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The Russian Invasion of Ukraine

**1973 Constitution is a Secular and
Kufr Constitution**

**Glad-Tidings to You, Naveed Butt.
Repose in Beautiful Patience, for
the Time for the Khilafah Has
Come**



**Engineer Naveed
Butt**

Official Spokesman of
Hizb ut Tahrir in the
Wilayah of Pakistan

Naveed Butt was
abducted by government
security officials on **11th**
May 2012 in front of his family and
neighbors

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Editorial

Pakistan can never emerge from its recurrent crises, if it limits itself to the two conventional options, parliamentary democracy and presidential democracy. This limited, loaded debate only benefits the current political and military leaderships. Until the Muslims turn their backs on Democracy and strive for the Islamic Khilafah state, they can only look forwards to the next crisis.

Political leaderships prefer parliamentary democracy, as ensured by Bhutto's 1973 constitution, because it gives elected representatives greater ability to manipulate law in their favor. Military leaderships prefer presidential democracy, as practiced by General Ayub previously and then General Musharraf most recently, because it grants the military leadership firm control over legislation.

However, both presidential and parliamentary democracy are the cause of the crises. They both deny the Revelation of Allah (swt) as the exclusive source of legislation, such that every law is based on the Noble Quran and the Prophetic Sunnah. They both burden Pakistan with law that is made according to the whims and desires of human beings, with their limited minds and boundless greed. They both open Pakistan's laws wide open to manipulation to further the ambitions of the corrupt and their masters in the West.

Hizb ut Tahrir is the only leadership that offers a way out of the crises. Hizb ut Tahrir alone has prepared an entire constitution, of 191 articles, elaborating their evidences from the Noble Quran, the Prophetic Sunnah and the Unanimous Consensus of the Companions (ra). Hizb ut Tahrir alone has prepared a global cadre of politicians, from Morocco to Indonesia, who are capable of running the Khilafah state and holding the Khaleefah to account. And Hizb ut Tahrir has made great strides in the Khilafah project with the Help of Allah (swt), despite brutal oppression against it, including the abduction of its Official Spokesman in Pakistan, Engineer Naveed Butt, ten years ago, on 11 May 2012.

So whosoever is sincere to the Deen and wants a way out for the Muslims, needs look no further than Hizb ut Tahrir.

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Tafseer Al-Baqarah (2: 226-227)

From the book, Introduction to the Tafseer of the Quran, by the Ameer of Hizb ut Tahrir, the eminent jurist and statesman, Ata Bin Khalil Abu Al-Rashtah

﴿لِّلَّذِينَ يُؤَلُّونَ مِنْ نِسَائِهِمْ تَرَبُّصُ أَرْبَعَةِ أَشْهُرٍ فَإِنْ فَاءُوا فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ (226)
وَإِنْ عَزَمُوا الطَّلَاقَ فَإِنَّ اللَّهَ سَمِيعٌ عَلِيمٌ﴾ (227)

“For those who swear not to have sexual relations with their wives is a waiting time of four months, but if they return [to normal relations] - then indeed, Allah is Forgiving and Merciful. (226) And if they decide on divorce - then indeed, Allah is Hearing and Merciful. (227)”

In these two verses, Allah (swt) clarifies another Shariah ruling, within the same context that we have mentioned previously. The ruling is about the swearing of not having sexual relationship with a wife, for more than four months. This is called ‘Eela (الإيلاء) oath of desertion). This ruling is different from that of other oaths that we have mentioned in the Tafsir of the previous verse. Here in this verse, it is about a man who swears not to have intercourse with his wife for four months, more or less. This entails the following:

First: If the swearing is not to have intercourse for four months or less than that, then it is not called ‘Eela.’ Instead the oath in this case is like a normal oath. If he violates the oath and has intercourse with his wife before the duration which he swore, he has broken the oath and he has to make expiation (kafaarah) for the breaking of an oath. If he does not have intercourse with her before the period he has specified in the oath, whilst the period is less than four months, then he has fulfilled the oath and there is no sin upon him. Zuhri reported that (once) the Messenger of Allah (saw) took an oath that he would not go to his wives for one month. Zuhri said that ‘Urwa narrated to him from ‘A’isha (ra) that she said, ‘When twenty-nine nights were over, which I had counted, the Messenger of Allah (saw) came to me (he came to me first of all). I said, “Messenger of Allah, you had taken an oath that you would not come to us for a month, whereas you have come after twenty-nine days which I have

counted.” Whereupon he said, «إِنَّ الشَّهْرَ تِسْعُ وَعِشْرُونَ» “The month may also consist of twenty-nine days.” [Muslim]

Secondly: Taking an oath not to have intercourse with his wife for more than four months. This oath is called ‘Eela’ in Shariah and it has Shariah rulings as clarified in these two noble verses. The rulings are as follows:

A- If he has intercourse with his wife before four months, he must make kafaarah for his oath alone.

B- If he continues without having intercourse with her, after the completion of the four-month duration, it must be taken account of and he is compelled to choose one of the two following options:

First option: He has to return to a former state (يُفِيءُ) i.e. returning to a state before the oath. It (in Quran فَأُؤا - meaning if they return to a former state) is a metaphor for intercourse. And so he has to make kafaarah (expiate) for his oath.

Second option: He has to divorce.

If he refuses one of these two options, then the ruler will pronounce the verdict of divorce.

What we have explained above comes from the indications of the two verses as follows: ﴿لِلَّذِينَ يُؤْلُونَ مِنْ نِسَائِهِمْ﴾ “**For those who swear not to have sexual relations with their wives**”. The word ‘Eela’ in origin is an oath that implies deficiency of the matter, upon which the oath is taken. Thus it means he either takes the oath upon evil or falls short from the goodness like the saying of Allah (swt), ﴿لَا يَأْلُونَكُمْ﴾ “**They (disbelievers) will not fall short of ruining you**” [TMQ 3:118] and the saying of Allah (swt), ﴿وَلَا يَأْتَلِ أُولُو الْفَضْلِ﴾ “**And let not those of virtue among you and wealth swear not to give [aid] to their relatives and the needy**” [TMQ 24:22]. Thus the Shariah meaning for the word ‘Eela’ is an oath that prevents one from having intercourse with his wife.

﴿مِنْ نِسَائِهِمْ﴾ **“With their women”** i.e. with their wives. This indicates that ‘Eela’ is particular to wives and not to concubines.

﴿تَرْبُصُ أَرْبَعَةَ أَشْهُرٍ﴾ **“waiting time of four months,”** the word ‘تَرْبُصُ’ means to wait and abstain, i.e. he has only a four month time-limit, and after that he has to decide one of the two options mentioned above.

﴿فَإِنْ فَاءُوا﴾ **“but if they return”** i.e. if they return to the previous state, which is mentioned as a metaphor of intercourse.

﴿وَإِنْ عَزَمُوا الطَّلَاقَ﴾ **“And if they decide on divorce.”** It is an indication that the wife is not divorced with the (mere) passage of time duration, unless her husband divorces her or the ruler pronounces the verdict of divorce.

As such, the meaning of the verse is as follows,

Those who make an oath not to have intercourse with their wives for more than four months, they have to do one of the two things, upon the passage of four months: Either they have to turn back and return to their previous state, as they were before, as a metaphor for having intercourse, and make kaffarah (expiation) for their oath, or they have to divorce their wives. If they refuse, the ruler will pronounce the verdict of divorce.

Allah (swt) concludes the two verses by saying: ﴿فَإِنْ فَاءُوا فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ﴾ **“But if they return [to normal relations] - then indeed, Allah is Forgiving and Merciful,”** as what happens to them by the oath is harmful and detrimental to the women.

And the saying: ﴿وَإِنْ عَزَمُوا الطَّلَاقَ فَإِنَّ اللَّهَ سَمِيعٌ عَلِيمٌ﴾ **“And if they decide on divorce - then indeed, Allah is Hearing and Merciful.”** Allah is All-Hearing of their ‘Eela’ that reaches to the level of Talaq and Allah is All-Knowing of their intention from their ‘Eela’ and so He rewards them what they deserve.

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The Prophetic Sunnah is Revelation and a Clarifier of the Noble Quran

Musab Umair, Pakistan

Introduction: The Meaning of Sunnah, Both in the Arabic Language and in Shariah Terminology

Sunnah (سُنَّة), with its plural being Sunan (سُنَن), linguistically is the path (Tareeq) or way (seerah). The inimitable Noble Quran, which set the standard for the Arabic language after its revelation for all times, says, **قَدْ خَلَتْ مِنْ قَبْلِكُمْ سُنَنٌ فَسِيرُوا فِي الْأَرْضِ** “**Similar paths came to pass before you, so travel throughout the land.**” [TMQ Aali-’Imraan: 137]. This linguistically refers to paths (sunan). The poet of the first and best generation, during the peak of the Arabic language, Khalid bin Zaheer al-Huzli wrote the qaseedah (couplet), **فلا تجزعن من سنة أنت سرتها** **واول راضي سنة من يسيرها** “Do not regret a path (sunnah) you have taken. The first one to accept a path is the one who takes it.”

In Shariah terminology, the Sunnah has meanings in two senses. Firstly, Sunnah is with the meaning of the recommended (nafilah) worships, such as fasting Mondays and Thursdays. This first Shariah meaning is as opposed to the obligatory (Fard), such as fasting Ramadhan. Secondly, Sunnah is also all that Allah (swt) revealed to the Messenger (saw), in the form of the saying (qawl), the action (‘amal) and the approval (taqreer) of the Messenger (saw) himself. This second Shariah meaning is as opposed to all that Allah (swt) revealed to the Messenger (saw), in the form of the Speech of Allah (swt), which is the Noble Quran. So like the Quran, Sunnah is Revelation from Allah (swt). However, unlike the Quran, the Sunnah is revealed in contents and meanings, but not in its wording. Whereas the Quran is revealed in the wording of Allah (swt) as well, being the speech of Allah (swt). In the case of Sunnah, Allah (swt) revealed to him (saw) and he (saw) expressed this Revelation in his own words, or his actions, or his approval through silence.

The Sunnah is Revelation from Allah (swt)

It is decisively established that Sunnah is Revelation, decisive in text (thaboot) and decisive in evidencing (dalaalah).

Allah said, **وَمَا يَنْطِقُ عَنِ الْهَوَىٰ** “**Nor does he speak of desire.**” [TMQ Surah an-Najm 53:3]. In his Tafsir, Ibn Kathir stated regarding this ayah, **ما يقول قولاً عن هوى** “nothing the Prophet says of speech is of his desire or wish.” Imam Qurtubi stated in his Tafsir, **ما يخرج نطقه عن رأيه ، إنما هو يوحى من الله عز وجل** “nothing of what he speaks is of his own opinion. It is only what has been revealed by Allah the Exalted.”

Allah (swt) said, **إِنَّ هُوَ إِلَّا وَحْيٌ يُوحَىٰ** “**It is only a revelation revealed.**” [TMQ Surah an-Najm 53:4]. Ibn Kathir stated, **يبلغه إلى الناس كاملاً موفراً من** ، **إنما يقول ما أمر به ،** **غير زيادة ولا نقصان** “he (saw) only conveys to the people what he was commanded to convey, in its entirety, without addition or deletion.”

Ibn Kathir refers to Imam Ahmad bin Hanbal in his Tafsir. Imam Ahmad narrated that ‘Abdullah bin `Amr said, **كنت أكتب كل شيء أسمع من رسول الله صلى الله عليه وسلم أريد حفظه ، فنهتني قريش فقالوا إنك تكتب كل شيء تسمعه من رسول الله ، ورسول الله صلى الله عليه وسلم بشر ، يتكلم في الغضب. فأمسكت عن الكتاب، فذكرت ذلك لرسول الله صلى الله عليه وسلم فقال اكتب ، فوالذي نفسي بيده ، ما خرج مني إلا حق** “I used to record everything I heard from the Messenger of Allah (saw) as I wanted to preserve it. The Quraysh discouraged me from this, saying, ‘You record everything you hear from the Messenger of Allah, even though he is human and sometimes speaks when he is angry.’ I stopped writing for a while, but later mentioned what they said to the Messenger of Allah (saw) who said, **اُكْتُبْ فَوَالَّذِي نَفْسِي بِيَدِهِ مَا خَرَجَ مِنِّي إِلَّا الْحَقُّ** “**Write! By He in Whose Hand is my soul, nothing emanates from me but the Truth.**”” Abu Dawud also collected this Hadith. Thus, the Prophet (saw) confirmed that which came from him in the Sunnah, is of the Deen of Truth. As the ayaat of the Quran are taken as guidance, so are aHadeeth that constitute the Sunnah.

Taking Whatever the Messenger (saw) Brought of Revelation

The obliging of taking the Sunnah as a source of law is also decisive, decisive in text (thaboot) and decisive in evidencing (dalaalah). So, it is not the Noble Quran alone that determines the actions of Muslims.

