

ly Allah will ask them about what He entrusted them with.” [Narrated by Muslim] These Ahadith demonstrate that the Khaleefah only takes the authority by this Bay’ah, for Allah swt has commanded his obedience: **“Whoever pledged allegiance to an Imam ... shall obey him.”** So, is appointed Khaleefah through the Bay’ah, and his obedience becomes compulsory because he is a pledged allegiance to as Khaleefah. Thus he took the authority from the Ummah which gave her Bay’ah and her obedience to the one whom she pledged to i.e. to the one who has a Bay’ah on her neck.

3. The appointment of one Khaleefah is obligatory on all Muslims

As for the third principle, that the establishment of one Khaleefah is an obligation on all Muslims. Muslim narrated from Naf’i that he said: ‘Abdullah Ibnu ‘Umar said to me: I heard the Messenger of Allah (saw) say: **“Whoever takes off his hand from obedience to Allah, he will meet Allah on the Resurrection Day without having any proof to show for himself; and who dies while there was no pledge of allegiance on his neck, he dies a death of the days of Jahiliyyah (ignorance).”** In this Hadith, the Messenger of Allah (saw) has made it compulsory on every Muslim

to have a pledge of allegiance, i.e. Bay’ah to a Khaleefah on his neck, but he (saw) did not make it compulsory for every Muslim to give the pledge (Bay’ah). For the obligation is the presence of a Bay’ah on every Muslim’s neck, i.e. the existence of a Khaleefah who is entitled to a Bay’ah on the neck of every Muslim by his existence.

4. The adoption of laws is the exclusive right of the Khaleefah

The fourth principle, states that the Khaleefah is the sole body with mandatory powers to adopt laws and legislation. This has been proved by the general consensus of the Sahabah (Ijmaa’). Following this consensus these Shari’ah principles have been derived: *“The opinion of the Imam settles the difference;”* *“The opinion of the Imam is binding;”* *“The Sultan (Imam) reserves the right to adopt new laws for a many new matters that arise.”*

These are the principles of ruling in Islam without which ruling can’t exist. If any of these principles was absent then the ruling will vanish, i.e. the authority of Islam and not any [other] ruling. These principles have been derived and backed by evidences from the Shari’ah.



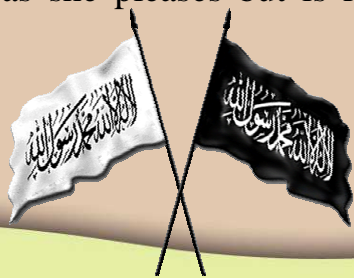
Principles of Ruling

The ruling system is built upon four principles which are:

1. Sovereignty is for Shar'a
2. The authority belongs to the Ummah
3. The appointment of a Khaleefah is obligatory on all Muslims
4. The adoption of laws is the exclusive right of the Khaleefah

1. Sovereignty is for Shar'a

As for the first principle, that the sovereignty belongs to the Shar'a; it has a reality, which is the word sovereignty. It has evidence that indicates that it belongs to the Shar'a and not to the Ummah. this sovereignty is that it belongs to the Shar'a and not to the Ummah. The will of the individual is not controlled by himself as he pleases but by the commands and prohibitions of Allah swt. Similarly, the Ummah is not controlled by her own free will where she acts as she pleases but is rather sub-



jected to the commands and prohibitions of Allah swt. The evidence about this is reflected in Allah's saying: **"And by thy Lord they will not believe until they make you judge between them."** [An-Nisa: 65] And His swt speech: **"O you who believe, Obey Allah, Obey His Messenger and those in authority from amongst you and if you differ then refer it to Allah and His Messenger if you believe in Allah and the Last Day."** [An-Nisa: 59]

Referring it to Allah and the Messenger means to the rules of Shar'a. Therefore, that which controls the Ummah and the individual, and conducts the will of the Ummah and the individual is, in fact, what the Messenger of Allah swt has brought. So the Ummah and the individuals submit to the Shar'a. Thus, the sovereignty is for the Shar'a. Therefore, the Ummah does not give the Bay'ah to the Khaleefah as if hired by her to execute what she wishes, as is the case in the democratic system. He is rather given the Bay'ah on the Book of Allah and the Sunnah of His Messenger saw, so as to execute the Book of Allah swt and the Sunnah of His Messenger saw i.e. to implement the Shar'a and not what the people wish. Even if the people who gave him the Bay'ah deviated from the Shar'a

he has to fight them until they revert back to the Shar'a.

2. The authority belongs to the Ummah

The principle that the authority belongs to the Ummah is taken from the Shari'ah rule that states that the appointment of the Khaleefah is the right of the Ummah and that the Khaleefah can only take up his post and exercises his authority by taking a Bay'ah. Muslim narrated from 'Ubadah Ibn us-Samit, he said: **"We gave Bay'ah to the Messenger of Allah saw to hear and to obey in ease and hardship."** And from Jarir Ibn 'Abdullah, who said: **"I gave Bay'ah to the Messenger of Allah saw to listen and obey and give advice to every Muslim."** Thus, the Muslims give the Bay'ah to the Khaleefah and not by the Khaleefah to the Muslims. They are the ones who give him the Bay'ah, i.e. they appoint him as a ruler over them. Abu Hurayrah reported that the Messenger of Allah saw said: **"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 soon be Khulafaa' and they will number many. They asked: What then do you order us? He (saw) said: Fulfil Bay'ah to them one after the other, and give them their dues, for veri-**