an,

"Woe to those who deal in fraud" (TMQ al-Muttaffifeen, verse 1).

This was described by at-Tabari quoting Ibn Ishaq through Ibn Humayd from Salamah, "The Messenger of Allah (saw) proclaimed his Message to the people openly and declared Islam publicly ...they did not withdraw from him or reject him in any way as far as I have heard (i.e. narration) until he spoke of their gods and

denounced them. When he did this they took exception to him and united in their hostility to him...They objected to his departure from their ways and denouncing their gods...they approached Abu Talib (The uncle of the Prophet [saw] who was protecting his nephew from the Quraysh) and said, "Abu Talib your nephew has reviled our gods, denounced our *Deen*, derided our traditional values and told us our forefathers were ignorant." According to the narration of Ibn Sad: "There isn't a single evil that he hasn't done."

Hence we can see that the *Da'awah* of the Prophet(saw) was calling for a radical change in the way they were living their lives, and the manner in which the society was dealing in its worships, social values, economic practices. Their whole way of life and identity was being addressed, with a view to replacing them with a new *Deen* and a new way of life. Hence, he(saw) used to address the whole system of life by which the Quraysh lived their lives and was offering the system of Islam as an alternative led by the Prophet (saw) himself.

Struggle against the political leadership

These actions of the Prophet(saw) naturally brought him into struggle against the political leaders of the Quraysh who stood in the way of the *Deen*. As the Prophet (saw) persisted in this struggle against them and exposed them as a people standing in the way of the truth his struggle intensified into a full blown political struggle. The Qur'an addressed each of the rulers of the Quraysh in frank clear and un-ambiguous terms.

Al Wahidi in his *Asbab un Nuzul Qur'an* (page 502) relates that Abu Sufyan ibn Harb (before his embracement of Islam) one of the Quraishi leaders (who was the representative of the Quraish in many treaties including with the Messenger of Allah later (saw)) held a banquet and had a feast when he slaughtered two sheep. An orphan came to the house and asked him for some food, Abu Sufyan ibn Harb was so vexed at this that he swore at the child and beat him over the head with a stick. Then Allah (swt) revealed concerning him Surah al-Ma'un,

"Have you seen the one who belies the *Deen*? That is he who repels the orphan. And urges not on the feeding of the poor. So woe unto those performers of Salah (hypocrites). Those who delay their Salah. Those who do good deeds only to be seen. And withhold small kindness."
(TMQ al-Ma'un, verses 1-7)

Ibn 'Abbas (ra) narrated that "The Prophet (saw) went out towards al-Batha and ascended the mountains and shouted out '**O Sabaha**' so the Qurayshi people gathered around him. He (saw) said, '**Do you see if I tell an enemy is going to attack you in the morning or in the evening, will you believe me?**' They replied, 'Yes'. He said, '**Then I am a plain warner unto you of a severe punishment**'. Abu Lahab said, 'is it for this that you have gathered us? Taballak (May you perish)'. Then Allah (swt) revealed,

"Perish be the power of Abu Lahab! And perish again! His wealth will not enrich him. He will be burnt in a Fire of blazing flames. And his wife, too, who carries wood. In her neck is a twisted rope of palm fibre".
(TMQ al-Lahab, verses 1-5) (Bukhari Vol. 6 No 496.)

The direct result of this struggle was the persecution of the *Sahabah* (ra). Sumayah, as stated earlier, was tortured and killed amongst other *Sahabah* (ra) but the Prophet (saw) did not give up and continued carrying

the *Da'awah* and struggling against the Qurayshi authorities in defiance to them. This is another indication of the obligatory nature of this aspect i.e. the political struggle.

It was also narrated that when Hamza (ra) embraced Islam he went to Abu Jahl and warned him from reviling his nephew i.e. the Prophet (saw) and that he was one of the followers of his *Deen*. The Prophet (saw) addressed this when he stated in a well known *Hadith* narrated by Abu Dawud, **“The master of martyrs is Hamza and any man who stands in front of a tyrant ruler and orders him (with good i.e. the implementation of the *Deen*) and prohibits him (from the evil of other than the *Deen*) and is slain by him”**. (Authenticated by Ibn Hajr al-Hathami in *Majmoo' al-Zaid*.)

Hence, the Prophet (saw) describes those Muslims who die in the struggle against tyrant rulers and the *Sahabah* (ra), who were killed by tyrants due to their *Da'awah*, not only as martyrs but as the masters of martyrs. This also gives an insight into two things, that the nature of the struggle against the rulers should be

Seeking the Nussrah (Talab al-Nussrah)

“And Messengers before you were belied and yet they remained patient after their rejection and persevered until our Victory came to them”
(TMQ al-An’am, verse 34)

Ibn Katheer has narrated from Imam Ali (ra): “When Allah commanded His Messenger (saw) to present himself to the Arab tribes, he went out to Mina accompanied by myself and Abu Bakr (ra) where we came to a gathering of the Arab tribes.”(Bidayah wan Nihayah Vol 3)

Hence, the Prophet (saw) started to approach the various different tribes and tribal leaders in order to secure the Nussrah i.e. the physical support so as to establish the authority of the Prophet (saw), which is practically the authority of the *Deen*. He went seeking military support from those that were capable of maintaining his (saw) authority and protecting the Muslims. An authority that would be able to ensure the implementation of Islam and the carrying of Islam across the world militarily.

Imam Tirmidhi narrates in his al-Jami’u that during the Ukaz forum the Prophet (saw) would communicate the glad tidings of *Jannah* and promises of success to those who believed and carried Islam. He would openly inform them that they would surely prosper, rule the whole of the Arabian Peninsula and subdue Persia if they professed *Tawheed* and accepted the authority of the Prophet (saw).

Ibn Ishaq narrates from az Zuhri (ra) that the Prophet (saw) “Went to the Banu ‘Aamer bin Sa’sa’ah called them to Allah and offered himself to them: **“Give me the support and protect me”** (Ibn Hisham)). One of them by the name of Bayhara bin Firas said, ‘By Allah if I could take this young man from the Quraysh then I could conquer all the Arabs with him’. He then asked the Prophet (saw), ‘Do you think that if we followed you and Allah gave you the victory that we could have the command after you?’ He (saw) replied, **“The Command belongs to Allah, who places it where he wills..”** Bayhara replied, ‘Are we to expose our throats to the Arabs in your defence and then when you are victorious the command will go somewhere else? We do not need your *Deen*!’ When this news reached one of the *Shaykhs* of Banu ‘Aamer who was unable to make the Hajj, and consequently the meeting, he stated, ‘Banu ‘Aamer is there any way we can make this right? Is there any way we can regain this lost opportunity? By Him in whose hand is my soul no descendant of Isma’eel has ever falsified this. It is indeed the Truth! What happened to your ability to judge him?’ (Also narrated by Ibn Hisham and Imam at-Tabari in his Tareekh volume 6 and also the Bidayah wan Nihayah of Ibn Kathir Vol 3 p. 139).

The Prophet (saw) also entered into discussions with Banu Sheeban bin Thalabah who stated that they would support the Prophet (saw) against the Arabs but not against the Persians. Again, the Prophet (saw) refused this conditional support as he (saw) was seeking an unconditional support against the whole of the world, a matter which indicates that he (saw) had a vision of spreading and conquering others with this *Deen* once it was established.