Allah (swt) said, **“Whatever the Messenger has brought you, take it, and whatever he has forbidden you, refrain.”** [TMQ Surah al-Hashr 59:7]. ‘Abdallah bin Mas’ud (ra), referred to this noble ayah when endorsing the Sunnah, in the following incident. It is reported by Bukhari and Muslim and mentioned by Ibn Kathir in his Tafsir of the ayah, whilst quoting from Imam Ahmad bin Hanbal.

‘Abdallah bin Mas’ud (ra) said, **لَعَنَ اللَّهُ الْوَائِشِمَاتِ وَالْمُسْتَوْشِمَاتِ وَالْمُتَمَصِّصَاتِ وَالْمُتَغَلِّبَاتِ لِلْحُسْنِ الْمُغَيَّرَاتِ خَلَقَ اللَّهُ مَا لِي لَا أَلْعَنُ مَنْ لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمَنْ هُوَ فِي كِتَابِ اللَّهِ لَيْنٌ كُنْتَ قَرَأْتَهُ لَقَدْ وَجَدْتِيهِ أَمَا قَرَأْتَ: (مَا آتَاكُمْ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا)** “Allah has cursed the women who tattoo, are tattooed, change eyebrow hair and file teeth for beauty, altering what Allah has created.” A woman came and told him, “I have been told that you cursed such and such women.” He asked, **لِي لَأَلْعَنُ مَنْ لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمَنْ هُوَ فِي كِتَابِ اللَّهِ لَيْنٌ كُنْتَ قَرَأْتَهُ لَقَدْ وَجَدْتِيهِ أَمَا قَرَأْتَ: (مَا آتَاكُمْ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا)** “Why should I not curse those whom Allah’s Messenger had cursed and those who were mentioned in the Book of Allah (swt)?” She told him, “I have read all that is between the two covers and did not find what you said within it.” He replied, **لِي لَأَلْعَنُ مَنْ لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمَنْ هُوَ فِي كِتَابِ اللَّهِ لَيْنٌ كُنْتَ قَرَأْتَهُ لَقَدْ وَجَدْتِيهِ أَمَا قَرَأْتَ: (مَا آتَاكُمْ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا)** “Had you read it, you would have found it. Have you not read, **“What the Messenger has brought you take it, and what he has forbidden you, refrain from.”** (TMQ Surah al-Hashr 59:7)?” She said, “Of course.” Thus, he said, **لِي لَأَلْعَنُ مَنْ لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمَنْ هُوَ فِي كِتَابِ اللَّهِ لَيْنٌ كُنْتَ قَرَأْتَهُ لَقَدْ وَجَدْتِيهِ أَمَا قَرَأْتَ: (مَا آتَاكُمْ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا)** “So, he (saw) had forbidden that.” Thus, Abdulllah ibn Mas’ud (ra) referred to the fact that the forbidding of these actions is established in the Sunnah and so it must be abstained from.

The Believers Submit to the Sunnah of the Messenger (saw) in Full Submission

Allah (swt) said, **فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ، ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَيْتَ، وَيُسَلِّمُوا تَسْلِيمًا** “But no! By your Lord, they will never be believers until they accept you (O Prophet) as the judge in their disputes, and find no resistance within themselves against your decision and submit wholeheartedly.” [TMQ Surah An-Nisa’a 4:65].

Ibn Kathir commentated on the circumstances of the Revelation of this ayah as being a dispute over the Sunnah. He said, "Al-Bukhari recorded that `Urwah said, "Az-Zubayr quarreled with a man about a stream which both of them used for irrigation. Allah's Messenger said to Az-Zubayr, اسْقِ يَا زُبَيْرُ ثُمَّ أَرْسِلِ الْمَاءَ إِلَى جَارِكَ **"O Zubayr! Irrigate (your garden) first, and then let the water flow to your neighbor."** The Ansari became angry and said, `O Allah's Messenger! Is it because he is your cousin? On that, the face of Allah's Messenger became angered and said, اسْقِ يَا زُبَيْرُ ثُمَّ أَحْبِسِ الْمَاءَ حَتَّى يَرْجِعَ إِلَى الْجَدْرِ، ثُمَّ أَرْسِلِ الْمَاءَ إِلَى جَارِكَ **"Irrigate (your garden), O Zubayr, and then withhold the water until it reaches the walls. Then, release the water to your neighbor."** So, Allah's Messenger gave Az-Zubayr his full right when the Ansari made him angry. Before that, Allah's Messenger had given a generous judgment, beneficial for Az-Zubayr and the Ansar (ra). Az-Zubayr said, "I think the following verse was revealed concerning that case," **"But no! By your Lord, they will never be believers until they accept you (O Prophet) as the judge in their disputes."** [TMQ Surah An-Nisa'a 4:65]."

In his book Ar-Risaalah, which codified the Usool of Fiqh including those related to the Prophetic Sunnah, Imam Shafi'i stated regarding this verse and the incident of az-Zubayr, نزلت هذه الآية فيما بلغنا والله أعلم في رجل خاصم الزُّبَيْرِ فِي أَرْضٍ، والقضية النبية بها للزبير. وهذا القضاء سنة من رسول الله، لا حكم منصوص في القرآن. والقرآن يدل والله أعلم على ما وصفتُ، لأنه لو كان قضاءً بالقرآن كان حكماً منصوصاً بكتاب الله **"This verse was revealed, as far as reached us, though Allah knows best, concerning a man who litigated against az-Zubayr over some land. The Prophet adjudicated in favor of az-Zubayr. This judgment constitutes a Sunnah of the Messenger of Allah (swt), not a ruling (Hukm) explicitly textualized in the Quran. The Quran indicates, though Allah knows best, what I have already characterized above. Had this been a judgment in the Quran itself, it would have been a ruling (Hukm) explicitly textualized in the Book of Allah (swt)."**

The Believers Conform to What Has Been Decided by Both Allah (swt) and His Messenger (saw)

Allah (swt) said, وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ **"It is not fitting for a Believer, man**

or woman, when a matter has been decided by Allah and His Messenger, to have any option about their decision, and whosoever disobeys Allah and His messenger, he indeed gets off the track, falling into an open error” [TMQ Surah Al-Ahzaab 33:36]

Abdullah Ibn `Abbas (ra) was asked by Tawus about praying two Rakahs after the Salah of Asr and he (ra) told him not to do that. Ibn `Abbas then recited, **“It is not for a believer, man or woman, when Allah and His Messenger have decreed a matter that they should have any option in their decision.”** So Ibn Abbas directed Tawus to the Sunnah to resolve the matter.

In his Tafseer, Ibn Kathir states, **“وهذه الآية عامة في جميع الأمور ، وذلك أنه إذا حكم الله ، فليس لأحد مخالفته ولا اختيار لأحد ها هنا ، ولا رأي ولا قول This Ayah is general in meaning and applies to all matters. That is so if Allah and His Messenger decreed a matter, no one has the right to go against that, and no one has any choice or room for personal opinion in this case.”** He added, **“Hence the issue of going against it is addressed in such strong terms, as Allah says, وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلًّا مُّبِينًا “And whoever disobeys Allah and His Messenger, he has indeed strayed into a plain error.”** So what has been revealed in the Noble Quran and the Prophetic Sunnah leaves no room for opinion or opposition.

The Sunnah Clarifies the Quran, by Detailing of the Concise (tafSeel ul-Mujmal)

There are many examples of how the Sunnah provides detailing (tafSeel) of the concise (mujmal) within the Quran. The mujmal concisely gives the order for the action, whereas the detailing (tafSeel) gives the manner of the performance of the action.

Imam An-Nawawi declared, **على السنن مدار أكثر الأحكام الفقهيات، فإن أكثر الآيات، والفروعيات مجملات، وبيانها في السنن المحكمات، وقد اتفق العلماء أن على القاضي والمفتي أن يكون** **“The Sunnahs are the center of most fiqhi rulings, as most of the branched verses are concise, and their clarification (bayyaan) is in the**

legislating Sunnahs. The ‘Ulema have agreed that both the judge and the mufti must be knowledgeable of the legislating hadiths.” Indeed, without the Sunnah to detail the concise, the Muslims would be unable to perform Salah, make Hajj, give Zakah or know when and when not to cut the hand of the thief amongst multitudes of fiqhi matters.

Allah (swt) said, **وَأَقِيمُوا الصَّلَاةَ** **“And establish the Salah.”** [TMQ Surah al-Baqarah 2:43]. Thus, Allah (swt) concisely commanded in the Noble Quran to perform the Salah, without detailing whether it is one Salah or more than one, the manner of its performance including the number of raka'ah, the defining of its timings and the formation of its pillars (arkaan) whose absence make it invalid. The Sunnah clarified the concise expression with detailing of the Salah. The Messenger (saw) said, **صَلُّوا كَمَا رَأَيْتُمُونِي أَصَلِّي** **“Do pray as you see me praying.”** (Bukhari). So the actions of the Prophet (saw) made clear to the Muslims of the number of Rak’ahs and timings of Salah, amongst many other aHadeeth related to Salah.

Allah (swt) said, **وَلِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا** **“Hajj to this House is an obligation by Allah upon whoever is able among the people.”** [TMQ Surah aal-i-Imran 3:97]. The Quran conveys the obligation of the Hajj in totality, without detailing its rituals (manaasik). The Sunnah clarified the concise with detailing. He (saw) said, **أَلَا فَخُذُوا عَنِّي مَنَاسِكُمْ** **“Take your manaasik from me.”** (Ahmad). So the details of the performance of the rituals of Hajj are found in the aHadeeth that constitute the Sunnah.

Allah (swt) said, **وَأْتُوا الزَّكَاةَ** **“And give Zakah.”** [Surah al-Baqarah 2:24]. The Quran conveys the obligation of the Zakah concisely, without detailing the properties upon which the obligation applies or the minimum nisaab for its obligation. There are aHadeeth that clarified the Nisaab of Zakah and other details.

Allah (swt) said, **وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جِزَاءً بِمَا كَسَبَا نَكَالًا مِّنَ اللَّهِ وَاللَّهُ عَزِيزٌ حَكِيمٌ** **“As for male and female thieves, cut off their hands for what they have done—a deterrent from Allah. And Allah is Almighty, All-Wise.”** [TMQ Surah al-Maaida 5:38]. The details for the Islamic judiciary to implement are in the Sunnah. The mother of the believers, Aisha (ra) narrated that the Prophet (saw) said, **تُقَطَّعُ الْيَدُ فِي رُبْعِ دِينَارٍ فَصَاعِدًا** **“A thief’s hand is cut for a quarter of a Dinar or**

more.” [Bukhari]. The Nisaab of cutting is measured as one-quarter dinar of gold, which is equivalent to 1.0625 grams of gold, because the Shariah golden dinar is equivalent to 4.25 grams of gold. The Sunnah also detailed that there is to be no cutting during famine. Imam As-Sarkhasi narrated in Al-Mabsoot that MakHool (ra) narrated that the Prophet (saw) said, **لَا قَطْعَ فِي مَجَاعَةٍ مُضْطَرِّ** “**There is no cutting in the compelling famine.**”

Thus the Khaleefah Rashid, ‘Umar al-Farooq (ra) followed the Sunnah by not cutting the hand of the thief during famine. As-Sarkhasi in Al-Mabsoot also narrated from Al-Hasan (ra), from a man, who said, “I saw two men who were tied up, with some meat. So I went with them to ‘Umar (ra). Then the one who owned the meat, said, “We had an ‘Usharaa’ (pregnant she-camel) that we were waiting for (its delivery), in the awaited fertile spring. However, then I found that these two men (thieves) had slaughtered it.” So ‘Umar said, **هَلْ يُرْضِيكَ مِنْ نَاقَتِكَ نَاقَتَانِ عُسْرَاوَانِ مُرْبِعَتَانِ؟ فَإِنَّا لَا نَقْطَعُ فِي الْعِدْقِ، وَلَا فِي عَامِ السَّنَةِ** “Would you be content to accept two similar ‘Usharaa’ (pregnant) camels in place of it? That is because we do not cut the hands at the time of Al-Ithq and not in the year of the famine.”

The Sunnah Clarifies the Quran by Specification (takhSees) of the General ('aam)

The Sunnah also clarified through specifying generalities in the Quran. In the Arabic language, the general word is in the definite grammatical case (al-mua’raf). It is denoted by “al” in Arabic, which translates to “the.” In the Arabic language, the general is the word under which two or more entities fall below it in order, without any preference of one over the other in evidence, unless a specification (takhSeeS) is provided. Consider the word, “the angel,” being definite it applies to every angel. So, it is general in relation to everything that is below it in order, such as Jibraeel, Mikaeel and Israfeel. In the Shariah, the examples of specification by the Sunnah of the general (takhSeeS ul-'aam) are many, including rulings related to inheritance and divorce.

