

Ijtihadaat Related to Change – Part 2

Jihad – A method to Re-establish Khilafah?

After the Muslims had sensed the bad situation that they were living, the aware from amongst them began to rally towards changing this reality. The sensations of revival upon the basis of Islam began to flow within them and as a result many political parties and groups were formed for the purpose of bringing change. However, they began to proceed upon a number of different paths and contradicted many of the Ahkaam Shar'iyah methodology. This difference and contrast resulted from the imprecise Ijtihad that they had arrived at. Some viewed that society is an Islamic society that had flaws. As such, it is a need of reformation and not change (Revival). They therefore began to undertake actions of reform, such as providing assistance and help to the poor, orphans and those in need; building schools, hospitals; calling for the rectification of the individuals morals; calling people to the worships (Ibadat) and to the observation of the Sunnah; writing and publishing Islamic books and Islamic culture and preaching and guiding people to the truth. They were illusionary and they made others illusionary taking them away from proceeding upon the correct path. **In the previous article we presented the clarification regarding actions assigned by Shari'ah to state, hizb (party) and individuals. Also we clarified that the above actions are resulted from an imprecise Ijtihad, have no relationship with the vital issue of the Muslims, and consequently they would be unable to achieve the goal which Muslims must work to achieve, i.e. establishing the Khilafah (Caliphate) and bringing back the rule with what Allah (swt) has revealed. In this article, we will see discuss the actions of raising arms against the rulers of Muslim world as being the method to re-establish Khilafah.**

Some groups in the Ummah viewed that the reality of life that the Muslims are currently living after the destruction of the Khilafah is non-Islamic and that the rulers who are currently ruling are not ruling by Islam. For this reason, they viewed that it is obligatory to raise arms against them, to fight them and to kill them if they insist upon continuing upon what they are doing. This would be followed by bringing rulers who implement Islam and as a result the problem would end. Those who took this view made their deduction based on Saheeh Ahaadeeth including:

The Hadeeth related by 'Ubaadah Bin Saamit (ra): «بَايَعْنَا رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى السَّمْعِ وَالطَّاعَةِ فِي عُسْرِنَا وَيُسْرِنَا وَمُنْشَطِنَا وَمَكَارِهِنَا وَعَلَى أَنْ لَا نُنَازِعَ الْأَمْرَ أَهْلَهُ وَعَلَى أَنْ نَقُولَ بِالْعَدْلِ أَيْنَ كُنَّا لَا نَخَافُ فِي اللَّهِ لَوْمَةً لَائِمَةً» **The Nabi (saw) invited us so we gave him our Bai'ah (pledge of allegiance). So he said: From that which he commanded us with was that we gave our pledge upon hearing and obeying in that which we like and that which we dislike, in our hardship and in our ease and when preference is given over us (i.e. nepotism) and that we should not dispute with the affair of its people (i.e. rulers) unless you see open disbelief (Kufr Bawaah) of which you have a clear proof (Burhan) from Allah.”** (Bukhari).

And the Hadeeth of Umm Salamah (ra) who said that the Messenger of Allah (saw) said: «إِنَّهُ يُسْتَعْمَلُ عَلَيْكُمْ أُمَرَاءُ فَتَعْرِفُونَ وَتُنْكِرُونَ فَمَنْ كَرِهَ فَقَدْ بَرَأَ وَمَنْ أَنْكَرَ فَقَدْ سَلِمَ وَلَكِنْ مَنْ رَضِيَ» **“Amirs will be appointed over you, and you will find them doing good as well as bad deeds. One who hates their bad deeds is absolved from blame. One who disapproves of their bad deeds is**

(also) safe (so far as Divine wrath is concerned). But one who approves of their bad deeds and imitates them (is doomed). People asked: Messenger of Allah, shouldn't we fight against them? He replied: No, as long as they say their prayer." (Muslim and Abu Dawood).

This means: As long as they establish the Ahkaam of Islam amongst you where the Salaah is a part of that. This is understood from the angle of mentioning the part whilst intending the whole and this is like the statement of Allah (swt): **﴿فَتَحْرِيرُ رَقَبَةٍ﴾**

"Then he must free a neck." [An-Nisaa 5:92].

By mentioning the neck which is part of the slave, the slave is what is intended. It is therefore deduced from these two Hadeeth and other similar Ahaadeeth that the rulers of the Muslims today who implement the kufr rules upon them must be disputed with and fought against. Similarly they are killed if they insist upon manifesting Kufr Bawaah in which there is a clear proof from Allah and this is because they are disbelievers due to the statement of Allah (swt): **﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ﴾**

"And whosoever does not rule by what Allah has revealed then those are the disbelievers." [Al-Ma'idah 4:44].