Also, Ibn Kathir has narrated in his Bidayah wan Nihayah from Abdullah ibn Ka’ab ibn Malik that, “the Messenger (saw) went to a branch of the Banu Kalb whose leader was Malih. He invited him towards Allah and then demanded protection (*Nussrah*), but they turned him down” (Bidayah wa-Nihayah Vol. 3 page 139).

Ibn Abbas (ra) narrated that Ali bin Talib (ra) told him, “When Allah, the Glorified, the Sublime, asked His Prophet (saw) to preach among the tribes of Arabia, he set out along with Abu Bakr (ra) for Mina. We went to one of the assemblies of the Arabian tribes. *Sayyidana* Abu Bakr came forward and paid Salam to them. He always came forward on such occasions because he was an expert in the lineage of the Arabs. He asked: “Which of the tribes are you”. They replied, ‘Rabiah’. ‘Which branch of Rabi-’ah?’ He again asked.” Then a

long *Hadith* has been transmitted in which it has been told (by Sayyidana ‘Ali): “Then we went to an assembly of a tribe which was very dignified and quiet. A number of honourable and dignified old men were sitting there. Abu Bakr came forward and paid *Salam*.” ‘Ali further said, “He always came forward on all such occasions. Abu Bakr asked them, ‘Which of the tribes are you?’ They said, “We are Banu Shaiban Tha’libah.’

Then Abu Bakr told the Messenger of Allah (saw) ‘May my parents be sacrificed for you, none besides them is more honourable in this tribe.’ Maruq ibn Amr, Hani ibn Qabisah, Mathanna ibn Haritha, and Nu’man ibn Sharik were also present in that tribe. Mafruq ibn Amr was closely related to Abu Bakr. He was the most eloquent person of them. Two locks of his hair (i.e. braid) came down to his chest. In that assembly he was nearest to Abu Bakr. Abu Bakr asked them, ‘What is your number?’ They said, ‘We are one thousand in number; and one thousand is not a little figure.’ ‘What about your defence?’ asked Abu Bakr. ‘We always struggle (and defend ourselves), for every nation is bound to keep on struggle.’ Then Abu Bakr asked, ‘What about (the result of) the battle between you and your enemies?’ Mafruq said ‘When we fight, we are in one of our furies and the battle is enraged. We take care of the horses, used in the battle, more than our children; and prefer weapons over the milk-animals. So far as the victory is concerned, it is from Allah. Sometimes we gain victory, sometimes they gain victory.

I think you belong to Quraysh.’ Then Abu Bakr said, ‘I think you would have been informed about the Messenger of Allah (saw)’ After nodding towards the Holy Prophet, he said, ‘That’s he.’ Mafruq said, ‘We have received the news.’ Then he turned his attention towards the Messenger of Allah (saw) and asked, O my Quraysh brother. Towards which thing do you invite?’ On this the Messenger of Allah (saw) came forward and sat down over there while Abu Bakr remained standing shadowing over him with a piece of cloth. The Messenger of Allah (saw) said, **‘I call you to bear witness that none is worthy of worship besides Allah. I am the Messenger of Allah; and that you shelter and protect me; and help me until I discharge the duty placed upon me by Allah. The Quraish have openly violated Allahs’ commands, refuted his Messenger, and have contented with the falsehood instead of the truth. And Allah is the One, who is the Self-sufficient, the Praiseworthy.’** He further asked, ‘What do you preach again? O my Quraish brother!’ Then the Messenger of Allah recited the following verses:

“ Say: ‘Come, I will rehearse what Allah hath (really) prohibited you from’: join not anything as equal with him... Thus doth he command you that ye may be righteous.” (TMQ al-An’am, verses 151-153)

Mafruq again enquired, ‘Tell me something more about your preaching, O my Quraish brother! By Allah this speech is not of anyone who inhabits the earth. If it were theirs, we should recognise them’. On this the Messenger of Allah (saw) recited the following verse,

‘Allah commands justice and the doing of good. And giving help to kith and kin. And forbids evil deeds, *Munkar* and rebellious actions. He admonishes you so that you may take heed.” (TMQ al-Nahl, verse 90)

Mafruq said: ‘Oh Quraishi! By Allah, you have invited towards high values and best of the deeds. That nation has intentionally violated the Truth, who refuted you and revolted against you.’ Then Mafruq talked in such a way as though he wanted Hani bin Qabisah as well to take part in the discussion, and said, “ He is our leader,

Hani ibn Qabisah. He is our religious leader. Hearing that Hani said, 'O Quraish brother! I heard your speech and testified it. Our decision may be defective if we decide to give up our religion and follow you in this first meeting. You know that we have neither met before this, nor we hope to meet again in (the near) future. Therefore, give us a chance to think over your mission, otherwise it is possible that we would take a wrong decision. Let us have a serious thought over this because hurriedness may be a cause to err.

We have a nation with us. It is improper for us to take a decision in such a case without having their confidence. You, please go back now, think over it and let us have a thought over this as well.' He (ie. Qabisah) also adopted such a way as though he wanted Muthanna ibn Haritha as well to take part in the discussion. Then he introduced him by saying, 'he is Muthanna, our leader and commander in the battlefield.' Muthanna said, 'O my Quraish brother! I also heard your speech and admired your talks. I was rather amazed with your teachings. The answer from my side is similar to the one given by Hani ibn Qabisah. We live in such a place which is surrounded by two valleys on its two sides, one of that is Yamamah and the other Samawah'.

The Messenger of Allah (saw) asked, **'What do you mean by these two valleys?'** He replied, 'One of them is the desert of Arabia and the barren hills; while the other is the land of Persia having the canals of Kisra (Chosroes). We have a treaty with Kisra (the Persian Emperor) due to which we are staying there. According to the treaty we are not authorised to raise any new movement or give asylum to such a person who initiates a new movement. It is possible that your mission might be disliked by the Emperor (of Persia). An offender is sometimes pardoned and his excuse is acknowledged in Arabia but this is not the case of the Persians. An offender is not pardoned there and his excuse is not accepted. If you need our help [and shelter] in the Arabia, we are ready for that.' The Messenger of Allah (saw) said, **'I think you do not show any reservation in replying me, provided you are true in your statement. Only that person supports Allah's religion, who is protected from all sides.'** Then the Messenger of Allah (saw) holding the hand of Abu Bakr (ra) got up from there.

(Transmitted by Abu Na'im in "Dala'il-al-Nubuwwah", p.96. It has been related by Ibn Katheer "Al-Bidayah" Vol 3 page 142: Transmitted by Abu Na'im; In the Saheeh of Imam al Hakim; and and also the Sunan Baihaqi. The narration here is Abu Na'ims)

It has been narrated that the Prophet (saw) persisted and went to over 40 tribes in order to seek the Nussrah before he succeeded with the people of Madinah. This repetition, consistency and the Prophet's (saw) non-acceptance of any conditions such as those presented by Ban 'Aamer and Banu Sheeban, despite the fact that it was connected to the obligation of establishing the authority for Islam, which had been defined by the Prophet (saw) as a life and death issue, indicate the *Shari'ah* rule of seeking the physical support (*Nussrah*). Also, this indicates that it is an integral part of the method to establish the Islamic State.