Allah (swt) commanded that the offspring inherit from the parents, **يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ** “**Allah commands you regarding your**

children's (inheritance): to the male, a portion equal to that of two females..." [TMQ Surah an-Nisa'a 4:11]. So this ayah is general ('aam) for every father that is inherited from. This is regarding the devisor (muwarrith) who leaves an inheritance. The ayah is also general for every inheritor (waarith). So it is every father and every inheritor, unless there is specification.

It is the Sunnah that then specified the devisor father (muwarrith), who is inherited from, as being other than the Prophets (as). The Messenger of Allah (saw) said, لَا نُورَثُ مَا تَرَكَنَاهُ صَدَقَةً "We do not get inherited from, what We left is sadaqah." (Al Bukhari, Muslim and Ahmad). The Sunnah also specified the inheritor (waarith), as being other than the murderer. The Messenger of Allah (saw) said, وَلَا يَرِثُ الْقَاتِلُ شَيْئاً "And the murdered does not inherit anything." (Abu Dawood). So, in the case of an inheritor murdering another inheritor for their share, the Islamic judiciary must exclude the inheritor from his share, due to the specification of the Prophetic Sunnah of the generality in the Noble Quran.

Allah (swt) said, وَالَّذِينَ يَتُوفَوْنَ مِنْكُمْ وَيَذُرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا "If any of you die and leave widows behind, they shall wait concerning themselves four months and ten days." [TMQ Surah Al Baqarah 2:234] This verse denoted the 'iddah period in which the widow may not remarry as a generality. The verse was specified by the Hadeeth of Subay'ah Al Aslamiyah, when she gave birth twenty-five days after the death of her husband. The Prophet (saw) told her that she became allowed to remarry, so the Sunnah clarified that the verse is specific for the non-pregnant widow.

Sulaiman bin Yasir narrated that, Abu Hurairah (ra), Ibn Abbas (ra) and Abu Salamah bin Abdur-Rahman (ra) mentioned the pregnant women whose husband died and she gave birth after the death of her husband. So Ibn Abbas (ra) said, تَعْتَدُ آخِرَ الْأَجَلَيْنِ "She observes Iddah until the end of the two terms." Abu Salamah (ra) said, بَلْ تَجُلُّ حِينَ تَضَعُ "Instead, she is allowed when she gives birth." Abu Hurairah said, أَنَا مَعَ ابْنِ أُجَيِّ "I am with my nephew," meaning Abu Salamah. So he sent a message to Umm Salamah (ra) the wife of the Prophet (saw). She (ra) said, قَدْ وَضَعْتُ سُبَيْعَةَ الْأَسْلَمِيَّةِ بَعْدَ وَفَاةِ زَوْجِهَا بِبَيْسِيرٍ فَاسْتَفْتَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَمَرَهَا أَنْ تَتَرَوَّجَ "Subai'ah Al-Aslamiyyah gave birth a short time after her husband died, so she sought the judgment of the Messenger of Allah

and he ordered her to get married.” [Tirmidhi]. So in the matter of disagreement between Companions (ra), the generality regarding iddah mentioned in the Quran, was specified by the hadith as applying only on the one who is not pregnant.

The Sunnah Clarifies the Quran by Restriction of the Absolute (taqyeed ul muTlaq)

There are verses of the Noble Quran verses that contain the unrestricted, absolute (muTlaq). It is the Prophetic Sunnah that restricted this absolute with a determined restriction.

Regarding the absolute (mutlaq) in the language, it is built on the indefinite (an-nakirah) grammatical case, unlike the general (‘aam) which is built on the definite case. The word in the indefinite case denotes a common (shaa’i) meaning over its genre (jins), being absolute in this. So “a Muslim” applies to all members of the genre of Muslims and includes any single Muslim, absolutely. The absolute contrasts with the general as that is in the definite case, applying to every Muslim, rather than any Muslim.

The absolute contrasts with the restricted (al-muqayyad) which denotes a designated (mu’ayyan), singled-out, defined meaning, such as Zayd rather than “a man,” or a fast of three days, rather than “a fast.” This is for the language in which Revelation was revealed, Arabic. It is now to be seen how the Sunnah restricts the absolute in the Quran.

Allah (swt) said, **وَلَا تَخْلِقُوا رُءُوسَكُمْ حَتَّىٰ يَبْلُغَ الْهَدْيُ مَحَلَّهُ فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ بِهِ أَذًى** **مِّن رَّأْسِهِ فَعِدْيَةٌ مِّن صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ** **“And do not shave your heads until the offering reaches the place of sacrifice. And if any of you is ill, or has an ailment in his scalp, compensation is either a fast, or a charity or a sacrifice.”** [TMQ Surah Al Baqarah 2:190]. The Arabic words for a fast (Siyaam), a charity (Sadaqah) and a sacrifice (nusuk) are mentioned in the indefinite grammatical case (nakirah). Thus, they are absolute in meaning, without restriction. It is a fast, in its genre, without restriction. It is giving a charity, in its genre, without restriction. It is making a sacrifice, in its genre, without restriction. So how is the

believer to know how much to fast, how much to give charity or how much to make of sacrifice? The absolute requires restriction.

It is the revealed Prophetic Sunnah that establishes the limitation regarding compensatory fast, charity and sacrifice, restricting the absolute. It is the Sunnah that restricted “a fast” to a fast of three days. It is the Sunnah that restricted “a charity” to one faraq for six needy, whilst the faraq is three saa’ so it is half a saa’ for each of the needy. And the Sunnah restricted the sacrifice to slaughtering one female sheep.

Muslim reported that Ka’b b. 'Ujra (ra) reported that the Messenger of Allah (saw) happened to pass by him at Hudaibiya before entering Mecca in a state of Ihram and he (Ka’b) was kindling fire under the cooking pot and vermin were crawling upon his (Ka’b's) face. Thereupon he (saw) said, **“أَيُّوْذِيكَ هُوَأُمَّكَ هَذِهِ”** **“Do these vermin trouble you?”** Ka’b said, “Yes.” The Messenger of Allah (saw) said, **فاحْلِقْ رَأْسَكَ وَأَطْعِمْ فَرَقًا بَيْنَ سِتَّةِ مَسَاكِينَ وَالْفَرَقُ ثَلَاثَةُ أَصْحُحِ أَوْ صُمْ ثَلَاثَةَ أَيَّامٍ أَوْ انْسَكْ نَسِيكَةً** **“Shave your head or feed one faraq to six needy, and the faraq is three saa’, or fast three days or sacrifice a single sacrificial animal.”** In the narration of Bukhari, Prophet (saw) said to him, **مَا كُنْتُ أَرَى أَنَّ الْجَهْدَ قَدْ بَلَغَ بِكَ هَذَا أَمَا تَجِدُ شَاةً** **“I have never thought that your ailment (or struggle) has reached to such an extent as I see. Can you afford a sheep?”** Ka’b replied “No.” He (saw) then said, **صُمْ ثَلَاثَةَ أَيَّامٍ، أَوْ أَطْعِمْ سِتَّةَ مَسَاكِينَ، لِكُلِّ مَسْكِينٍ نِصْفَ صَاعٍ مِنْ طَعَامٍ، وَاحْلِقْ رَأْسَكَ** **“Fast for three days, or feed six poor persons each with half a Sa’a of food and shave your head.”** [Bukhari].

Allah (swt) said, **مِنْ بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دَيْنٍ** **“after the fulfilment of a bequest and a debt.”** [TMQ Surah An-Nisaa 4:11]. The word “a bequest” (wasiyyah) is regarding giving a charity from the will. It is in the nakirah (indefinite) case, in an absolute sense. It is any bequest without limitation to a determined (mu'ayyan), specific amount of bequest.

The Prophetic Sunnah restricts that the amount of the bequest is one third or less, so it is not permissible to take out of the will more than one third of the money, left by the dead. Sa’d (ra) narrated, “I became seriously ill at Makkah and the Prophet (saw) came to visit me. I said, “O Allah's Messenger (saw)! I shall leave behind me a good fortune, but my heir is my only daughter, shall I bequeath two third of my property to be spent in charity and leave one third

(for my heir)?” He (saw) said, لَا “No.” I said, “Shall I bequeath half and leave half?” He (saw) said, لَا “No.” I said, “Shall I bequeath one third and leave two thirds?” He said, الثُّلُثُ وَالثُّلُثُ كَثِيرٌ “One third, though even one third is too much.” [Bukhari]

The Sunnah Clarifies the Quran by Affixing (ilHaaq) a Branch (far'a) of the Rulings to the Usul (Origin) in the Quran

The Sunnah affixes a branch to the branches of rulings, whose origin is in the Quran. The branched ruling in the Sunnah may at first appear to be an original legislation. However, after scrutiny, it is affixed to an origin in the Quran. The examples of affixing by the Sunnah of the rulings whose origin is in the Quran are many.

In the ayah of those women prohibited for marriage, Allah (swt) included joining two sisters in marriage by saying, وَأَنْ تَجْمَعُوا بَيْنَ الْأُخْتَيْنِ “and gathering two sisters in wedlock at the same time.” [TMQ Surah an-Nisa'a 4:23]. So the origin of the ruling is the prohibition of gathering two sisters within marriage. It is the Sunnah that clarifies by affixing other branches to the origin, prohibiting the joining of a woman with her paternal aunt, maternal aunt, brother's daughter and sister's daughter.

The Messenger of Allah (saw) clarified by affixing, لَا تُنكِحُ الْمَرْأَةَ عَلَى عَمَّتِهَا وَلَا عَلَى خَالَتِهَا وَلَا الْمَرْأَةَ عَلَى ابْنَةِ أُخِيهَا وَلَا عَلَى ابْنَةِ أُخْتِهَا “The woman is neither joined in marriage with her paternal aunty nor with her maternal aunt, nor with her brother's daughter nor with her sister's daughter.” (Ahmad). Ibn Hibbaan narrated on the authority of Ibn Abbas (ra) that he said, نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ تُزَوَّجَ الْمَرْأَةَ عَلَى الْعَمَّةِ وَالْخَالَاتِ قَالَ إِنْ كُنَّ إِذَا فَعَلْتُنَّ ذَلِكَ قَطَّعْتُنَّ أَرْحَامَكُنَّ “The Messenger of Allah (saw) forbade marrying the women over her paternal aunt or maternal aunt. He (saw) then said, if you women do that; you will cut your (arhaam) kinships.” So he affixed the prohibition of these women to the prohibition of gathering two sisters in wedlock.

Allah (swt) said, وَأُمَّهَاتِكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتِكُم مِّن الرِّضَاعَةِ “Your foster-mothers who suckled you and your foster-sisters by suckling.” [TMQ Surah an-

Nisa'a 4:23]. So the man cannot marry the women who suckled him, their wet-nurses, and cannot marry their daughters either. It is the Sunnah which affixed to the prohibited relatives through suckling (raDaa'ah), those women who are prohibited by blood kinship (nasab). So the Sunnah added to the foster-mother and foster-daughter, the foster-paternal aunt, the foster-maternal aunt, the daughter of the foster-brother and foster-sister and those similar.

Ibn 'Abbas (ra) narrated that the Prophet (saw) was offered to marry the daughter of Hamzah (ra). He (saw) said, **إِنَّهَا لَا تَحِلُّ لِي إِنَّهَا ابْنَتُهُ أُخِي مِنَ الرَّضَاعَةِ وَيَحْرُمُ مِنَ النَّسَبِ** “**She is not lawful for me for she is the daughter of my foster-brother through suckling (raDaa'ah) and whatever is prohibited by blood kinship (nasab) is also prohibited by suckling (raDaa'ah).**” [Bukhari and Muslim]. So the Hadith affixes those prohibited by blood kinship (nasab), to those prohibited by suckling (raDaa'ah), affixing female relatives to the foster-mother and the foster-sister that are mentioned in the Noble Quran.

Original Legislation in the Sunnah that is not Affixed in its Origin in the Quran

In addition, the Messenger of Allah (swt) did bring new legislation without it being affixed to its origin in the Noble Quran. Not every new legislation the Messenger brought has to be attached to its origin in the Quran, even though that is the majority case.

An example for this, the affirmation of the public utilities to be from among the public ownership is a new legislation in the Sunnah alone. The Messenger (saw) said, **المسلمون شركاء في ثلاث: في الكلا والماء والنار** “**The Muslims are partners in three: in the pasture, the water and the fire.**” (Abu Dawood). This legislation is not affixed in its origin in the Quran. It is an original legislation from the Sunnah.

A second example is the prohibition of the custom tax. The Messenger (saw) said, **لا يدخل الجنة صاحب مكس** “**Whoever imposes maks (custom tax) does not enter paradise.**” (Ahmad). It is a legislation that is not affixed to in its origin to the Quran.

So there are a few cases, though in most cases, the new legislations the Messenger (saw) brought are affixed to their origin in the Quran.