Those who arrived at this methodology for the resumption of the Islamic life did not fully comprehend the difference between the reality that we are living today and the reality which the Ahaadeeth came to deal with and apply upon. What we witness today in terms of Kufr Bawaah did not begin in our time and we have found ourselves living in it for a long time. We were born in a Daar of Kufr, we are still within it and we find that we are living a life that is not Islamic in this land. This land (Daar) and this life did not change in front of the eyes of anyone of us in contrast to those who were present at the time when the Khilafah State was destroyed by the disbelievers and Mustafa Kamal which was then followed by establishing rulers in the Muslim lands in order to rule the Muslims by the systems of Kufr. At that time, it was obligatory upon the Muslims who witnessed that heinous crime to take up arms against those who were perpetrating it and to kill anyone who adamantly stood in the way of the application of Islam.

Therefore, the Ahaadeeth that they have based their deduction upon indicate that those being addressed with raising arms and fighting the rulers who manifest or display Kufr Bawaah are those Muslims who witness the changing of the Daar ul-Islam to the Daar ul-Kufr. This is because the Sultaan (authority) and Amaan (security) belonged to the Muslims and it was those Muslims who had given the Bai'ah to the Khalifah for him to rule them by Islam. If someone else then comes and disputes the authority of this Khalifah and then seizes the authority from him without just right in order to rule the Muslims by other than what Allah (swt) has revealed; if this was to happen, then it would have been a duty for them to find him in order to bring him back to Islam or otherwise he would be killed so that they can bring their Khalifah back or give the pledge of allegiance to another man to rule them by what Allah (swt) has revealed. This is because the text of the first Hadeeth states: **'Unless you see Kufr Bawaah'** and this means that you had not been witnessing Kufr Bawaah from the ruler and then you saw this from him or in his time. Therefore, this is an address to the one who witnesses the change from Islam into Kufr and this is not applicable to the Muslims of our time who did not witness this change taking place.

This is from one angle and from another angle; the reality that we are living, which is in need of being changed, is not a Daar of Islam or an Islamic life. This is because

the requirements of a Daar ul Islam are not present in any region from amongst the Muslim regions and lands. The conditions are the application of the rules of Islam in all areas of life and the security of the land resting in the security of the Muslims.

The same applies to the second Hadeeth mentioned above that states: **‘Should we not fight against them? He (saw) said: No as long as they pray’**. Its meaning is that you do not fight the rulers as long as they implement the Shar’a of Allah. If they then abandoned it and applied other than Islam then they must be fought. This therefore is also an address to those who witness rulers who had been implementing Islam.

As such, the reality that the Muslims are living in today since the beginning of the twentieth century, which is in need of being changed, resembles the reality that the Messenger of Allah (saw) found himself in within Makkah from the time that he was sent with the message in respect to the Manaat of the Hukm (Reality upon which the Hukm is applicable). As such, it is necessary for the carriers of the Da’wah working to bring change to fully perceive this reality. This is so that they can investigate and study the evidences and the Shar’iyah Ahkaam that apply upon this reality and so that they can abide by the Shar’iyah methodology in the work to bring change. This is to work in the society just as the Messenger of Allah (saw) undertook it in Makkah.

In conclusion, the reality that the Muslims are living in today, which is in need of being changed, resembles the reality that the Messenger of Allah (saw) found himself in within Makkah from the time that he was sent with the message. As such it is necessary for the carriers of the Da’wah working to bring change to fully perceive this reality. This is so that they can investigate and study the evidences and the Ahkaam Shar’iyah that apply upon this reality and so that they can abide by the Shar’iyah methodology in the work to bring change (Revival). This is to work in the society just as the Messenger of Allah (saw) undertook in Makkah in accordance to the stages and steps undertaken by Rasulullah (saw) as follows: Nuqtat-ul-Ibtidaa’ (the starting point) which is the stage of concentrated culturing. This is followed by the Nuqtat-ul-Intilaaq (the launching or departure point) which leads to the stage of the Tafa’ul (interaction). This is then followed by the Nuqtat-ul-Irtikaaz (support point) which leads to the stage of attaining the rule.

It is no secret from Muslims that Hizb ut Tahrir is the frontrunner that does not lie to its people, and it is working to achieve its aim of resuming the Islamic way of life by establishing the second Khilafah Rashidah on the method of the Prophethood. It works day and night to achieve its aim with a firm and unshakable belief that Allah’s promise to this Ummah of victory, empowerment and succession will not fail, and it will come on time set by Allah Almighty. There is no doubt that victory has one reason, which is that it is from Allah. Allah (swt) said: ﴿وَمَا النَّصْرُ إِلَّا مِنْ عِنْدِ اللَّهِ الْعَزِيزِ الْحَكِيمِ﴾

“And victory is not except from Allah, the Exalted in Might, the Wise” [Surah Aali-Imran 3:126].

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