The Nussrah from Madinah

The tribes of the Aws and the Khazraj, who were the power brokers of Madinah, finally gave the support (*Nussrah*) to the Prophet (saw) and thus came to be known as the Ansar (helpers). Ibn Hisham narrates that the Prophet (saw) met with the leaders of the Aws and the Khazraj at al-'Aqabah before the *Hajj* and took the pledge from them. This pledge is known as the Bay'atul-Harb (The Pledge of War). Before they took the pledge at-Tabari (Vol. 6 Par 1220) narrates that al-'Abbas was the first to speak in the negotiations. Al-Bara' of the Ansar narrates that al-'Abbas addressed the Ansar saying, "O people of Khazraj (meaning Aws and Khazraj in Arab custom) ...if you think that you can fulfil your promises which you made and defend him (meaning the Messenger (saw)) against his enemies, then assume the responsibility which you have taken upon yourselves. If you are going to abandon him and hand him over after he has come to you, then leave him now, for he is honoured by his people and safe in his land'. We said to him we have heard what you have said. Speak now Messenger of Allah and choose what you want for yourself and your Lord. Then the Messenger of Allah (saw) spoke to us and recited of the Qur'an which made us desirous of Islam. Then he(saw) said **'I will enter into a contract of allegiance with you, provided that you protect me like you protect your women and children'**. Then al-Bara' took his hand and stated. 'By Allah we will protect you like we would our womenfolk. Administer the oath of allegiance to us, O Messenger of Allah, for we are men of war and men of

coats of mail. We have inherited this from generation to generation'. The Prophet (saw) gave the pledge **'I will wage war against whom you wage war against and declare peace with whom you declare peace, my blood is your blood and my pact is your pact'** (Ibn Hisham)). At-Tabari then mentions that the Prophet (saw) asked them **'Bring forth from amongst yourselves twelve chiefs'**. Later on, after the pledge was given the Quraysh asked the Aws and Khazraj if such a pact had taken place. The *Mushrikoon* from the tribe who weren't present stated that they knew of no such agreement. In fact, when the Prophet (saw) migrated to Madinah he did so in secret.

The purpose of the Prophet (saw) contracting this *Nussrah* was to establish the Islamic State in Madinah through gaining the power of the people of support (*ahl un-Nussrah*). The *ahl un-Nussrah* were to establish the State in Madinah after the Prophet (saw) found that he could not gain enough *Nussrah* in Makkah to establish the State there. The criteria for *ahl un-Nussrah* used by the Prophet (saw) was that they should be physically powerful enough to not only establish the State in their land, but also to defend it against foreign enemies. This is why he(saw) didn't approach tribes such as Banu Ghifaar despite the fact that they had embraced Islam through the work of the *Sahabi* Abu Dharr al-Ghifaari (ra). This also explains why the Prophet(saw) refused the support of Banu Sheeban who could not guarantee the defence of the State against the Persians.

When the Prophet(saw) emigrated to Madinah the *ahl un-Nussrah* (Aws and Khazraj) came out wearing the leopard skin and swords i.e. war clothing, so as to establish the rule of the Prophet (saw) and fight any resistance. The Jews of Madinah realised then that this was a pre-planned matter. The Prophet (saw) had taken authority without allowing the enemies to make any preparations against him, he(saw) had orchestrated a coup d'etat. 'Abdullah ibn 'Ubay ibn Salul who, before this, was to be the King of Yathrib (Madinah) went to the Quraysh and, according to Ibn Hisham, stated to them that his people had never made such a decision without consulting him before. Indeed, the coup d'etat had allowed the Prophet (saw) to enter Madinah as its new leader.

Hence the actions, in this stage of the political party, would be the following:

- i) Continuing to call people to Islam not through force but intellectual discourse.
- ii) Continuing to culturing those who respond with a strong understanding of this *Deen* and strong Iman in order to carry the *Da'awah* and shoulder the responsibilities.
- iii) The Intellectual and Political struggle. This manifests itself into the adopting of the interests of the society and highlighting the corruption of the system and illustrating the Islamic system. Also by exposing the rulers and how they are not looking after the affairs of the people. In the current reality it would be exposing the plans of the *Kuffar* colonialists.
- iv) Seeking the support from those capable of removing the present authorities and establishing, securing and maintaining the Islamic ruling i.e. militarily capable. This support must be from those who embrace Islam i.e. Muslims and unconditional.

This last point would normally be done by the party seeking to access the military in order to take the authority. This would be after establishing the public opinion for the implementation of Islam through the intellectual and political struggle, so that the *Ummah* sees this as her political aim and the means of her salvation. After this the military would be capable of establishing the authority of Islam. Hence a coup d'etat would be the manifestation of the political change that the Islamic political party had inspired in the people and the practical support in order to actually carry Islam through *Da'awah* and *Jihad* to the rest of the world.

Some Important Distinctions

It must be clear however that there are certain distinctions, which would need to be made between this method and the current situation:

i) The most important distinction is that Muslims today are not directed by Allah (swt) as the Prophet (saw) was. Hence, the Starting point (*Nuqtat al-Ibtida'*) of the *Da'awah* is from wherever the Party began in the Islamic world, and this is also where the culturing stage started from. Also, the Prophet (saw) was ordered by Allah (swt) when to enter the interaction stage, the Muslims of today were not. Hence, according to the *Shari'ah* principle 'Whatever is necessary to accomplish an obligation is in itself an obligation', the Muslims of today were required to attempt to enter the interaction stage when as a political party they were capable. If they were unsuccessful, so for example if the members of the party abandoned the party or were killed making them incapable of interaction, then the party would have to retreat back into the stage of culturing. This delicate point is the point at which the party attempts to launch itself into the society. If it is successful then it will have entered the society and the interaction stage. This is the Launching point (*Nuqtat al-Intilaq*).

ii) Today, Muslims are combating a set of *Kufr* concepts and thoughts in the *Da'awah* that are different to those that the Prophet (saw) faced, although the way in which it would be done would be the same, intellectually and politically. So he (saw) was dealing with the idols of al-Lat and 'Uzza while today one deals with idols of democracy and the kingship of man against Allah (swt). He (saw) was dealing with concepts such as infanticide whilst today one deals with ideas of feminism, secular human rights and freedom. He (saw) was dealing with the *Deen* of the Mushrikeen, Jews and Christians whilst today one deals with Capitalism and Socialism. Also, the Prophet (saw) was struggling against the tribes of the Quraysh and their leaders. The struggle today would be against the colonialists and their agent rulers in the Islamic World.

iii) Another difference is related to the power. The power during the time of the Prophet (saw) lay with the powerful tribes and their leaders. However, today, in most cases, this power lies in the militaries of the Muslim countries. This affects where one seeks the *Nussrah* from. After reaching this point, known as the support point (*Nuqtat al-Irtikaz*) the party would enter into the final stage which is that of seizing the power and implementing Islam, carrying it to the rest of the world via the *Da'awah* and *Jihad*.

This is the ways in which the differences impact the contemporary *Da'awah*, however the methodology that has been derived from the *Shari'ah* evidences is the same and is the only practical method Islam has laid down in order to establish itself.

So the Islamic political party would have to proceed on this path not deviating off it by a hairline. If it did so it would be a deviation from the *Shari'ah* methodology that has been established through correct *Ijtihad*. This was the *Sunnah* of the Messenger of Allah (saw) and is no different from the rule of *Salah* or any other obligation that Allah has prescribed and the Messenger (saw) elaborated for us.

It is the only way that the *Ummah* can attain her revival and Islam can return to dominate life's affairs, as it is only the *Khilafah* that can ensure the existence of Islam and this is the only methodology that Islam has laid down.