Conclusion: The Prophetic Sunnah is Revelation, Clarifying the Noble Quran

Allah (swt) said, **فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ** “If you differ in anything among yourselves, refer it to Allah and His Messenger.” [TMQ Surah an-Nisa’a 4:59]. The referring to Allah (swt) is by referring to the Noble Quran. The referring to the Messenger is referring to him directly, when he (saw) was alive. Then when Allah (swt) took his blessed soul, the referring is to the Prophetic Sunnah. So we do not say that we have the Book of Allah, so we take only what is in it, excluding the Sunnah. We take both the ayaat and the aHadeeth for legislation. The Messenger (saw) warned us, **يُوشِكُ رَجُلٌ مَتَكًا عَلَى أَرِيكْتِهِ، يُحَدِّثُ بِحَدِيثٍ مِنْ حَدِيثِي، فَيَقُولُ: بَيْنَنَا وَبَيْنَكُمْ كِتَابُ اللَّهِ عَزَّ وَجَلَّ، مَا وَجَدْنَا فِيهِ مِنْ خِلَافٍ اسْتَحْلَلْنَاهُ، وَمَا وَجَدْنَا فِيهِ مِنْ حَرَامٍ حَرَّمْنَاهُ، إِلَّا وَإِنْ مَا حَرَّمَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِثْلُ مَا حَرَّمَ اللَّهُ** “It is imminent that a man resting on his couch would be told one of my Hadith. He would say: ‘between us and you is the Book of Allah the Great and the Almighty, what we find in it as halaal we consider it halaal, and what we find in it as haraam we consider it haraam.’ Indeed, what the Messenger of Allah (saw) forbade is like what Allah forbade.” (Ibn Majah).

Allah (swt) said, **وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ** “And We have sent down unto you the reminder that you may clarify to the people what is sent for them.” [TMQ Surah Surat Al Nahl 16:44]. Ibn Kathir stated, **ولعلمنا بأنك أفضل** “And to let us know that you are the best of creation and the master of the progeny of Adam, so that you detail for them that which is concise and you clarify for them all that is ambiguous.” It is indeed the Prophetic Sunnah that is a clarifier for the Noble Quran. The Prophetic Sunnah details the concise in the Noble Quran. The Prophetic Sunnah specifies the general in the Noble Quran. The Prophetic Sunnah restricts the absolute in the Noble Quran. The Prophetic Sunnah affixes a branch of legislation to its origin in the Noble Quran. There are even a minority of cases, wherein the Prophetic Sunnah brings forth new legislation, for which no origin is in the Noble Quran. Accordingly, the Prophetic Sunnah is a Shariah evidence like the Noble Quran. The Messenger of Allah (saw) said, **تَرَكَتُ**

فِيكُمْ أَمْرَيْنِ لَنْ تَضِلُّوا مَا تَمَسَّكْتُمُ بِهِمَا: كِتَابَ اللَّهِ وَسُنَّةَ نَبِيِّهِ
“I have left with you two things you will never stray if you adhere to them: the Book of Allah and the Sunnah of His Prophet.” (Imam Maalik in Muwatta).

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Taqleed (Imitation)

Ustadh Hamza Hirzullah

All praise is for Allah, the Creator of humanity, the Lord of the earth and heaven, who created Adam (as), taught him the names of things, commanded the angels and Jinn to prostrate him (as) and honored mankind. Yet, Iblis was arrogant and he threatened mankind with seduction to evil. And Allah (swt) made this world a place of affliction and deeds, not the abode of eternal reward.

He (swt) revealed Messengers and Prophets (as) upon mankind by His mercy. Their Seal (saw) was the best of the inhabitants of the heavens and the earth, and thus the blessed Message was completed.

All praise is for Allah, filling the earth and the heavens... I bear witness that there is no god but Allah, in the witness that will save us by the Mercy and Forgiveness of Allah from His Hellfire. We ask Allah (swt) for steadfastness... I bear witness that Muhammed is the servant and Messenger of Allah (saw), the one who said, **مَنْ يُرِدِ اللَّهُ بِهِ خَيْرًا يُفَقِّهْهُ فِي الدِّينِ** **“When Allah wishes good for anyone He makes him understand in the Deen.”** [Bukhari and Muslim]

We are writing this subject since we see the need of many of the sons of this Ummah to understand this subject, as not every Muslim can arrive at the rank of ijthihad in the Knowledge of Shariah and thus he must imitate those who do. He is in need of imitation (Taqleed) to know the commands and prohibition of his Lord (swt), abiding by his Deen in deeds, words and in all of his life.

What made matters worse was the loss and absence of Shariah knowledge from the minds of sons of the Ummah. This is because of the loss of ‘Ulema. Muslim narrated in his Sahih: Abdullah b. 'Amr b. al-'As reported Allah's Messenger (saw) as saying: **إِنَّ اللَّهَ لَا يَقْبِضُ الْعِلْمَ أَنْتَرَاغًا يَنْتَزِعُهُ مِنَ النَّاسِ وَلَكِنْ يَقْبِضُ الْعِلْمَ بِقَبْضِ الْعُلَمَاءِ حَتَّى إِذَا لَمْ يَبْقَ عَالِمًا اتَّخَذَ النَّاسُ رُءُوسًا جُهَالًا فَسُئِلُوا فَأَفْتَوْا بِغَيْرِ عِلْمٍ فَضَلُّوا وَأَضَلُّوا** **“Verily, Allah does not take away knowledge by snatching it from the people but He takes away knowledge by taking away the ‘Ulema, so that when He**

leaves no learned person, people turn to the ignorant as their leaders; then they are asked and they deliver Fatwa without knowledge, they go astray, and lead others astray.” People take ignorant leaders to give judgments with the loss of ‘Ulema, as those who remained from amongst the true ‘Ulema were deported, silenced and abducted. Thus there exists the loss of Shariah knowledge amongst the sons of Ummah.

Nevertheless, the weakness in understanding Islam and the weakness of juristic capability amongst the sons of Ummah began with the lack of giving importance to the Arabic language. It then worsened through closing the door of ijtiḥad. It then worsened further still through the domination of the West and Kufr nations over Muslims, by usurping their authority. The kuffar struck the Ummah heavily in both the cultural and intellectual aspects. They worked for the faculties of “Shariah Sciences” to prevail over the Knowledge of Fiqh in the lands of Muslims, just as in the precedence of Western philosophy and logic (mantaq). They coerced the people of Fiqh and kept them away from the reality. So the knowledge of the faqeeh or sheikh (teacher) or student in the faculties of “Shariah Sciences” became for the sake of preaching and delivering sermons, and not for the sake of implementation, change and practically taking care of the affairs of Muslims. So the strength of Fiqh (jurisprudence) declined more than ever. Thus the ‘Ulema have decreased, whilst the imitators (Muqallids) have increased...

Another problem arose, which is that of the imitator (Muqallid) who does not know how to imitate the ‘Ulema and does not know what are the regulations and rulings of imitation. He is ignorant of the obligations upon him as an imitator. He thinks that he could, as is erroneously said, *حطها برأس عالم* “place the hukm on the neck of an ‘Aalim and look for the one who is sound.”

Amongst the most pressing problems in the subject of imitation during this era is that the community of Muslims are no longer giving importance to know the rulings, commands and prohibitions of Allah (swt). They do not examine them carefully, to the extent they start giving fatwas from themselves, making the commands of Allah (swt) subservient to their desires and interests. If you ask them, they would say, *استفت قلبك ولو أفاتك الناس* “Ask for Fatwa from your

heart, although people give you fatwa.” They also say “The Deen is easy and not difficult, so do not make it complicated” or “The interest is so and so, and the Deen is to take care of the interests of the people” or “my intention is pure and what matters is the intention,” and other excuses by which they assure themselves, to escape from their responsibilities towards their Deen and Ummah!

Then, there are those who read two or three books and begin thinking of themselves as ‘Ulema of their time. They think that they are ‘Ulema who do not need to imitate anyone. Moreover, they think that it is a shame to imitate others, saying that they are knowledgeable and juristically competent. So they give fatwa from the book of Allah (swt) and the Sunnah of the Messenger of Allah (saw), upon which they do not have knowledge. They misguide themselves and others! All of this necessitates the conveying of the thoughts that would enlighten those who are not mujtahids, upon how to take the ahkam of their Deen.

From Allah (swt) the support is sought and upon Him alone is the trust.

In this subject, we will discuss the various issues:

First Issue: Definition of Taqlid (Imitation) and its Ruling

Second Issue: It is upon the Muqallid to seek Fatwa from the One whom he knows is Knowledgeable and Capable of Ijtihad

Third Issue: What does a Muqallid do in the Presence of more than one Mujtahid?

Fourth Issue: Solving the problem of Scarcity of Mujtahids in our time

Fifth Issue: Muqallid imitates a Specific Madhab whilst the People of his Madhab become Absent

First issue: Definition of Taqlid (Imitation) and its Ruling

Taqlid (imitation) is the acting upon the saying of others, without direct knowledge of the mandatory evidencing. It is the following by a Muqallid of the opinions of a Mujtahid 'Aalim in the issue of jurisprudence (Fiqh), in order to act upon what the 'Aalim said. He follows the opinion of the 'Aalim because he trusts that the Aalim's saying emerged from the evidence, which the Mujtahid examined. The Muqallid does not have to know this evidence, or the knowledge of the derivation (istinbat), ijihad and the process of decision, whilst not even knowing what the 'Alim mentioned, memorized and preserved. The Muqallid acts upon the action, without deriving the ruling from the Shariah evidences for himself.

One who does not possess the capability for ijihad, even if he gains some significant knowledge of ijihad, must imitate one of the mujtahids and follow his fatwas (rulings) for practical issues. This is unlike the claims of some of the scholars from amongst the Mu'tazila and others. What we assert is indicated by the Divine texts and Unanimous Consensus of the Companions (ra).

As for the divine text, Allah (swt) said, **“So ask the people of the message if you do not know.”**[TMQ 21:7]. The saying here is general about asking anything which one does not know.

As for the Consensus, the general public during the time of the Companions (ra) of the Prophet (saw) used to ask mujtahids from amongst the Companions, about the practical Shariah rulings. Those of the Companions (ra) who were mujtahids responded to them, without a reference to the evidencing, whilst both the questioner and responder did not object to it. Amongst the evidence for this is the sound narration of As-Sha'bi (الشَّعْبِيُّ) who said, **كَانَ سِتَّةٌ مِنْ أَصْحَابِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُفْتُونَ النَّاسَ ابْنُ مَسْعُودٍ، وَعَمْرُ بْنُ الْخَطَّابِ، وَعَلِيٌّ، وَزَيْدُ بْنُ ثَابِتٍ، وَأَبِيٌّ بْنُ كَعْبٍ، وَأَبُو مُوسَى. وَكَانَ ثَلَاثَةٌ مِنْهُمْ يَدْعُونَ قَوْلَهُمْ لِقَوْلِ ثَلَاثَةٍ، كَانَ عَبْدُ اللَّهِ يَدْعُ قَوْلَهُ لِقَوْلِ عَمَرَ، وَكَانَ أَبُو مُوسَى يَدْعُ قَوْلَهُ لِقَوْلِ عَلِيٍّ، وَكَانَ زَيْدٌ يَدْعُ قَوْلَهُ لِقَوْلِ أَبِي بْنِ كَعْبٍ** “There were six amongst the Companions of the Messenger of Allah (saw) who used to give fatwa to people, they are: Ibn Masud, Umar bin Khattab, Ali bin Abu Talib, Zaid bin thabit, Ubay bin Ka'b and Abu Musa (may Allah be pleased with them). Three used to attribute their sayings to the other three. Abdullah attributed his saying to (his father) Umar, Abu Musa attributed his sayings to the statement of Ali and Zaid attributed his sayings to the statements of Ubay bin Ka'ab.” Thus

there is Consensus amongst the Companions of the Prophet (may Allah be pleased with them) for the permissibility of Taqlid (Imitation).

All of these statements in this issue are related to the imitation for the branches (furoo'). As for the imitation in the foundation of the Deen, the Aqeedah, it is not permissible as Allah (swt) says, **وَمَا لَهُمْ بِهِ مِنْ عِلْمٍ إِنْ يَتَّبِعُونَ إِلَّا الظَّنَّ وَإِنَّ الظَّنَّ لَا يُغْنِي مِنَ الْحَقِّ شَيْئًا** **“And they have thereof no knowledge. They follow not except assumption, and indeed, assumption avails not against the truth at all.”** [TMQ Surah an-Najm 53:28]

Second Issue: It is upon the Muqallid to seek Fatwa from the One whom he knows is Knowledgeable and Capable of Ijtihad

It is permissible for a Muqallid to imitate only from the one who possesses the capability for making ijtiḥad, who must also be just ('aadi). As for possessing the capability of ijtiḥad, this is because taqlid (Imitation) is the following of the opinions of others, without knowing the mandatory evidencing. This following is for the sake of knowing the Shariah ruling, whilst the Shariah ruling can be known only through scrutinizing and evidencing (istidlal) from the Shariah evidence. Scrutinizing and istidlal can only be done by a mujtahid. Therefore, it is the one whom people seek fatwa from must be a mujtahid, who is able to undertake derivation (istinbat) of the Shariah rulings, from the detailed evidence of Shariah (adillat tafsilyah).

