

the appointment of a waali or the equipping of the army, then the Khaleefah has the right to object and to overrule the decision of the Mu'aawin ut-tafweeD. This is because the Khaleefah has the right to redress his own decisions in such cases and hence those of the Mu'aawin ut-tafweeD.

Article 47

The Mu'aawin ut-tafweeD has a general deputation and therefore he must not be assigned to specific departments or specific types of action. He undertakes general supervision of the administrative system but does not undertake administrative matters.

EXECUTIVE ASSISTANT

(Mu'aawin ut-tanfeeZH)

Article 48

The Khaleefah appoints a Mu'aawin ut-tanfeeZH whose function is administrative and not ruling. His duty is

to execute the instructions of the Khaleefah in both the internal and external affairs of the State and to relay to the Khaleefah what is received from these areas. This administration office is a medium between the Khaleefah and others, i.e. it executes instructions on his behalf and hand over reports to him.

Article 49

The Mu'aawin ut-tanfeeZH must be a Muslim because he is one of the Khaleefah's entourage.

Article 50

The Mu'aawin ut-tanfeeZH is always in direct contact with the Khaleefah the same way the Mu'aawin ut-tafweeD is. The Mu'aawin ut-tanfeeZH is considered an assistant but in execution instead of ruling. □

[Source: The System of Islam
by Taqiuddin an-Nabahani Hizb ut Tahrir]

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إِنِ الْحُكْمُ إِلَّا لِلَّهِ أَمَرَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ

Assistants

of the Khaleefah

DELEGATED ASSISTANT

Mu'aawin ut-tafweeD

Article 41

The Khaleefah appoints an assistant delegated with the authority to assist him in undertaking the responsibility of ruling. He deputises to him to manage affairs with his own point of view and ijtihaad.

Article 42

The Mu'aawin ut-tafweeD must be qualified with the same essential qualifications of the Khaleefah, i.e. that he should be male, free, Muslim mature, sane, and 'adl (trustworthy). Additionally he must be competent in the tasks for which he is deputised to undertake.

Article 43

The appointment of the Mu'aawin ut-tafweeD must entail both deputation and a general responsibility. Thus, in the appointment of the assistant, the

Khaleefah must pronounce a statement to the effect of "I appoint you on my behalf as my deputy" or any other statement that confers both deputation and general responsibility. Unless the Mu'aawin ut-tafweeD is appointed in this manner he would not be a Mu'aawin ut-tafweeD nor hold the authority of a delegated assistant.

Article 44

The function of the delegated assistant, so as to distinguish between him and the Khaleefah in his authority, is to inform the Khaleefah of the matters he has managed and the appointments and delegated duties he has implemented. Therefore, the function of the Mu'aawin ut-tafweeD is to inform the Khaleefah of his analysis and, unless the Khaleefah prevents him, to carry it out.

Article 45

The Khaleefah has to examine the actions and dispositions of the Mu'aawin ut-tafweeD so as to confirm what is

sound and to adjust that, which is wrong. This is because the management of the Ummah's affairs is entrusted to the Khaleefah and subject to his own ijtihaad.

Article 46

Once the Mu'aawin ut-tafweeD has managed a matter with the agreement of the Khaleefah, he has the right to carry it out - as acknowledged - without any alteration. If the Khaleefah revises the matter and objects to what the Mu'aawin ut-tafweeD has executed, the following considerations apply: If the Khaleefah has objected to what the Mu'aawin ut-tafweeD has carried out in regard to a rule implemented soundly, or a fund spent justly, then the view of the Mu'aawin ut-tafweeD must be enacted. This is because it is originally the view of the Khaleefah and the Khaleefah must not redress laws that he has implemented and funds that he has spent. However if the Mu'aawin ut-tafweeD has implemented something else, such as