The Third stage of the *Da'awah*:
The Stage of Ruling (*Dawr al-Hukm*)

After the gaining of the Nussrah the Prophet (saw) established Islam in the society of Madinah. He drew up a constitution for Madinah detailing the nature of the relationships and how key matters would be resolved between the Muslims themselves, between the *Kuffar* (disbelievers) themselves, and between the Muslims and the *Kuffar*. This was known as the Sahifah (document) of Madinah.

The following are some extracts in order to give a picture of the document and the way in which the society was organised.

In the Name of Allah ar-Rahman ar-Raheem. This is a document from Muhammad (saw) the Messenger of Allah concerning the Muhajireen (Emigrants) and the Ansar (Those who gave the support i.e. the Aws and the Khazraj) and those who strove with them.

- 1) They are one *Ummah* to the exclusion of all other nations.
- 2) The Emigrants of the Quraysh unite together and shall pay blood money among themselves, and shall ransom honourably their prisoners. Every tribe of the Ansar are as they were first.
- 3) Believers shall not leave anyone destitute amongst them.
- 9) The Peace of the believers is indivisible. No separate peace accord shall be made when the believers are fighting in the way of Allah. Conditions must be just and equitable to all.
- 10) It is not permitted for a believer who holds what is in this document and believes in Allah and the Last Day to help a criminal nor give him refuge.
- 11) When you differ about a matter it must be referred to Allah and Muhammad (saw)
- 12) Killing a believer deliberately with no good reason entails killing the killer.

This has been related by Ibn Hisham (Volume 1 pages 502/3)

Hence the final stage of the Islamic political party would ensure that Islam is implemented radically, with no gradualism or partial implementation. Rather the implementation must be comprehensive. Also the authority must be in the hands of the Muslims and they must give the authority internal and external security.

Implementing Islam and carrying the Islamic *Da'awah*

It is necessary that the Islamic political party is clear upon the nature of the Islamic system and also the way in which the state carries the *Da'awah*. Indeed the Islamic political party would have to have a very clear adoption upon a host of matters including the following:

The nature of the ruling framework, its structure and function, its application of the *Shari'ah* rules, a detailed understanding of the nature of the judiciary and how it performs its key functions. The economic principles and system in an elaborate manner and the State revenues, the way in which to manage the economy, its resources, the nature of the taxation systems and state relationship with the private companies and individuals as well as the nature of state properties and funds, such that it is capable of developing an economic policy effectively in accordance with the *Shari'ah* and what they demanded in terms of obligatory and necessary expenditure. The reality of citizens under the State, for both Muslims and non-muslims. The nature of the application of rules upon both Muslims and non-muslims amongst many other matters.

A draft constitution would be required in order to both visualise the *Khilafah* state and also for immediate implementation for when the *Khilafah* is established.

Hizb ut-Tahrir has adopted a detailed constitution and also elaborated upon their evidences and application in a book entitled “Muqadimat ud Dustoor aw asbab al Muwajjabba”, The Introduction to the Constitution or the reasons which make it Obligatory. The book also elaborates upon each key aspect of the ruling, economic, social systems and educational and foreign policies that have been mentioned in the constitution. The following is the first article of a draft constitution outlining the foundation of the *Khilafah* state and the necessity for the application of Islam in every single aspect and the carrying of the *Da’awah*.

Article 1: The Islamic *Aqeedah* (creed) constitutes the foundation of the State. Therefore, nothing is permitted to exist in the State’s structure, regime, accountability, or any other aspect connected with the State, that is not taken from the Islamic *Aqeedah* as its source. The Islamic *Aqeedah* is also the source for the State’s constitution and canons. Consequently, nothing related to the constitution or canons is permitted to exist unless it emanates from the Islamic *Aqeedah*.

The State is born by the initiation of new ideas that establish its foundation and structure. In addition, the power and authority in the State change as these ideas change. If the ideas become concepts and are well understood and believed in, then they affect the human being, who then behaves and proceeds through life according to these concepts. The viewpoint of benefits change as the perspective on life changes, and authority and power constitute the mechanism that supervises and administers these benefits.

A unique idea that establishes a particular perspective on life forms the basis of the State as well as the fountain of its power, authority, systems and constitution. Because this particular idea about life is manifested in a group of concepts, standards and convictions, this group is considered the foundation while the authority is a caretaker of the affairs of the people, as well as the supervisor who sees that the caretaking of the people are carried according to this group of concepts, standards and convictions. This group of ideas establishes in totality the view of life and, according to this, the view of caretaking is established, and the power carries out those functions. From this understanding the State is defined as “A body (or entity) established upon a group of concepts, standards and convictions that a group of people embrace, which exercises its authority to preserve and safeguard those ideas.”

The group of ideas that the state is built upon either stems from a fundamental thought or no unique thought. If the group of ideas is built on a fundamental thought, then it would have a strong foundation with unshakable corners. In such a scenario, the state would be established upon a unique thought which provides the sole source of all its concepts, sentiments, constitutions and systems. If the state is not established upon a fundamental thought, then it would have a weak foundation that could be toppled easily or colonised by outside entities. Such a weak foundation would be easily subjected to foreign ideas and concepts, which would eventually invite the way for outside forces to destroy its body.

The Islamic State is built upon the Islamic *Aqeedah* because the group of concepts, standards, and convictions that the Islamic *Ummah* has accepted emanates from an intellectual creed. The Islamic *Ummah* accepted this creed and believed in it as an intellectual one by taking its definitive and conclusive proof. Upon this intellectual belief, the Muslims are obliged to submit completely to the Islamic *Aqeedah* in its entirety and to make the Islamic creed the sole basis of their lives, their standards, their thoughts and concepts, and their sentiments.

As a result, this *Aqeedah* establishes the *Ummah*’s overall idea about life and the basis of its viewpoint on life. Also, the *Ummah*’s view of benefits results from it, and from this *Aqeedah*, the *Ummah* takes the group of concepts, standards and convictions. Therefore the Islamic *Aqeedah* is the basis of the Islamic State.

Moreover, the Islamic State was established by the Messenger (saw) on a specific basis. As a result, this basis must be the foundation of the State at any time and place. When the Prophet (saw) established the authority and took over the rule in Madinah, he established it on the Islamic *Aqeedah* from the first day even though the verses that deal with legislation were not yet revealed. The Prophet (saw) established the foundation of the Muslims’ life, the judgments, relations and affairs of the people, as well as authority, power and ruling, upon the saying: “There is no deity worthy of worship except Allah, and Muhammad is the Messenger of Allah.”

The Prophet (saw) also ordered *Jihad* and made it an obligation on Muslims to carry the Islamic *Aqeedah* to all people. Upon this mechanism, the Islamic State was able to propagate Islam to the world and expand its

spheres while protecting its frontiers and safeguarding against any attempt to undermine its foundation. The Prophet (saw) said in one *Hadith*, **“I was ordered to fight all the people until they say, ‘There is no deity worthy of worship except Allah, and Muhammad is the Messenger of Allah.’ If they say it, then their blood and money are immune and secure from me except by their (money and blood) rights.”**

Islam mandated upon the Muslims the authority to implement the *Ahkam Shari’ah*. The rulers are designated by the Ummah to carry out this responsibility, Allah (swt) made it an obligation upon the Muslims to ensure that Islam would be implemented in its entirety by questioning the rulers, bringing the State and its officials to account before Islam, and maintaining the intellectual thoughts and the Islamic concepts among the people. Allah (swt) mentions the obligation of the Muslims to have a party or group to perform this function:

To maintain that the obedience and loyalty remains to Islam, Allah (swt) ordered the Muslims to obey the rulers only as long as they perform their appointed task of implementing the Islamic rules and to refer to the *Ahkam Shari’ah* regarding any issue or situation. Many *Ahadith* establish Islam as the only criterion for obeying the ruler as well as instructing the Muslims to detach themselves from the rulers if they cease to implement Islam.