As for being just, this is because justice is the condition for a witness. Giving a fatwa of the Shariah rulings is a witness from the Mufti that it is a Shariah ruling, derived correctly. Accordingly, witness is a condition that must be met by the one from whom people seek Fatwa.

There is a question here: is it a must upon a Muqallid to ask the one whom he is seeking fatwa from, about his condition, in terms of his knowledge, capability of ijtiḥad and just before asking him the question?

As for what is related to the capability for ijtiḥad, it is obligatory upon the Muqallid to ask the one whom he seeks fatwa from about his condition, before

asking to take testimony of his justice from the Muslims, or by examining his authored works or the circles which the mujtahid takes. This is in the cases where the Muqallid possesses some significant knowledge about ijtiḥād, which enables him to verify whether the derivation of the ‘Aalim in his publications or knowledge circles is correct Shariah derivation. This matter is emphasized due to the nature of humans in general and in particular the condition of people in this time, as the majority of people are ignorant in the matters of Deen, being incapable of ijtiḥād and fatwa. If he does not ask about the justice of Mufti, then what most of the people think, most likely will be given.

As for what is related to the justice (‘adl), it is also obligatory to ask about his justice, asking his people or those who know his condition or looking at his actions or listening to his talks to affirm that there is no apparent fiṣq (sin), or what blemishes his personality, or the insistence upon minor sins (saghā’ir), or other things that would subvert the justice of a man amongst Fuqaha. Amongst the things that would undermine the justice of an ‘Aalim is that he stands at the gates of rulers, glorifying them with praises and making haram as halal, for their sake. Such a person is not entrusted about the Deen, nor is he sought fatwa from. Instead, it is upon the Ummah to account him, exposing his stance, whilst the sons of Ummah should ask him to desist eloquently.

Based on this premise, taking fatwa from councils, or taking fatwas from Dar ul Iftas without people knowing who gave the fatwa, or from taking fatwa from a group of muftis, gathering to give opinions and fatwa for a specific issue and then they issue fatwa to the people, all these contradict the rigorous procedures for Taqlid, as those who imitate (Muqallids) do not know the condition of those who gave them the fatwa, in terms of knowledge and justice.

Third Issue: What does a Muqallid do in the Presence of more than one Mujtahid?

It is upon the Muqallid to outweigh between the mujtahids. There are many criteria for outweighing (مراجحات) of muqallids that can be relied upon, to outweigh between the mujtahids. The most important of them is ‘a’lamiyyah (علمية) being most knowledgeable. So, the Muqallid can outweigh the mujtahids

and so he can imitate the one whom he trusts, that is the most knowledgeable amongst the mujtahids. It is not permissible for a muqallid to choose between 'Ulema and mujtahids, based on his whims and desires. It is also not permissible for him to search for the easiest ijthahds and follow the lightest of ahkam. It is true that it is permissible for muqallid to imitate specific 'Ulema for each separate issue. For instance, he can imitate Imam Shafi in the issue of Salah, and he can imitate Imam Abu Hanifa in the issue of fasting, and he can imitate Imam Ahmed bin Hanbal in the issue of Hajj. This is permissible on condition that his choice of 'Ulema should stem from his trust in the knowledge (أعلمية) of each one of them, for the issue that he follows him in. It must not stem from whims and desires.

Also, whilst it is permissible for the muqallid to imitate one of the Ulema for each separate issue, he can imitate a single 'Aalim for all the issues of the Deen, such as to say "I imitate the Shafi madhab completely." This is also permissible and there is nothing wrong in that.

And the question that is raised here is: is it permissible for a Muqallid, when he imitates an 'Aalim for an issue, or as for an entire madhab to revise his imitation, by imitating another 'Aalim?

We say: It is permissible for that in every issue that is not connected to his current actions. For instance, if a muqallid says, 'I will imitate Shafi'i for the issue of prayer and Zakah', and then he prays upon the madhab of Shafi'i. However, he does not have wealth with him to reach the level of Zakah (Nisab) so does not adopt from Shafi'i in this. Then when his wealth reaches to the level of Zakah, he sees that Abu Hanifa is more precise for the ijthihad on the issue of Zakah. Then, it is upon him to imitate Abu Hanifa in the issue of zakah.

If the action of Muqallid is connected to the issue in which he imitates a particular 'Alim, the Muqallid does not leave him. There are two types of Muqallids.

Either the Muqallid is ignorant of the Knowledge of ijthihad and he is called Muqallid A'ami (general imitator) or he possesses some of the significant knowledge about ijthihad, although he does not possess sufficient knowledge

that gives him the capability of ijtiḥad, and he is called Muqallid Muttabi' (Following Imitator).

As for what is related to Muqallid A'ami, if he trusts the knowledge and justice of an 'Alim, he will take rulings from that 'Alim and imitate him. It is not permissible for him to turn aside from the 'Alim to other mujtahids, even if he sees and trusts later in the a'lamiyya (أعلمية) of another mujtahid. This is due to his ignorance of the knowledge of ijtiḥad and thus he is not able to outweigh the 'Ulema and their capabilities of deriving the ahkam (istinbath). However, if the apparent fiṣq (sin) or the clear ignorance of the 'Aalim is clear to this muqallid, which indicates the contradiction of the 'Aalim with what the Muqallid affirms in the Deen, then it is obligatory upon the Muqallid to abandon imitating this man and start imitating another 'Aalim who is trustworthy in his knowledge and justice.

As for what is related to Muqallid Muttabi,' he can outweigh the a'lamiyya (أعلمية) of mujtahids. So he can leave from imitating what is better (المفضل), into imitating what is best (الفاضل), according to what he sees, from what he possesses from the knowledge of ijtiḥad, which enables him to judge upon the derivation (istinbat) of 'Ulema and their evidence. Here, he has made judgment in outweighing and not judgment upon derivation (istinbath) in itself.

Fourth Issue: Solving the problem of Scarcity of Mujtahids in our time

It happens today that if a Muqallid searches for a Mujtahid in his land to imitate, he will not find him. What makes matters worse are the borders placed by the colonialists between the lands of Muslims and the hard economic condition of Muslims, as it is difficult for a Muslim to travel and search for the 'Ulema and mujtahids in the lands of Muslims.

It has a solution, which is that the Muqallid should search in the books of mujtahids such as Shafi, Malik, an-Nawawi and others to find the solution for his issue. Or he should ask someone who has the knowledge of one of those madhabs, or the views of other mujtahids, so that he will give him the answer for his issue. Thus, the Muqallid can imitate the mujtahid, from whom the

knowledge is transferred, and not from the one who transmits the knowledge from the mujtahid. The role of the transmitter is only to teach the Muqallid about the opinion of the mujtahid. There is no objection to this, provided that the muqallid is affirmed of the justice and trustworthiness of the transmitter.

Fifth Issue: Muqallid imitates a Specific Madhab whilst the People of his Madhab become Absent

Consider a Muqallid imitates a madhab completely, and his current actions are connected to many of the issues that had been derived by the people of that madhab, who clarified its origin. Consider that this muqallid now travels to a place where he does not find any one from amongst the people of that madhab, or the people of that madhab become absent. In that situation, it is obligatory upon the Muqallid to continue his action, just as he acted before according to that madhab, in the issues that are already connected to his actions. As for the issues that are not yet connected to his current actions, there is nothing wrong for him to search for the 'Ulema who are not in his madhab and thus he can imitate them. There is no difference in this with what we have mentioned before.

There remains a problem in the issues which are connected to his current actions, which is the updating of the subsidiary (branch) problems for a muqallid, in the issues which he is already acting upon, according to the Madhab whose people are now absent. Here the Muqallid can ask any 'Aalim in whom he has trust in his capability of ijtiḥād for this subsidiary issue.

In the end, I have thought to limit the subject upon these issues alone as I have seen them as the most important issues needed by the imitators (Muqallids) of this time.

And Praise be to Allah, the Lord of the Worlds.

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1973 Constitution is a Secular and Kufr Constitution

Naveed Butt – Spokesman of Hizb-ut-Tahrir in Wilayah Pakistan

The "Qarardad e Maqasid" states that Muslims shall be enabled so they can live their life as according to the Quran and Sunnah. Here again permission has been granted to avoid acting as according to commands of Quran and Sunnah as it is left to choice. According to the Objectives Resolution it is not obligated upon Muslims to act on Quran and Sunnah, rather they are given freedom to live their personal life according to Islam, as is granted by the Western religious and personal freedoms. So if one wishes to act on Islam, he can do so and whoever wishes to act according to Kufr they can act on it. The state is only there to provide opportunities to people to live their individual life according to Islam. Therefore along with Islamic channels there can be non-Islamic channels as well, there can be Islamic schools along with secular schools and Islamic banks (asides from their being Islamic in name only) may also exist along with non-Islamic banks. So instead of obstructing the ways of Kufr, this article from the constitution actually provides a back-door for non Islamic society.

The constitution has a secular foundation, in which people make laws for the people, according to their whims and desires, by investing their support in parliamentary representatives. A lowly deception of the people has been staged by merely mentioning Allah (swt). Is the purpose of referring to Allah (swt) in "Qarardad e Maqasid" only to say that Allah (swt) has given us a right that is in origin His Alone, with no partners to him? Are we to accept that Allah (swt) has limited control over the state affairs and we will legislate as per our wishes?! After that whatever opinion that Islam loving people had left due to their understanding that this is land where Shariah will be implemented was also assaulted. It was claimed by some that Islam does not provide detailed commands and merely gave general guidelines related to politics, for example, decision after consultation, behaviour within moral boundaries, being just, being truthful, not to fraud and not to deceive and not to oppress. However, these are in fact universal moral principles which every religion preaches. America and Europe also speak of these values. So how is that when elected public representatives of the "Islamic Republic of Pakistan" would make laws

under the guidance of these principles, would the legislation suddenly become Islamic?

The current Pakistani constitution represents the continuation of the oppressive British rule which was applied over India in the time of British Occupation. It was the British parliament which had prepared a draft constitution for Pakistan under its Indian Independence Act in 1947. Pakistan did not prepare its first constitution until 1956. This constitution and all that came later, including the 1973 constitution, were all erected on the foundations of British secular laws.

The secular nature of the constitution has been a matter of shame for successive governments and elected representatives because the people of Pakistan believe that Pakistan was created for Islam and Islam is the only reason for its existence. To make this system, inherited from the British, more acceptable to our people and herd them into participating in this system, establishments have tried to make a few superficial changes to hide its secular nature and deceive the people that this secular constitution has been transformed into an Islamic constitution. Accordingly, some sections were introduced into the constitution, paying lip service to Islam and it was declared that the Objectives Resolution (Qarardad e Maqasid) was legally part of the constitution.

As far as the inclusion of "Qarardad e Maqasid" is concerned, it has not changed the secular structure of the constitution because "Qarardad e Maqasid" itself gives provision to legislate on secular basis and passage to pass un-Islamic laws through it. This Objectives Resolution begins with a declaration that "Sovereignty in whole universe belongs to Allah" but in the very next breath it surrenders this sovereignty to the people and grants the legislative assembly of public representatives with the right to make laws without referring to Quran and Sunnah, as they deem suitable according to their whims and desires. Consequently, the Objectives Resolution has snatched the sovereignty of Allah over the people of Pakistan and then practically granted it to the parliament. Therefore, not a single article of the 280 articles of the constitution refer to Quran and Sunnah for its evidence. All these 280 articles are the product of human reasoning with neither reference nor regards to Quran and Sunnah. They are approved without derivation from Quran and Sunnah, rather they are approved based on a two-third majority of the

parliament, thus ratifying them as part of the constitution. Consequently the Constitution of 1973 is based on human reasoning and not Revelation. Terming it as an Islamic constitution is a mockery of Islam, deserving the wrath of Allah (swt).

The Seventh article of the Objectives Resolution provides autonomy to all state units, after determining geographical boundaries of Pakistan and unites them under a federation, whereas the Islamic Khilafah System is not a federal system. In the federal system all union state units are unified in a central authority and are autonomous in all state governance matters. However, the Khilafah is the system of unification where regional autonomy is not allowed. The budget for the various regions is spent as per their requirement, as understood from the Ahkam Shariah, irrespective of how much revenue is generated out of the region or province, as has been mentioned previously. Therefore the Objectives Resolution has actually laid the basis for division, competition and strife between provinces and between the federal government and the provincial governments over revenue, budget, development resources, water and oil and minerals. The reality today is that Pakistan is burning in the fire of struggle over different provincial rights.

With regards to the mention of an Islamic Ideological Council in the constitution, we know that such a council has only a limited and advisory role. Its recommendations and resolutions are not binding on the parliamentary members, cabinet and government. Therefore this is also one more tool to deceive the people by saying that to make the constitution more Islamic, we have made a council of scholars and learned and at some point in the future Islam will be implemented. That future has not been seen in decades and will not be seen in centuries, under this system.

