

Press Release

A Shariah Fatwa Alone is Not Enough...

Acting upon the Shariah is What is Requested, What is a Shariah Obligation, and What Removes the Sin and Fulfills the Shariah Responsibility

After a long silence from many ulema of the Muslim World regarding the ongoing massacres perpetrated by the Jewish entity in Gaza, the International Union of Muslim Scholars (IUMS) finally issued a Fatwa urging Jihad by armed forces against the occupation. The fatwa emphasized the need for immediate military intervention by Muslim countries in support of the Palestinian resistance, and the need to abolish all forms of normalization with the Jewish entity. It was announced that the Ijtihad and Fatwa Committee of the IUMS, headquartered in Doha and Istanbul, issued a Fatwa regarding the ongoing aggression against Gaza and the violation of the ceasefire. The Fatwa called for a land, sea, and air blockade of the occupying entity, and the urgent need for military intervention by Muslim countries to support the resistance militarily, financially, and politically. In its statement, the IUMS emphasized that the genocide taking place in the Gaza Strip, which has claimed the lives of more than 50,000 martyrs, is a systematic aggression carried out with direct support from the United States, amidst Arab inaction, and shameful inaction by governments across the Muslim World.

With the delay in issuing such a Fatwa, which holds the existing states responsible for their failure to support Muslims in Gaza, the reactions of ulema and fatwa institutions were mixed. Some supported and praised the Fatwa without taking action, while others remained silent, fearing repercussions, just as the majority remained silent about the massacres. Whilst some, with shameless impudence, outright denied the fatwa, as did General Sisi regime's House of Fatwa in Egypt, thus rejecting the hadith of the Prophet Muhammad (saw), «وَمَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ، فَلْيُكَلِّمْ خَيْرًا أَوْ لِيَصْمُتْ» **“He who believes in Allah and the Last Day, must speak good or remain silent.”** [Bukhari and Muslim]. Among those who supported and praised the fatwa was **Mufti Taqi Usmani** of Pakistan, who declared that “jihad against “Israel” is obligatory on all Muslim governments.” He asked at the Palestinian National Conference in Islamabad, **“What is the use of the armies of Muslim countries if they do not mobilize to wage Jihad for the liberation of the First of the Two Qiblas?”**

As for us in Hizb ut Tahrir/ Wilayah Pakistan, we have been vocal from the first moment of the brutal aggression, demanding what this Fatwa stipulated. We have emphasized that Jihad is a Shariah obligation that cannot be neglected. We have

stated loudly and clearly, الطريق إلى فلسطين لا يمر عبر المؤتمرات، بل عبر الجيوش، **“The path to liberate Palestine does not pass through conferences, but through armies.”** Despite the delay in issuing this fatwa, we say, as the saying goes, “Better late than never.” However, one essential issue remains missing: How will this Shariah Fatwa be implemented? The ulema know, as the Ummah knows, that the real obstacle to Jihad is the mercenary rulers of Muslims. They are the solid barrier to the mobilization of armies, and the true Iron Dome protecting the Jewish entity from the wrath of the Ummah. Moreover, they do not rule by all that Allah (swt) has revealed, and have suspended His Shariah Rulings, the foremost among which is the pinnacle of Islam, **Jihad in the Path of Allah (swt)**. Is it reasonable to demand support from someone who has betrayed them? Should we pin our hopes on someone who has restrained the armies and shackled the Ummah?

The Shariah principle (qaa'dah) is (ما لا يتم الواجب إلا به فهو واجب) **“Whatsoever the obligation (wajib) cannot be performed without, is itself an obligation.”** This Shariah principle obliges us to work to remove these regimes that have oppressed the Ummah. They are the obstacle to Jihad and liberation (tahrir), and they are the ones preventing the Ummah and its armies from fulfilling their Shariah obligation. This can only be achieved by installing a sincere leadership that embraces the project of unifying the Ummah and its armies, restores the Ummah's authority, and leads it for the liberation (tahrir) of the Blessed Land of Palestine. This leadership exists today in Hizb ut-Tahrir, which advocates the project of the Khilafah Rashidah (rightly-guided Caliphate) on the Method of Prophethood, and is led by the eminent alim, **Ata bin Khalil Abu al-Rashtah** (العالم الجليل عطاء بن خليل أبو الرشتة). The only thing the Hizb lacks is the Nussrah (material support) of the people of power and protection, the officers of the armed forces, foremost among whom is Pakistan Army. **To all ulema and muftis:** We call upon you to work with Hizb ut Tahrir and to make a serious Dawah to contract a Bayah upon Khaleefah (caliph) for the Muslims who will unify the Ummah and lead the armies to fulfill the glad tidings of the Prophet (saw) of the liberation of Al-Quds and its blessed environs. He (saw) said, «لَا تَقُومُ السَّاعَةُ حَتَّى يُقَاتِلَ الْمُسْلِمُونَ الْيَهُودَ فَيَقْتُلَهُمُ الْيَهُودُونَ حَتَّى يَخْتَبِئَ الْيَهُودِيُّ وَرَاءَ الْحَجَرِ أَوْ الشَّجَرَةِ فَيَقُولُ الْحَجَرُ أَوْ الشَّجَرُ يَا مُسْلِمُ يَا عَبْدَ اللَّهِ هَذَا يَهُودِيٌّ خَلْفِي فَتَعَالَ فَاقْتُلْهُ إِلَّا الْغَرْقَدَ فَإِنَّهُ مِنْ شَجَرِ الْيَهُودِ» **“The Final Hour would not come unless the Muslims will fight against the Jews and the Muslims would kill them, until the Jews would hide themselves behind a stone or a tree, and a stone or a tree would say, “O Muslim, O servant of Allah, there is a Jew behind me, come and kill him.” However the Gharqad (Boxthorn) tree would not say, for it is the tree of the Jews.”** [Muslim].

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in Wilayah Pakistan**