‘Auf ibn Malik narrates, “The Messenger of Allah (saw) said, **‘The best of your rulers are those whom you love and who love you, who invoke Allah’s blessings upon you and you invoke His blessing upon them. And the worst of your rulers are those whom you hate and who hate you and whom you curse and who curse you.’** It was asked, ‘Shouldn’t we overthrow them with the help of the sword?’ He said, **‘No, as long as they establish the *Salah* among you’**” (Muslim). In this *Hadith*, the word *Salah* indicates the rule by Islam.

All of this furnishes the proof that the foundation of the state is the Islamic *Aqeedah* which the Prophet (saw) established his State upon, ordered the Muslims to protect by *Jihad*, and obliged the Muslims to fight to maintain it as the foundation of ruling and authority. Based upon these evidences, the first article was put forth.

All matters, whether big or small, important or unimportant, valuable or invaluable, must be approached, examined and resolved based upon the Islamic *Aqeedah*. Any idea, thought, concept or law that is taken from human intellect, human judgment or any other source than the Islamic *Aqeedah* and not derived exclusively from the *Ahkam Shari’ah* is not acceptable. Concepts such as pragmatism, realism or any such idea that make the human being the source of rules and thoughts has no basis.

Also, Islam is a complete system that must be implemented in its entirety. Allah (swt) prohibits any partiality when it comes to Islam. Because the Islamic State is based entirely on the Islamic *Aqeedah*, such concepts as gradual and partial implementation of Islam are not acceptable. Implementing 20% of Islam would mean implementing 80% *Kufr*, and Islam rejects any such notion.

The concept of democracy must not be adopted by the State because it contradicts the concepts that emanate from the Islamic *Aqeedah* and it does not emanate from the Islamic *Aqeedah*. Democracy comes from the term *Demos Cratos*, which means ‘Sovereignty to the people’.

Concepts such as nationalism, patriotism and any other form of *Asabiyyah* (pride in family, tribe, or origins) have no place in Islam because they do not emanate from the Islamic *Aqeedah* and the Islamic concepts contradict them totally as well as show their dangers. In many *Ahadith*, the Prophet (saw) strongly emphasises Islam’s prohibition of any form of *Asabiyyah*.

Regarding the second part of the article, its proof is that the constitution is the fundamental law of the State. The proof that Allah (swt) has ordered the ruler to implement the *Ahkam Shari’ah* is well established in the Qur’an and the *Sunnah*. Allah (swt) says:

“Nay, by your Lord. They will not be believers until they make you rule in all that concerns them, and find no resistance in their hearts, and submit with full submission.” (TMQ al-Nisa’a, verse 65)

“And so rule between them by what Allah has revealed and follow not their vain desires...” (TMQ al-Ma’idah, verse 49)

Also, Allah (swt) made the State’s legislation confined by the revelation of Allah and warned against ruling by other than Islam:

“...And whosoever does not rule by what Allah has revealed, they are the Kafirun (Disbelievers)” (TMQ al-Ma’idah, verse 44)

Furthermore, the Prophet (saw) mentioned that anything not derived exclusively from Islam, even if it is similar to Islam, is not accepted. Narrated by ‘A’isha (ra), “The Prophet (saw) said, **‘Whoever performs a (good) deed which we have not ordered (anyone) to do (or is not in accord with Islam), then that deed will be rejected and will not be accepted.’**” (Bukhari)

All of this proves that the legislation of the State is confined to what emanates from the Islamic *Aqeedah* and what is derived solely from the *Ahkam Shari’ah*.

Part Six - The Return of the *Khilafah* is near (insha Allah)

“Prophethood will last with you for as long as Allah wants it to last. Then He will end it if He wishes to end it. Then there will be Khilafah according to the method of Prophethood, and things will be as Allah wishes them to be. Then He will end it if He wishes to end it. Then there will be a hereditary rule, and things will be as Allah wishes them to be. Then He will end it if He wishes to end it. Then there will be an oppressive rule, and things will be as Allah wishes them to be. Then He will end it if He wishes to end it. Then there will be a Khilafah according to the method of Prophethood.” Then he (saw) fell silent”

The Return of the *Khilafah*

Imam Ahmad in his Musnad (volume four page 273) narrated from al-Nu'man Ibn Bashir (ra) as saying that the Prophet had stated, **“Prophethood will last with you for as long as Allah wants it to last. Then He will end it if He wishes to end it. Then there will be *Khilafah* according to the method of prophethood, and things will be as Allah wishes them to be. Then He will end it if He wishes to end it. Then there will be a hereditary rule, and things will be as Allah wishes them to be. Then He will end it if He wishes to end it. Then there will be an oppressive rule, and things will be as Allah wishes them to be. Then He will end it if He wishes to end it. Then there will be a *Khilafah* according to the method of Prophethood.”** Then he (saw) fell silent”

The Messenger of Allah (saw) has foretold the return of the *Khilafah* after its demise and destruction. Today we are witnessing the oppressive rule that the Messenger of Allah (saw) informed us of, however we are also nearing the return of the *Khilafah* that is upon the *Minhaj* of the Messenger of Allah (saw) that he (saw) stated would once again return.

Indeed we should realise that the increased oppression that the believers and the carriers of the *Da'awah* to Islam and the establishment of the *Khilafah* are facing is only a sign of the return of the *Khilafah* and the hypocrite rulers acknowledgment of this. We should take confidence and increase our steadfastness, patience and perseverance against such tyrants from the words of the Messenger of Allah (saw) as narrated from Imam Ahmed in his Musnad on the authority of Maqal ibn Yasar who said that the Messenger of Allah (saw) said, **“Tyranny will not be long in appearing after I am gone. Whatever tyranny appears, a like amount of justice will go, until people are born under tyranny who have never known anything else. Then Allah will bring justice, and whatever justice comes, a like amount of tyranny will go, until people are born under justice who have never known anything else.”**

We are now upon the brink of the return of the *Khilafah*. There are many narrations and prophecies concerning its return. Indeed the Messenger of Allah (saw) foretold that the rule of Islam will return and also that it will take its place in al-Quds, as the seat of the *Khilafah* will be in al-Quds.

In the book of Ibn Asakir entitled the “Great history of Damascus”, Yunis Ibnu Maysara Ibnu Halbas is reported to have said: The Messenger of Allah (saw) said: **“This rule (i.e. the *Khilafah*) will be after me in Madina, then in Al-Sham, then in the peninsula, then in Iraq, then in Madina, then in Bayt Al-Maqdis (Al-Quds), and when the rule is established in Al-Quds, that would be its place, and thereafter nobody will be able to remove it.”**

The *Ummah* has witnessed the seat of the *Khilafah* moving from Madina, al Sham, Iraq and Madina in the times of the earlier *Khulafa'*. *Insh'Allah* when it returns again it will take al Quds as its capital!