A similar deception is the establishment of the Federal Shariah Court through Article 203 of the Constitution. The supposed role of this Shariah court is to decide whether any legislation is in conflict with Islam, but it has been defined in the same article that the Pakistan constitution is not included under it's remit! This is the reason that the decision of "PLD 1992 FSC376" of the Federal Shariah court itself states that "because constitution has been safeguarded from the review of the Federal Shariah court by Special Provision, therefore articles of the constitution are outside the limits of authority of Federal Shariah court and jurisdiction." Framers of the constitution were

conscious of the fact that constitution of Pakistan is non-Islamic and secular, therefore the constitution has been taken out of the judicial review of the Federal Shariah court, so that secular foundations of state are maintained. As another fail-safe the Supreme Court of Pakistan can overturn decisions of the Federal Shariah court upon appeal.

The heart of this matter is that the concept of Islamization is false and has no basis in Shariah. This concept sanctions acceptance of Kufr legislation on the pretext that after a slow process, at some point in the future this legislation eventually would be changed into Islamic legislation. The systems provided by Allah (swt) are suitable for always and are practical for all times and situations. The Shar'i method to implement these systems is not to fruitlessly struggle to harmonize these Kufr systems with the Quran and Sunnah. Instead the Shari method is to radically uproot this rotten constitution and implement the Islamic Khilafah system in its place, immediately, completely and comprehensively. No law of Islam should be delayed for implementation. This is the way of RasulAllah (saw). Therefore we did not find that RasulAllah (saw) delayed the implementation of any divine law revealed by Allah (swt), rather it was immediately put into effect.

With regards to clause of Article 227 of the Constitution which states "No Law shall be enacted which is repugnant to such injunctions [i.e. Islamic injunctions]," a similar clause is also present in Article 3 in the constitution of Afghanistan and in Article 2A in constitution of Iraq. To quote "No law can be contrary to the sacred religion of Islam" (Constitution of Afghanistan Article 3) and "No law may be enacted that contradicts the established provisions of Islam" (Constitution of Iraq Article 2(A)). Iraq and Afghanistan are under occupation and America has allowed these clauses to become part of the new constitutions that these countries have adopted, because it knows that these clauses will not be enough to ensure the implementation of Islam. So such clauses in constitutions do not make it into Islamic constitutions. On the one hand, such clauses do not define the source of legislation and so allows legislative sources other than the Quran and Sunnah. Also in the legislative process, only after the laws are legislated can they come under review, whereas this is not allowed from the Quran and Sunnah. Laws cannot be originated unless they are derived from the Quran and the Sunnah in the first place, rather

than originated from kufr and then only after that reviewed in the light of Quran and Sunnah as an afterthought.

The Islamic Shariah provides rulings for all past incidences, all problems of the present times and issues that may be faced in future. Therefore no incident from the past, not any single issue from the present times, nor a issue will arise in future which has not been addressed by Islam through its Shariah laws. Islam does not require patches from other creeds, ideologies and other systems. Islam is built on its foundation of its creed and from this comprehensive creed emanate complete systems of life which command its adherents to follow only its guidance and reject all other creeds, systems and legislations. Allah (swt) has commanded

﴿وَمَنْ يَبْتَغِ غَيْرَ الْإِسْلَامِ دِينًا فَلَنْ يُقْبَلَ مِنْهُ﴾

“And whoever seeks a religion other than Islam, it will never be accepted of him” [Sura Aali Imran 3: 85]

Therefore deriving law from any other system or ideology and then making them part of Islamic system is prohibited. Please note as an aside, that this command excludes those scientific inventions and technology which are not associated to any ideology, because science and technology are universal and is a knowledge of attributes of different things. Therefore we say, "Legislation cannot be taken from any source other than the Qur'an and Sunnah." This clause mandates on rulers that they bring evidences from Quran and Sunnah to provide justification for the basis of implementation of any law. Consequently due to this only the system of Islam gets implemented.

This is in contrast to the clause from the Constitution of 1973 which has provided rulers with the freedom to derive law from the capitalist system or socialist system or from their own minds. Moreover, whilst they free handedly implement kufr they put the burden of establishing that such a law is in conflict with Islam upon the people. We have an example to this fact in the Amendment bill of Hudood ordinance, Protection of Women's Rights Act, where the government approved these acts through a majority vote, even after the majority of Ulema declared its laws against Shariah. Instead of the government establishing each law on the basis of Quran and Sunnah, it placed the responsibility upon others to establish each law as anti-Islamic in the court.

The above clause of the 1973 Constitution also explains the mistaken thinking that considers anything which has not been clearly prohibited by Islam, is allowed in Islam, irrespective of its origin being from any other creed or system. However, it is not for Islam to explicitly prohibit each and every conceivable or possible prohibited action around the world, rather actions which are not established on Islam are automatically prohibited and rejected. As an example in any ayah or hadith it is not explicitly forbidden to encircle a fire seven times for marriage as Hindus do, but this act has no place in Islam because there is no hadith or ayah mentioned which allows such an act. Therefore, in Islam any act is considered valid and permissible only when it allowed for Muslims by Shariah. Rasul Allah (saw) clearly mentioned this in the hadith, **“Whosoever undertakes an action that is not from our matter is rejected”**. This Hadith strongly commands us to remain away from all such acts and legislations, which are not revealed in Quran and Sunnah.

Furthermore the absence of prohibition for any act does not automatically mean that it is a permissible act. Without reading into details of legislations in constitution, Ummah is able to feel through the consequences of its practical implementation of those laws, that it is living under non-Islamic system. The Constitution of 1973 gives birth to a system where the limits imposed by Allah (swt) can be transgressed and where the laws of Islam require the confirmation and approval from public representatives. A system where the resolutions of United Nations are held above the Quran and Sunnah, where implementation of colonialist policies of IMF and World Bank is legal, where interest and usurping the public properties, such as oil and gas, are allowed, where British judicial system is permanently implemented, where a Hindu can be Chief Justice of the "Islamic state", where marriage between two women is not a crime in the court, where supplying arms and ammunition to America in the name of logistical support is allowed for indiscriminate killings of fellow Muslim brothers, where those people that demand Shariah are burned alive by white phosphorous, where Kufir theories of Darwin are implanted in innocent young minds, where the enemy of Islam is protected and the Believer is unsafe, where murderers and looters becomes the rulers on the pretext of reconciliation. Even after all these matters, amongst many more, can any sane person call the constitution and the system generated from it as Islamic?!

Participation in Pakistan's democratic system or to provide support to maintain it is forbidden per Islam

Above discussion has clarified the fact that democratic system implemented in Pakistan is a non Islamic system because it is not derived from Quran and Sunnah, rather it is deficient with Islam in its foundations and details. Therefore participating in it, calling people towards it, provide support to sustain and protect it is all haram. Participating in system means to accept ministerial positions and governmental positions to implement or to be part of legislative process of Kufr laws. As an example sitting in parliament and participate in voting for legislating process and thus providing this process legal sanctity.

Because in Islam legislation is the right of Allah alone, the publicly elected Khalifah is responsible for implementation of Quran and Sunnah. And he is not eligible for any minute amendment in the law of Allah. Allah (swt) states,

إِنَّ الْحُكْمَ لِلَّهِ إِلَّا لِمَا أَمَرَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ

“Indeed the rule is for none but Allah, He orders that you do not worship any but Him.” [Surah Yusuf 12: 40]

﴿أَفَحُكْمَ الْجَاهِلِيَّةِ يَبْغُونَ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِّقَوْمٍ يُوقِنُونَ﴾

“Do they desire the judgement of Ignorance? Who is better than Allah to judge of a people that are sure.” [Surah Al-Maidah 5:50]

﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا﴾

“Nay, by your Lord, they do not believe unless they make you a judge in their disputes, and then do not find any resistance to what you have decided and submit completely.” [Surah An-Nisa'a 4:65]

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ﴾

“And whosoever does not rule by all that Allah has revealed, are disbelievers.” [Surah Al-Maidah 5:44]

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ﴾

“And whosoever does not rule by all that Allah has revealed, are oppressors.” [Surah Al-Maidah 5:45]

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ﴾

“And whosoever does not rule by all that Allah has revealed, are evil doers.”[Surah Al-Maidah 5:47]

Any struggle to maintain this system or to provide support to sustain this system is forbidden. Islam forbids us from contributing to and supporting the Munkarat (Forbidden acts), Allah (swt) states

وَتَعَاوَنُوا عَلَى الْبُرِّ وَالْتَقَوَى وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

“Help you one another in Al-Birr and At-Taqwa, but do not help one another in sin and transgression. And have Taqwa of Allah. Verily, Allah is severe in punishment.” [Surah Al-Maidah: 2]

And the greatest munkar is to implement Kufr system and provide help to sustain it.

This does not mean that to become part of state establishments like the armed forces, utility, education and health departments are forbidden in origin. However, if the government orders them for acts against Shariah, for example Operations against their own Muslim brethren or chasing, abducting and torturing the Dae'es of Islam, then to act upon all such orders is haram. However actions like protection of the state borders or to provide public utilities to people are stipulated in Shariah. For such permissible acts to become part of associated departments and institutions are allowed and it does not amount to being part of the Kufr ruling system.

With regards to Shariah opinion on voting in the democratic system

Voting is but a style to elect a representative, considering it anything other than it is denying the reality. For any permissible action, Islam allows the nomination of a representative or advocate. However, if the selection of advocate or representative is for any Haram action (forbidden act), then such a selection becomes Haram. As an example to sell a piece of land, a man can appoint a friend, a learned person, as his advocate and this contract of legal advocacy would be considered valid per Shariah. But if a person, appoints the same friend or trusted person as an advocate to sell liquor or to fraud somebody, then such a contract is considered forbidden or invalid per Shariah.

This is because such a contract is being executed for enacting a forbidden action. Similarly, the action of voting in the present Kufr democratic system is forbidden. According to democratic system of Pakistan public representatives legislate in the legislative assemblies in parliament and they make Haram (forbidden) into Halal (permissible) and Halal (permissible) into Haram (forbidden). A recent example of this is the 17th Amendment in the Constitution to give legal cover for the provision of support to America in Afghanistan. Furthermore these representatives implement Kufr laws, after they accept the governmental ruling positions and these are all forbidden acts. In such situation to make them one's representatives or to help them get elected to the assemblies are all haram (forbidden).

RasulAllah (saw) has strongly prohibited men to be ever given status of a legislator. Islam declared as haram (forbidden) for people to follow the instructions of halal (permissible) and haram (prohibitions) prepared by men. Rasul Allah (saw) recited this ayah from Quran.

اتَّخَذُوا أَحْبَبَهُمْ وَرُهْبَانَهُمْ أَرْبَابًا مِّن دُونِ اللَّهِ وَالْمَسِيحَ ابْنَ مَرْيَمَ وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا إِلَهًا وَحِدًا لَّا إِلَهَ إِلَّا هُوَ سُبْحٰنَهُ عَمَّا يُشْرِكُونَ

“They (Jews and Christians) took their rabbis and their monks to be their lords besides Allah, and (they also took as their Lord) the Messiah, son of Maryam, while they were commanded to worship none but One God, none has the right to be worshipped but He. Praise be He above what they associate (with Him).” (Surah At-Taubah 9:31)

Then Adi ibn Hatim strongly contested, claiming that Christians never worshipped their scholars and patriarchs as Adi was still Christian at that time. RasulAllah (saw) responded, "Yes (Indeed they worshipped them) those patriarchs made Halal (permissible) into Haram (forbidden) and Haram (forbidden) into Halal (permissible) and their people followed them. This is making them their Gods (who is worshipped)" After this Adi became Muslim. Asides from Allah, whoever makes Haram into Halal and Halal into Haram is violating the right of Allah (swt) and granting it to himself. And those people who follow them are committing a grave sin against themselves.

Therefore, it becomes much clearer that in present times, electing rulers through voting who rule by Kufr, or electing such representatives, who participate in legislation process in the assemblies, is forbidden from the

Shariah. Doing so amounts to providing help and support to the implementation of Kufr and the forbidden act of legislation, without any regards for their “good” intentions about legislative process i.e. whether the elected representative support legislation according to Islam or oppose legislation against Islam. The fundamental reason is that the process of legislation in democracy itself is against Shariah. In democracy, the laws of Allah are judged upon by a majority and only if the majority approves, the laws of Allah are granted the right to become laws of the land. If that could not happen, then the laws of Kufr are preferred over the laws of Allah (swt).

However, there is only one situation wherein voting is permissible in the current situation. If a candidate declares publicly to the wider population that he considers this democratic system a Kufr system and he will neither legislate after going into the assembly nor will he participate in electing somebody who will legislate nor he will accept any government ruling position or ministry in the system. Moreover, his only intention to get into the assembly is to uphold the word of truth against the system of Kufr and to account the rulers. After this declaration and announcement, he can ask Muslims to vote for him and it would be Halal (allowed) for the Muslims to vote for him to elect him into assembly as their representative and such representative would become their advocate in the assembly to raise a loud voice against the Kufr system and account the rulers. However this is all supposition. Regarding a practical way to do such a thing, there is no situation in which an elected representative can become member in assembly unless he takes oath of the loyalty to Kufr constitution. Therefore from Islam there is no practical way to become a member of the current legislative assembly.

