

Press Release

The Ruling on Hijab is Against Islam as an Alternative Ideology to the Failed Secular Capitalist Ideology

On Thursday, 24 January 2019, the Supreme Court of Kenya overturned a Court of Appeal ruling allowing three Muslim students to wear hijab in school.

As Hizb ut Tahrir / Kenya, we state the following:

First, at a time when the country is facing moral decadence among the students at an alarming number of young school going girls are reported to be impregnated. It is a disdainful ruling of the court, and it is aimed to push the girls to fit in their rotten secular liberal values, which are continuing to ruin the moral standards of the entire society. The decision which has come at a time when Muslims already are facing the wrath of the state security machinery under the pretext of fighting radicalization for instance on Friday, 18th January 2019 at 11am, two chiefs from Kisumu County raided a mosque in their so-called attempt to stop radicalization teachings! They said they were responding to a government's directive that Chiefs and their assistant be on the look-out for attempts to radicalize Kenyan children to counter the dangers of terrorism. This is a clear indication that Kenya is driven by Western secular colonial policies meant to ensure that Muslims are divided into moderate (Liberal) Muslims or strict (Radical) Muslims.

Second, Islam is a comprehensive ideology emanating from Allah (swt) that has distinct systems including the social system and educational system amongst others. The Hijab falls under the Islamic social system and it is a dress that covers the female awrah. The dress include a lower and an upper portion. The lower portion is a wide and loose garment that drapes down towards the floor, which a woman **must** wear over her normal clothes before going out. In addition, the upper portion (head cover) or anything similar **must** cover the entire head, neck and the opening of the lower portion on the chest. It is a command that cannot be disputed by any party. The Almighty Allah says: ﴿يَا أَيُّهَا النَّبِيُّ قُلْ لِّأَزْوَاجِكَ وَبَنَاتِكَ وَنِسَاءِ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلَابِيبِهِنَّ﴾ **“Oh Prophet! Tell your wives, and your daughters and the women of the believers to draw their cloaks all over their bodies.”** [Al-Ahzab: 59]. ﴿وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ...﴾ **“And let them draw their head coverings over their necks and bosoms. And let them not display (more of) their charms to any but their husbands...”** [An-Nur: 31]

Third, we remind the Muslim Ummah that they must strictly adhere to their Islam no matter what. While emulating the Prophet (saw) and the Sahabah (ra) in having patience while they were in Makkah: «يَأْتِي عَلَى النَّاسِ زَمَانٌ الْقَابِضُ عَلَىٰ دِينِهِ كَالْقَابِضِ عَلَى الْجَمْرِ» **“There will come a day when holding on to your religion will be holding on to hot coals.”** [Sahihi Muslim]. We call upon the Muslims in general and especially the Scholars not to waste their efforts in seeking redress in secular colonial constitutional order. Instead, they should embrace the call for the resumption of the Islamic Way of Life by reestablishing the Khilafah (Caliphate) on the method of Prophethood in a Muslim majority nation. Only the Khilafah will do away with the dead and rotten secular capitalist ideology by burying it and its catastrophes into the dustbin of history. The Khilafah will ensure Muslims realize their true Islamic Personality by executing the Shar'iah (Qur'an and Sunnah) strictly and hence guaranteeing a conducive environment to practice Islam in its entirety.

Shabani Mwalimu

Media Representative of Hizb ut Tahrir in Kenya