Ibn Sad and the author of Kanz ul Ummal 14/252 both narrated that Abu Umayra Al-Mazani said: The Messenger of Allah (SAW) said: **“There will be a Baya'a of guidance in Bayt Al-Maqdis.”**

Ahmad in his Musnad (5/288), Abu Dawood in his Sunan No 2535 and Al-Hakim in Al-Mustadrak extracted the following *Hadith*: The Messenger of Allah (saw) said, **“When the *Khilafah* comes to the Holy land, this would mean that the earthquakes, the calamities and the major events are imminent, and that the Hour will then be nearer to people than my hand is to your head.”**

Al-Hakim in Al-Mustadrak 4/468, Ahmad in his Musnad 2/84 and Abu Dawood in his Sunan, under number 2482, reported that the Messenger of Allah (saw) said: **“Two immigrations will take place, and the latter will be to the place where your father Ibrahim may have peace be upon him had immigrated.”**

The first Hijrah was that of the Messenger of Allah (saw) at the establishment of the first Islamic State that lasted 1342 years, *Insh'allah* the next will be with the resumption of the *Khilafah*. We can be assured of the return of the *Khilafah*, indeed the *Khilafah* would be a prosperous one and a mighty one that will unify the Islamic land and carry Islam to the rest of the World.

Al-Nawawi in his book entitled *Sharhu* (explanation of) Muslim (18/38-39) and in the Musnad of Imam Ahmad 3/317 the following *Hadith* was reported on the authority of Jabir: The Messenger of Allah (saw) said: **“Among the last generation of my *Ummah*, there will be a *Khaleefah* who will scatter the money without counting it.** In another report the Messenger of Allah (SAW) said, **“When the end of the world is near, there will be a *Khaleefah* who would divide the money without counting it.”**

The following *Hadith* was extracted by Muslim in his Sahih according to *Sharhu al-Nawawi* (chapter 18 page 13), Abu Dawood in his Sunan (*Hadith* 4252), Al-Tirmithi chapter 2 page 27), Ibnu Majah (2952) and Ahmad's Musnad (chapter 5 pages 278 & 284) and Al-Hakim in Al-Mustadrak (4/479), on the authority of Thawban: “The Messenger of Allah (SAW) said, **“Verily Allah has cornered (i.e. gathered together) the earth for me, so I saw its eastern and its western parts. And verily the authority of my *Ummah* will reach the parts of the earth which have been shown to me.”**

In the Musnad of Imam Ahmad 2/176, and that of Al-Darimi (chapter 1 page 126), and in Al-Mustadrak of Al-Hakim (3/422) the following *Hadith* was extracted on the authority of Abu Qabil who said: “We were at Abdullah ibn Amr ibn Al A's, and he was asked: Which of the two cities would be conquered first, Constantinople or Rome? So Abdullah asked for a box to be brought, and from it he took out a book and then said: We were once gathered around the Messenger of Allah (SAW) writing, and he (SAW) was asked: Which of the two cities would be conquered first, Constantinople or Rome? The Messenger of Allah (SAW) replied: **The city of Heraclius will be conquered first** (meaning Constantinople)”.

The first conquest mentioned in the *Hadith* has already been achieved, i.e the conquest of Constantinople, under the leadership of the *Khaleefah* Muhammad Al-Fatih, and this was 800 hundred years after the Messenger of Allah (saw) had foretold it. With the help of Allah, the second conquest, i.e. that of Rome, will be achieved soon.

O Muslims! Allah has promised the victory to those amongst who have a strong unshakeable Iman and work for the *Deen* in order to make the Raya (flag) of La ilaha ill Allah the highest.

In Surah al-Nur, verse 55 Allah (swt) promises the Believers,

“Allah has promised, those among you who believe and work righteous deeds, that He will, indeed, grant them inheritance of power in the earth, as He granted it to those before them; that He will establish in authority their *Deen*, which He has chosen for them, and that He will change their state, after the fear in which they lived in, to one of security and peace. They will worship Me alone and not associate aught with Me, and those who do reject the faith after this, they would be the rebellious and the wicked.” (TMQ al-Nur, verse 55)

Imam al-Qurtubi wrote in his book entitled *Al-Jami'i Li Ahkam Al-Qur'an* in commentary about this verse the following: "It is correct to say that the verse applies to the *Ummah* of Muhammad in general, for the specification does not take place unless the conveyor (i.e. the Prophet) informs us about it; and what is known to be the rule, is to always adhere to the generality."

Imam al-Shawkani wrote about this verse in his book entitled *Fath-ul-Qadeer* chapter 4 page 74, the following: "This is a promise from Allah (SWT) to those who believed in Allah and performed good deeds, that He will grant them authority over the whole world, as He did grant it to former nations. This promise applies to the whole of the *Ummah*, it has been claimed that the promise was specific to the *Sahabah*, but there is no proof to substantiate such a claim, for the belief and the performing of good deeds is not restricted among the *Sahabah*, but open to every individual from among the *Ummah*."

So the Messenger of Allah (saw) has foretold the re-establishment of the *Khilafah* and the dominance of this *Deen*, Allah (swt) has promised us the Victory and we have a *Shari'ah* that Allah has blessed us with guiding us upon how to resume the *Khilafah*.

More than this the Messenger (saw) foretold that a distinct band of people, a Party bonded around the *Aqeedah* of Islam standing firm against the tyrants not deviating from the *Deen* of Islam and remaining upon the *Haq* without caring for those that differ with them, nor those that abandon them; and they will suffer the afflictions trials and tribulations against the tyrants but will stick to the *Deen* of Islam and will be victorious and establish the order of Allah and his *Deen* upon the Earth.

Imam Ahmed in his *Musnad* and Abu Dawud in his *Sunan* narrated on the authority of Thawban "There will always be in my *Ummah* a Party (*Taifa*) who will remain upon the *Haq*, victorious, and will not be harmed by those who differ with them until the order of Allah comes" and in another narration from Imam Ahmed, Muslims'. Tirmidhi adds "those who abandon them will not harm them".

Muslim and Bukhari have related through Muawiya who said: I heard the Messenger of Allah (saw) say, "A Party (*Taifa*) from my *Ummah* will be established upon the order of Allah (qaimat bi amrillah) they will not be harmed by those who abandon them or differ with them, until the order of Allah comes and they are victorious over the people".

Bukhari, Muslim and Imam Ahmad in his *Musnad* have also narrated that the Prophet (saw) said: "There will be from within my *Ummah* a Party (*Ummatun*) established upon the order of Allah, those who differ with them or abandon them will not be able to harm them until the order of Allah comes and they are upon it". Muadh ibn Jabal (ra) stated "they are in ash Sham".

Imam Ahmed and Tabarani narrated through a chain with reliable narrators (*Rijal al Thiqa*) on the authority of Abu Umama who said that the Prophet (saw) said, "There will be a Party from my *Ummah* who will be Victorious upon the *Deen* (of Islam), and they will defeat their enemies, they will not be harmed by those who differ with them except what strikes from trials and tribulations until the order of Allah comes and they are upon it." The narrators then asked the Prophet (saw): O Messenger of Allah (saw) where are they? And he said: "They are in Bayt al Maqdis and the surrounding areas".

Ibn Majah in his *Sunan* has related from Abu Hurayra on the authority of the Prophet (saaw), "There will be a Party (*Taifa*) from my *Ummah* established upon the order of Allah and they will not be harmed by those who differ with them."