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When Will the Bartering over the Permissibility to Congratulate the Kuffar End?!

Said Fadhl - Egypt

There is much controversy during these days every year, regarding congratulating Christians on their festivals, between those who say it is permitted and those who prohibit it and between those who support or oppose it. The Mufti of Egypt and the Sheikh of Al-Azhar sided with those who permitted congratulating them, and absolutely support it by a direct order from the regime and its head. During his interview with the Nazra Program broadcasted on Sada Al-Balad Channel, presented by journalist Hamdi Rizk, on 10/12/2021, he said congratulating the Christians is permissible and not prohibited, and the celebration of the New Year, dated on the day of the birth of Issa (as), is allowed.

On Thursday, 13/12/2021, Sheikh Al-Azhar phoned Pope Tawadros, Pope of Alexandria, to congratulate him for the New Year, according to what was published on Al-Youm As-Sabi which stated that the Sheikh of Al-Azhar had confirmed in press statements that there are narratives that Islam does not know that want to kidnap people's minds, mislead them and tell them how to walk in the streets. It forbids them to congratulate Christians on their festivals, and other things that I call a "priesthood" that has nothing to do with Islam. Al-Youm As-Sabi also reported on Thursday, 23/12/2021, the Mufti's assertion that congratulating a Muslim to a non-Muslim on their various occasions is an obligatory and desirable matter, and he continued in his statements, "therefore in these fatwas we rely on the societal depth of stability and achieving harmony among the members of the same society, so we at the Egyptian Dar Al Iftaa say that there is an umbrella that should control the issue of the fatwa. This umbrella is for societal stability, all fatwas should be in line for achieving this objective.

The statement of the permissibility to congratulate the Christians and considering it a reward, was not announced by them only, but it was the position of those who follow them from the Egyptian scholars, and all the

scholars who are affiliated with the puppet regimes, who want to draw closer to their masters in the West. It is obvious that they did not base their statements on Hukum Shar'i, but purely on the mind or a deceptive understanding that twists the neck of evidences that are not related to the matter, without explaining the reality of this celebration and its basis. In order to clarify the truth and make it clear to the people, we must explain the reality of this day for non-Muslims, and if it is permissible for them to participate in it or not? What is the duty of Muslims towards others? Finally, why is this matter brought up every year, especially recently?

The least that can be said about the reality of this day and this celebration is that the Christians consider it the day of the birth of God or the son of God according to what they claim, and this is considered a grave sin by Allah (swt):

وَقَالُوا اتَّخَذَ الرَّحْمَنُ وَلَدًا * لَقَدْ جِئْتُمْ شَيْئًا إِدًّا * تَكَادُ السَّمَاوَاتُ يَتَفَطَّرْنَ مِنْهُ وَتَنْشَقُّ الْأَرْضُ وَتَخِرُّ الْجِبَالُ هَدًّا * أَنْ دَعَوْا لِلرَّحْمَنِ وَلَدًا * وَمَا يَنْبَغِي لِلرَّحْمَنِ أَنْ يَتَّخِذَ وَلَدًا

“And they say, "The Most Merciful has taken [for Himself] a son." * You have done an atrocious thing * The heavens almost rupture therefrom and the earth splits open and the mountains collapse in devastation * That they attribute to the Most Merciful a son * And it is not appropriate for the Most Merciful that He should take a son” [Maryam: 88-92].

Therefore, merely congratulating them on this day is an affirmation of what they are upon; of attributing the child to Allah (swt) and their participation is a great sin from which the sky is almost rupturing and the earth is torn open from the great crime of those who claim that Allah has a son. Ibn Al-Qayim said in Ahkam Ahl Adh-Dhimma (أحكام أهل الذمة),

وأما التهنئة بشعائر الكفر المختصة به فحرام بالاتفاق، مثل أن يهنئهم بأعيادهم وصومهم، فيقول: عيد مبارك عليك، أو تهناً بهذا العيد ونحوه، فهذا إن سلم قائله من الكفر فهو من المحرمات، وهو بمنزلة أن يهنئه بسجوده للصليب، بل ذلك أعظم إثماً عند الله، وأشد مقتاً من التهنئة بشرب الخمر وقتل النفس وارتكاب الفرج الحرام ونحوه. وكثير ممن لا قدر للدين عنده يقع في ذلك، ولا يدري قبح ما فعل، فمن هنا عبداً بمعصية أو بدعة أو كفر فقد تعرض لمقت الله وسخطه)

“As for congratulating the Kuffar in their specific rituals, it is forbidden by consensus, such as congratulating them on their festivals and fasting, by saying: Eid Mubarak to you, or congratulate them on this festival and the like. If the one who extends these congratulations is safe from being a kaffir, then he has committed a forbidden act. It is like congratulating them of prostrating to the cross. It is considered a grave sin by Allah, and is most hated by Him than drinking alcohol, killing an innocent soul, committing the prohibited fornication/adultery and the like, and many of those who do not value the Deen fall into that, nor do they know the ugliness of what they have committed. One who congratulate a person for doing a sin, bid’ah or kufr, he has exposed himself to Allah’s anger and wrath.”

Thabit b. ad-Dahhak said that in the time of God's Messenger a man took a vow to slaughter camels at Buwana and came and told him. Allah’s Messenger (saw) asked: «هَلْ كَانَ فِيهَا وَثْنٌ مِنْ أَوْثَانِ الْجَاهِلِيَّةِ يُعْبَدُ؟» **“whether the place contained any idol worshipped in pre-Islamic times?”** and was told that it did not. He (saw) asked: «هَلْ كَانَ فِيهَا عَيْدٌ مِنْ أَعْيَادِهِمْ؟» **“whether any pre-Islamic festival was observed there?”** and was told that no such thing was observed. He (saw) then said to the man: «أَوْفِ بِنَذْرِكَ، فَإِنَّهُ لَا وِفَاءَ لِنَذْرِ فِي مَعْصِيَةِ اللَّهِ وَلَا فِيمَا لَا يَمْلِكُ» **“Fulfil your vow, for a vow to do an act of disobedience to Allah must not be fulfilled, neither must one to do something over which a human being has no control.”** Narrated by Abu Dawood and originally in the two Sahihs. The evidence in this Hadith is that slaughtering in the place of the idolatrous feast is a disobedience to Allah (swt) because the Prophet (saw) said: «أَوْفِ بِنَذْرِكَ فِي مَعْصِيَةِ اللَّهِ»، **“There is no fulfillment of a vow involving an act of disobedience.”**

Abdullah bin Amr bin Al-Aas said: “Whoever follows the lands of the non-Arabs, and copy their Nowruz and their festivals, and imitates them until he dies, and he is like this, he will be resurrected with them on the Day of Resurrection.”

The Commander of the Faithful, Omar Ibn Al-Khattab, the Companions, and the other imams of the Muslims stipulated that they should not display their festivals in the Lands of the Muslims, but they celebrate it secretly in their homes, and that is why everyone who said congratulations has violated the Shariah evidence, and what the honourable companions were upon. Nor do

they say that this is a matter of kindness or returning their congratulations to us on our festivals and their participation in them. Being kind to them is not by the approval of what they are upon of kuffr, polytheism and misguidance, but rather by advising them and calling them to the truth we follow, a call to make them enter into the Deen of Allah and save them from Allah's torment on the Day of Resurrection. This is the pinnacle of kindness to them.

As for congratulating them, on top of what it contains of an acknowledgment of falsehood they are following, it deceives them, misleads them, and calls for eternity in Hellfire. Returning their congratulations and their participation in our festivals is not by falling into their falsehood, but by abstaining from this falsehood and be innocent of it, a clear innocence that puts them in a position to think correctly and are guided by it to the clear truth. This way, the words of Allah (swt) are fulfilled:

[لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُم مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ]
[إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ]

“Allah does not forbid you from those who do not fight you because of religion and do not expel you from your homes - from being righteous toward them and acting justly toward them. Indeed, Allah loves those who act justly”
[Al-Mumtahina: 8].

Such kind of false fatwas would not have surfaced, and we wouldn't have had the need to respond to them, if Islam had a state that implements its rulings on the Islamic lands, so that it shades with its justice Muslims and others, and erases all types of class and sectarianism and everything that motivates its existence or prepares the atmosphere for it. For centuries, the Christians and us lived in Egypt and elsewhere in Muslim countries, we did not need to raise such matters or talk about those fatwas. Everyone knew their rights and duties towards the Islamic State, that takes care of everyone alike regardless of religion, colour, race or sect, and the only beneficiary of raising these matters and occupying the people with it, is the West that seeks to distract the Ummah with side struggles that distract them from their fateful cause that restores glory and dignity to them, which is the restoration of the Khilafah Rashidah (Rightly-guided Caliphate) on the method of the

Prophethood, and the resumption of Islamic life through it. This is the only way that ends this controversy and disappoints the West's quest to ignite it.

And the consequence here is with the sincere sons of the Ummah in general and our sons in the armies in particular, for they are the ones who have the power and they are the only ones who are able to achieve victory for their Ummah and enable it to establish a state of its glory. A Khilafah that will make the West forget the whispers of Satan. Who will carry the banner of the Messenger of Allah (saw) truly? And give victory to Allah, His Messenger, and His Deen, and establish it anew?

يَا أَيُّهَا الَّذِينَ آمَنُوا اسْتَجِيبُوا لِلَّهِ وَلِلرَّسُولِ إِذَا دَعَاكُمْ لِمَا يُحْيِيكُمْ وَاعْلَمُوا أَنَّ اللَّهَ يَحُولُ بَيْنَ الْمَرْءِ
وَقَلْبِهِ وَأَنَّهُ إِلَيْهِ تُحْشَرُونَ

“O you who have believed, respond to Allah and to the Messenger when he calls you to that which gives you life. And know that Allah intervenes between a man and his heart and that to Him you will be gathered” [Al-Anfal: 24]

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What is There Beyond Akhlaaq (Morals)?

Lutfi bin Muhammad - Malaysia

For too many years, religious address, particularly official address that is approved and allowed in the media, is solely restricted to Dawah in the area of Morals alone and connecting it to all matters. The problem of the Muslims in light of this aspect is identified as the decline in the morals of Muslims. It is claimed that calling for Morals, making it their focal point, will inevitably change their situation. On this basis, several, successive conferences were convened and many books were compiled and distributed for free. All these were done to restore the Islamic Morality and to make it as the basis upon which the Muslim acts. They brought texts and literature calling for the ethics in arts and sciences and even specified it as a course in the universities. They worked to separate morals into religious and worldly. They called for the comparison of moral thoughts in all the other religions, claiming that morals is of the most important shared values of all religions and messages. They utilized every platform for speech regarding the morality and quality of RasulAllah (saw), asserting that he (saw) is a man of good morals and tolerant, whilst his Message was solely for the purpose of perfecting the morals that were already present in the days of Jahiliyah and that Islam came just to give an impetus and divine blessings.

It is to be noted that the call for Morals is being exploited in an exaggerated manner by many regimes, with many platforms being opened for it, whether officially or privately. However, in contrast, it has become mandatory for us to take another look at this approach with critical and comprehensive awareness, particularly when we hear and see many shattering incidents that reveal the continuing, fast decline in the Morals of the Ummah. Our economic problems have worsened, our poverty has increased, our lands are occupied, ignorance and corruption are wide spread in all the aspects, whether morally, administratively, politically or familial. Many of the values have collapsed, Islam has become strange in its homelands and foolish ones speak on our behalf. All of this is so despite the efforts of those who advocate this moral approach, whether with sincere intention or not. In order to discuss this approach and explain its pros and cons, it is necessary for us to address it in various aspects to remove the obscurity in the mind and correct the conceptions regarding it.