Imam al Hakim in his *Mustadrak* has related with an authentic sanad (chain) on the authority of Umar ibn al Khattab (ra), "There will be a Party (*Taifa*) from my *Ummah* that will remain victorious upon the Truth until the establishment of the Hour"

It has been related by Darimi from Mugheerah ibn Shuba (ra) who said that the Messenger of Allah (saw) said, "There will a band of people (*Qaumun*) from this *Ummah* who will be manifest from the people until the order of Allah comes and they are victorious"

Imam Ahmad extracted in his Musnad (5-114) on the authority of Ubay ibn Abi Ka'ab (RA) that he said: The Messenger of Allah (SAW) said, **“Bring glad tidings to this *Ummah*, she will have the power, the pride, the *Deen*, the victory and the authority on earth. So he who worked to reap the rewards in this life rather than in the Hereafter, he would have no reward in the Hereafter.”**

The Experience of Hizb ut-Tahrir

Hizb ut-Tahrir is an Islamic political party that has established itself upon the *Aqeeda* of Islam. Its aim is to resume the Islamic way of through establishing the *Khilafah* and then carry Islam to the rest of the world through *Da'awah* and *Jihad*. For this noble goal she has taken the method of Muhammad (saw) as her method.

The Party started the first stage in al-Quds in 1372 AH (1953 CE) under the leadership of its founder, the honourable scholar, thinker, able politician, *Qadi* in the Court of Appeals in al-Quds, Taqiuddin al-Nabhani (may Allah's mercy be upon him).

In this stage, the Party used to make contact with the members of the *Ummah*, presenting to them, on an individual basis, its idea and method. Whoever accepted the basic idea, the Party would organise for him intensive study in the circles of the Party, so that he became purified by the thoughts and rules of Islam adopted by the Party and thus in the process became an Islamic personality.

Thus he interacts with Islam and enjoys an Islamic mentality and Islamic emotions leading him to start to carry the *Da'awah* to the people. When a person reaches this stage he impresses himself on the Party and thus becomes a member of it. This is the way in which the Messenger of Allah (saw) had acted in his first stage of the *Da'awah*, which continued for three years, by inviting people individually and presenting to them that which Allah (swt) had revealed to him (saw). He gathered together secretly those who believed in him on the basis of this ideology. He was concerned to teach them Islam and read to them from what was revealed and was being revealed to him until he had melted them with Islam. He used to meet them secretly and teach them in places hidden from the eyes of the people. They also used to perform their worship privately. Eventually, the *Da'awah* for Islam spread in Makkah, and people started to talk about it and began to enter Islam in groups.

At this stage of the *Da'awah*, the Party focused its attention on building its body, increasing its membership and culturing the individuals in its circles by the concentrated Party culture until it had managed to form a party structure from people who were melted by Islam, and who had adopted the thoughts of the Party and had interacted with these thoughts and conveyed them to the people.

After the Party had managed to form its structure and society had become aware of it, recognised it and its thoughts and what it was calling for, the Party moved to the second stage in emulation to the method of the Prophet (saw).

This stage is the interaction with the *Ummah* to make her carry Islam and to establish in the *Ummah* the common awareness and the public opinion over the thoughts and the rules of Islam adopted by the Party, so that she adopts them as her own thoughts and strives to establish them in life, and proceeds with the Party in the work to establish the *Khilafah* State and to appoint the *Khaleefah* in order to resume the Islamic way of life and carry the Islamic *Da'awah* to the world.

In this stage the Party developed its activities from only approaching individuals to also talking to the masses collectively. In this stage it used to carry out the following functions:

The concentrated culturing of individuals in circles to build the body of the Party and increase its members, and produce Islamic personalities that are capable of conveying the *Da'awah* and rushing forward into the intellectual and political struggle.

The collective culturing of the masses of the *Ummah* with the thoughts and the rules of Islam which the Party had adopted, through lessons, lectures, and talks in the mosques, centres and common gathering places, and through the press, books and leaflets. This was done in order to create a common awareness within the *Ummah* and to interact with her.

The intellectual struggle against the *Kufr* creeds, systems and thoughts, the erroneous ideas and the fraudulent concepts by exposing their falsehood, defects and contradiction with Islam, in order to deliver the *Ummah* from them and from their effects.

The political struggle, which is represented by the following:

A struggle against the *Kufr* colonialist states which have domination and influence on the Islamic countries. The challenge against colonialism in all its intellectual, political, economic and military forms, involves exposing its plans, and revealing its conspiracies in order to deliver the *Ummah* from its control and to liberate it from any effect of its influence.

A struggle against the rulers in the Arab and Muslim countries, by exposing them, taking them to task, acting to change them whenever they denied the rights of the *Ummah* or neglected to perform their duty towards her, or ignored any of her affairs, and whenever they disagreed with the rules of Islam, and acting also to remove their regimes so as to establish the Islamic rule in its place.

To assume the interests of the *Ummah* and to adopt its affairs in accordance with the *Shari'ah* rules.

The Party was clear, open and challenging in the carrying of its thoughts and in confronting the false thoughts and political parties, both in its struggle against the disbelieving colonialists and in its struggle against the rulers. It does not flatter, coax, act courteously or prefer safety, irrespective of the results or the circumstances of its *Da'awah*.

It challenges everybody who disagrees with Islam and its laws, a matter which has exposed it to severe harm committed by the rulers against it; such as imprisonment, torture, deportation, pursuit, attacking members livelihoods, impairment of interests, banning from travelling and murder. The oppressive rulers in Uzbekistan, Iraq, Syria, Libya and others have killed dozens of its members. The prisons of Uzbekistan (over 4000), Syria (over 800), numerous numbers in Jordan, Iraq, Egypt, Libya and Tunisia are full of its members. The Party sustained all this through following the example of the Messenger of Allah (saw).

Though the Party committed itself to be open, clear and challengingly in its *Da'awah*, it restricted itself to political actions alone and did not exceed them by resorting to material actions against the rulers or against those who opposed its *Da'awah*, following the example of the Messenger of Allah (saw) who restricted himself in Makkah solely to the *Da'awah* and he (saw) did not carry out any material actions until he had migrated to Madinah. And when the people of the second pledge of 'Aqabah proposed that he give them permission to fight the people of Mina with the sword, he answered them saying, **"We have not been ordered to do that yet"**. And Allah (swt) asked him (saw) to be patient about the persecution as the Messengers of Allah before him had been, when Allah (swt) said to them,

"Messengers indeed have been denied before you, and yet they remained patient after the rejection (of their message) and they were patient against the persecution till our victory reached them" (TMQ al-An'am, verse 34)

The fact that the Party does not use material power to defend itself or as a weapon against the rulers is of no relevance to the subject of *Jihad*, because *Jihad* has to continue till the Day of Judgement. So whenever the disbelieving enemies attack an Islamic country it becomes compulsory on its Muslim citizens to repel the enemy. The members of *Hizb ut-Tahrir* in that country are a part of the Muslims and it is obligatory upon them as it is upon other Muslims, in their capacity as Muslims, to fight the enemy and repel them. Whenever there is a Muslim *Amir* who declares *Jihad* to enhance the Word of Allah (swt) and mobilises the people to do that, the members of *Hizb ut-Tahrir* will respond in their capacity as Muslims in the country where the general call to arms was proclaimed.

When the society became unresponsive to the Party as a result of the loss of the *Ummah's* confidence in its leaders and chiefs on whom it had placed its hopes, the difficult circumstances under which the region was placed in order to ease the implementation of the conspiracies, the oppression and despondency which the rulers practised against their peoples and the severe harm which the rulers inflicted on the Party and its members, when the society became unresponsive for these reasons the Party started to seek the support of the influential people with two objectives in mind:

i) For the objective of protection, so that it could manage to continue its *Da'awah* while secure from affliction.

ii) To take over the rule in order to establish the *Khilafah* and apply Islam.

In addition to performing the actions of seeking material support, the Party continues to perform all the actions which it used to carry out, like concentrated circles, the collective culturing, focusing on the *Ummah* to make her carry Islam and establishing the public opinion for Islam within it. It continued to struggle against the colonial disbelieving states by revealing their plans and exposing their conspiracies, as it continued to struggle against the rulers by adopting the interests of the *Ummah* and taking care of its affairs.

The Party still continues in its work and hopes that Allah (swt) will grant to it and to the Islamic *Ummah* the help, success and victory, and at that moment the believers will rejoice soon *Insh'Allah!*

The Warm Call of Members of Hizb ut-Tahrir in Britain

Allah (swt), in His Mercy has raised the Islamic *Ummah* above all *Ummahs* by giving it the honour of Islam. Allah (swt) bestowed upon us His favour, by giving us a *Deen*, complete and clear. Allah (swt) sent to us a Messenger, whose truthfulness and position is known to all, and without a doubt, he (saw) was most truthful when he said, **“The grinding wheel of Islam is turning so turn wherever it turns”**.

O Muslims in the West! Surely the grinding wheel of Islam is turning faster day by day. The call for the *Khilafah* has today become the highest call, and has taken root in the Islamic lands. It has shaken the thrones of the Kings and terrified the Presidents, who stand as an obstacle to it, seeking to extinguish the light of Islam.

Allah (swt) says,

“They wish to extinguish Allah’s light with their mouths but Allah will not allow but that His light should be perfected, even though the unbelievers may detest it” (TMQ al-Tauba, verse 32)

O Muslims! Ever since Britain and the Western states destroyed our *Khilafah* on the 3rd of March 1924, this *Ummah* has not witnessed a single day of happiness. Our lands were divided, our fathers humiliated, our brothers disheartened, and our mothers and sisters were dishonoured; crying for their *Imam*, the *Khaleefah* who they lost as a protection and under whose shade they used to live.

The Messenger of Allah (saw) said, **“The Imam is a shield, from behind which you fight and defend yourselves”**.

Never has the Muslim *Ummah* been so devastated. Never have we been so divided. Never have we allowed the *Kuffar* to gain the upper hand, spreading *fasad* (corruption) upon the earth. Even though Allah (swt) described us as witnesses over mankind, when He (swt) said,

“We have made you an *Ummah* in equilibrium that you may be witnesses over the affairs of mankind, and the Messenger is a witness over you” (TMQ al-Baqarah, verse 143)

It is because of all of this, we call you to the noblest of work; the work to re-establish the Islamic *Khilafah*. We call you to the highest of the *Fara'id* (obligations); the *Fard* that will bring back the rules of Islam to the realm of life once again, bringing life to the world. We call you, with the warmest of calls, to work, with all your efforts to bring back our state, following the only method which is acceptable to Allah (swt); the method of His Messenger, Muhammad (saw).

Indeed the highest of positions today is that of the carrier of the pure Islamic *Da'awah*. It is the *Da'awah* carrier that with his words struck fear in the hearts of the leaders of Qur'aish in Mecca and brought hope to the sincere believers.

O Muslims in Britain! As part of the plan to keep this *Ummah* disunited and weak, false borders between brothers were created and false identities for us were established. Instead of uniting as one *Ummah* under one banner, nation states were formed and separate identities came about. We were told to call ourselves

Jordanians, Egyptians, Pakistanis... and today British. By doing so they set for us cheap struggles or localised goals, which distanced us from the vital issues of Islam.

The Prophet (saw) said, **“The believers are like a body if the eye is in pain the whole body is in pain...”**

Is it not about time that these divisions between us are swept away and we begin working for this noble goal ? It is today that we say to you, the *Khilafah* is to return, since Allah (swt) has promised for us this. The sons of this *Ummah* have sacrificed much for its return. Indeed we, the Members of *Hizb ut-Tahrir*, declare that the return of the *Khilafah* is an inevitability. Then the believers will see the days of happiness and tranquillity. They will bring glory to Islam and disgrace to *Kufr*, and the Words of Allah (swt) will become high, and those of the *Kafireen* will become low.

The Messenger of Allah (saw) said, **“This matter is like night and day. Allah (swt) will not leave a single home whether made of stone or the skin of the animal, except that He (swt) will make Islam enter it with glory or humiliation. A glory with which Allah will make Islam powerful and humiliation with which he will disgrace Kufr.** (Ibn Hibban, sahih on the authority of al Miqdad ibn al Aswad).

We must re-establish the *Khilafah*, regardless of the cost, because we wish for our Lord to look upon us with the position of pleasure and mercy. And we love for you what we love for ourselves, and upon this we invite you and all the Muslims to work sincerely and in earnest, utilising all energies, with the sincere and serious workers, who aim to re-establish the lost *Khilafah*, and the return of the missing gem, so that we take back our rightful positions between the nations, as bringers of happiness, as bringers of guidance and as witnesses over mankind. This is the honour in this world and in the Hereafter. Not one of you should neglect this honourable duty, to be the finest inheritors to the finest predecessors. So raise your determination, and motivate your sense of honour towards your *Deen* and *Ummah*, and let not the mass of falsehood and its influence cause you dismay, for this stage is nearly over, and the line illustrating the work of those working for *Khilafah* is increasing at an astonishing rate, and their steps towards victory become closer and closer everyday. Our trust in Allah (swt) is great and our hope for his nearing victory is untouched by even a single mark, and Allah (swt) has full power over His affairs, but most among mankind know not, and He, glory be to He, is the one who said,

“Allah has promised, to those among you who believe and work righteous deeds, that He will, of a surety, grant them in the land, inheritance (of power), as He granted it to those before them; that He will establish in authority their religion, the one which He has chosen for them; and that He will change (their state), after the fear in which they (lived), to one of security and peace” (TMQ al-Nur, verse 55)

And finally we finish with this *Dua'a* with which we would like to face Allah (swt):

O Allah! We ask of You an *Iman* that is unshakable and a bravery that is unyielding and a will that is not overwhelmed and a resolution that is not broken and nerves that are not disturbed. O Allah! Establish us on Your *Deen* and in carrying Your call until we see You. O Allah! Help us with the strong Believers and help us with the righteous Believers. O Allah! Support us with those who, together with us, carry the *Da'awah* and carry its burden, worry and responsibility. O Allah! Put in place for us the support and protection. Make ready for us those who will enable us to take power in Jordan, Syria, Iraq, Egypt, Turkey and other Islamic countries and make them respond to our call. O Allah! Give us the ability to establish the *Khilafah* and raise the Islamic flag (*Ra'ya*) and apply the *Shari'ah*. O Allah! Give us the ability to remove the *Kufr* rules and systems from all of the Muslim countries. And enable us to destroy Israel and destroy every dominance of the disbelieving states over even a single Islamic country. O Allah! Enable us to unite all the lands of Islam in the *Khilafah* state. Ya Rabb al alameen. Allahumma Ameen.

Jumada al-Awal, 1421 AH
August, 2000