Fairoz al Abadi defined 'Khulq' (خُلُق Moral) as disposition, innate nature, manhood and religion. The linguists differentiate the word Khulq from Khalq. Allama Raagib Asfahaani says, والخُلُقُ والخُلُقُ فِي الْأَصْلِ وَاحِدٌ كَالشَّرْبِ وَالشُّرْبِ، وَالصَّرْمُ وَالصَّرْمُ، لَكِنْ خُصَّ الخُلُقُ بِالْهَيْئَاتِ وَالْأَشْكَالِ وَالصُّورِ الْمُدْرَكَةِ بِالْبَصْرِ، وَخُصَّ الخُلُقُ بِالْقَوَى وَالسَّجَايَا الْمُدْرَكَةِ بِالْبَصِيرَةِ "Khalq and Khulq are similar to the words 'sharb' and 'shurb' (drinking) and 'sarm' and 'surm' (abscission). However, the word 'Khalq' refers to the bodies, shapes and pictures that are perceived by the physical sight, whereas the word 'Khulq' refers to the power and disposition that are perceived by insight." As for the Shariah definition, Khulq is used in the Quran, conventionally which does not contradict much with its linguistic meaning. Khulq comes two times in the Quran. The first verse is **"This is not but the Khulq of the former peoples"** [As-shu'ra :137]. Ibn Abbas, in his Tafsir, refers to Khulq as their religion, customs, morals and school of thoughts. The second verse refers to RasulAllah (saw) in which it says, **"Indeed, You are in a great Khulq"** [Qalam:4]. Imam Tabari, in his tafsir of this ayah, says, **"وإنك يا محمد، لعلی أدب عظیم، وذلك أدب القرآن يقول - تعالى ذكّره - لنبيّه محمد"**, **"Allah (swt) reminds here to His Prophet Muhammed (aaw) 'oh Muhammed, indeed you are in a great manner', that is the manner of Quran that was imposed by Allah upon him i.e. Islam and its Shariah. This is what we and the scholars of Tafsir say."** It is transferred from Ibn abbas, Mujahid, Ibn Zaid and Dhuhak in their Tafsir that the verse **خُلُقٍ عَظِيمٍ** i.e. great Deen.

In the Sunnah, Khulq appears conventionally in various narrations, such that its meaning cannot be restricted. For example, Ayesha (ra) described the Khulq of RasoolAllah (saw) as, **"His Khulq is Quran"** as was narrated by Ahmad. It was narrated by Muslim that RasulAllah (saw) said, **الْبِرُّ حُسْنُ الخُلُقِ**, **"Righteousness is good Khulq."**

Istalaahan (اصطلاحًا) conventionally, Tahir bin Aashur defined Morals as a sound disposition of the soul, stimulating the action that is appropriate to Good and Evil. It is said that Moral is Husan (حسن Good) and other than it is vile. Sheikh Taqi Ud Deen An-Nabahani defined Morals as one of the constituents of the individual. Morals are amongst the Ahkaam (أحكام Legal Rulings) that regulate the relationship of man within himself, which also include rulings for food and clothing. Since the Shariah elaborates many Legal Rulings and

stipulates adherence to them, the Legal Rulings related to Morals are regarded as commands and prohibitions of Allah (swt), without distinguishing any Ahkaam over others. Consequently, the Fuqahaa (فقهاء Jurists) did not make separate chapters in their books regarding Morals, because they considered them as part of Shariah and a part of the commands that are abidance to is obliged. Thus, the realization of Morals in society practically mandates the founding of Islamic emotions and systems.

Islamic society is a human entity that practices distinct lifestyle comprising of thoughts, emotions and systems. The spiritual aspect within the Islamic society is connected to the Islamic Aqeedah in all of its aspects. Islam treated every part of the life of individuals and the Islamic community in order to ensure righteousness in security. For example, Islam treated the issue of poverty by applying all the Ahkam Sharia that regulate wealth in the society. This includes the equal distribution of wealth through Zakah, endowments, prevention of hoarding, linkage of currency with two precious metals and so on. It is the application of these Ahkaam will lead us to a society that is free from poverty and poor people. So, in this case the role of Morals is secondary. Similarly, the issue of oppression is treated with the presence of Shar'i judges who judge according to Islam and clarify the issue. Accordingly, RasulAllah (saw) did not command the begging man to be with good morals. He (saw) just asked him, هل في بيتك شيء، **"Is there anything in your home?"** He replied 'I have a piece of cloth and a bowl.' RasulAllah (saw) said، ائتني بهما **"Bring them to me."** The man brought these articles to him and RasulAllah (saw) took them and said، من يشتري هذا؟ **"Who will buy these?"** One of the Sahaba (ra) said، "I will O Messenger of Allah." The Prophet asked، بكم؟ **"How much?"** He (saw) replied، 'One dirham.' RasulAllah (saw) من يزيد؟ **"Who will offer more (than one dirham)?"** Another of them said، واشتر بأحدهما طعامًا لأهلك وبالثاني فأسأ أخذين الدرهمين، واشتر بأحدهما طعامًا لأهلك وبالثاني فأسأ أخذين الدرهمين، واشتر بأحدهما طعامًا لأهلك **"Take this two dirham, Buy food with one for your family. Buy an axe with the other."** The man went and did what RasulAllah (saw) ordered. The man brought an axe to him. RasulAllah (saw) fixed a handle on it with his own hands and he (saw) said، اذهب بهذا الفأس واحتطب به، ولا تأت إلينا إلا بعد خمسة عشر يوماً **"Go gather firewood with this axe and sell it, and do not come to us for**

fifteen days.” The man went away and gathered firewood and sold it. After fifteen days he brought ten dirhams as his earnings.

When a person came to RasulAllah (saw) complaining about another, he (saw) judged in favour of oppressed after hearing them both. When the Jews betrayed the Muslims by assaulting them, he (saw) did not ask the Muslims to make Duaa, rather he (saw) mobilized an army, for Islam is submission to Allah (swt) and not to His enemies. When RasulAllah (saw) was about to die, he ordered the dispatch of the army of Osama... All these show that the best of all in humankind in Morals did deal with matters according to the Revelation and treated each issue with respect to what was obligated of Ahkaam for it. So, where do the people who propose that the Morals are the only solution, stand?! In no circumstances can calling people to Morals solve any of the problems of poverty, oppression or occupation. It is only crooked logic and deficient understanding of Islam, its concepts and its Shariah. Moreover, it is a desperate attempt to restrict Islam and lower it to the same level as the rest of the religions. It is this worldly view of Islam that is actually similar to the secular concept about religion and the role of religion in the life. If such were the case, the Quran would have been limited to single verse and the object of sending RasulAllah (saw) would have been just to make the nations as moral nations. This is contrary to the fundamental objective of Islam, which is to rescue people from worshiping the creation to worshiping the Creator of the creation.

In order to get further clarity, let us consider some more examples: it is known that some of the advanced western countries seem to be devoid of poor, despite their evil Morals which none would deny like sexual deviation, incest, alcohol and racism. Despite the presence of all these evil acts, we find an absence of poverty. On the other hand, we find poverty a dominant feature in the Muslim countries, even where the people have good Morals, like Sudan and Mauritania. Hence, Morals can never be the factor in establishing the society in terms of its rise or decline. But what is actually influencing the society is general custom. When one of the British traveller visited Jeddah of the Hejaz during the Ottoman period, he was able to learn all the religious matters within a week. This was because the ruler and the people in that region used to deal in their worldly affairs through taking Islam as the sole basis. In contrast, we find the regimes in our lands trying hard to establish a society that is neither purely

Islamic nor secular, instead it is a homogeneous mixture of society. They strive hard to disseminate misconceptions with all the means that are available to them. And so the caller to morals is confronted with a tremendous number of people whose thoughts and behaviours have been clouded. When they attempt to address them with preachy sermons, its effect does not last much after the end of the act of preachy injection. The issue here is so great that it cannot be reduced to Morals alone. It is too great to be restricted to one part of Islam. Yet, it is the issue that must be considered as the crucial issue that determines our objective as an Ummah that carries the Risaalah (رسالة Message) of Islam. This objective cannot be realized without ثمة society whose intellectual leadership is the Islamic Aqeeda in its thoughts, emotions and its system. Accordingly, it is necessary to understand the reality clearly in all of its manifestations, particularly its political aspect. The media and abundant material campaign for this approach proceeds in a path that does not confront falsehood clearly. On the contrary, this approach legitimatizes the falsehood and is silent about it. Using this approach, they blame the people and ignore the regimes that have been imposing upon people oppression and corruption, which is the consequence of applying kufr laws upon them. Indeed, requesting the people to return to Islam and its aqeeda must be comprehensive. The evidence for this are the many hadiths that link the authority and Istikhlaaf (استخلاف Succession in Authority), with the adherence to the Ahkaam of Allah. RasulAllah (saw) said, **تركتم فيكم أمرين لن تضلوا ما تمسكتم بهما: كتاب الله وسنة نبيه** **“I left you two things, if you hold onto them, you will never be misguided: the Book of Allah and the Sunnah of His Prophet”** He (saw) also said, **عليكم بسنتي** **“Hold fast to my Sunnah and the examples of the Rightly- Guided Caliphs who will come after me. Adhere to them and hold to them fast.”** These Legal Rulings were entirely absent and became a legacy of history, according to some. Doubts started to arise about the ability of Islam with respect to the march of time and some consider it as an outdated matter that needs to be replaced. This and other concepts were promoted and found a suitable atmosphere. They were put forward by the people of the Moral approach, who did not make Islam clear and did not give it its right. They restricted Islam to a narrow vision. The secularists and enemies of Islam used this opportunity to spread their poisonous thoughts, upon the basis of the struggle between Truth and Falsehood. Indeed, the continuity in this address is a commitment to mislead the Ummah and spread among within her

frustration, particularly in the presence and intensification of horrific corruption.

There is no doubt that any reformist thought that adopts a reformation project and seeks to move the people from one condition to another with this reformation, cannot have impact among the people until this thought is adopted by a party that believes in this thought and carries it to the people, in order to persuade them to carry its thought and work with it. This is one of the sunnah (norms) of the life. The nature of the Ummah as a political entity leads us to say that the political nature of the society makes political action mandatory for change. This is because only the political vision carries a comprehensive project and apolitical parties cannot carry such a project. Such a political party seeks to shape the society with a specific system, with all of its legislations and laws. And it is inevitable that those who carry this ideological reformist thought will collide with the ruling class, because the goal is to change the society which is ruled by the regime whose legislation and thoughts are not from the ideology. So, whoever proposes an alternative to this system will inevitably clash with the regime. Thus the political action for radical change is not acceptable within the people, even though they know that it is correct. This is the reason why political parties are the most oppressed by the ruling class. These parties propose an alternative political project with all the laws and affairs that completely threaten the existence of the current regimes. This is contrast to the rest of the groups who work in diverse frameworks, such as the civil society and Morals groups. This is why the regimes in the Muslim countries allow the ones who adopt the Morals approach, support them and open the arena for them. This provides the regimes credibility of the Muslims, especially when the Muslims see the rulers receiving the Ulema and holding meetings with them. This is their misguidance. Indeed, Islam is comprehensive and bears fruit when it is implemented comprehensively in the Islamic society. Thus the individual is shaped with the general customs that are founded by the systems, thoughts and emotions which the ruler is obliged to apply and spread in the society.

In conclusion, the deviation from the Islamic Ideology in thought and Tareeqah (طريقة Methodology) is the only reason for the weakness and humiliation. It is the Sunnah of Allah (swt) that He will not grant the authority to

the Muslims in the way He allows authority to the kuffar. The Muslims will be given authority only when they establish the Islamic Method. It is true that Islam is both a spiritual and a political Aqeedah (عقيدة Creed) i.e. Islam is the intellectual system that regulates the relationships of the society in terms of ruling economy, education and foreign policy, whose source is solely the Islamic Creed. It is this that inevitably leads to the specific, determined model of life that is truly a correct revival.

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Glad-Tidings to You, Naveed Butt. Repose in Beautiful Patience, for the Time for the Khilafah Has Come

Sheikh Muhammad As-Sammani – Wilayah Sudan

For ten years, no one knows where Pakistani intelligence (ISI) has incarcerated our brother, Naveed Butt, the Official Spokesman for Hizb ut Tahrir in Wilayah of Pakistan, after his abduction, an enforced disappearance.

Ten years have passed since 11 May 2012, whilst Hizb ut Tahrir since its inception, has been advancing the movement within the Islamic Ummah to re-establish the great edifice of the Khilafah (Caliphate), an edifice that saves humanity from the torments of the capitalist system and its implementers.

Perhaps it goes without saying that the aware group is in the Makkan stage, with its hot and cold atmospheres, pursuing the path drawn out by our beloved Muhammad (saw) when Allah (swt) said to Him (saw), **فَأَصْدَعْ بِمَا تُؤْمَرُ وَأَعْرِضْ عَنِ الْمُشْرِكِينَ** **“Then declare what you are commanded and turn away from the polytheists”** [Al-Hijr: 94].

So, the Messenger of Allah (saw) started to contact people to build a structure on the basis of the great ideology of Islam. He (saw) built an aware political structure that presented Islam with a deep political awareness, so that with this structure, the Prophet (saw) formed a public opinion for the concepts of Islam to be an alternative to the concepts of the people of Makkah and their corrupt way of life that perpetuated injustice and corruption. The Makkan stage was an elevated political work far from any material action. It was a clear and well-defined path that clarifies the greatness of the ideological action that elevates the Dawah carriers to a high level, working to restore the glory of the Ummah through its Islam. Therefore, we must firmly believe in the promise of Allah and the glad tidings of the Messenger of Allah (saw) that the resolution is near, as the time has come to announce the Khilafah Rashidah (Rightly-Guided Caliphate) State on the Method of Prophethood.

The Makkan stage contains the secrets of diligent work, intellectual elevation and building the Islamic personality intellectually and by disposition,

that is, building statesmen able to face the toughest and most difficult situations and know how to overcome the hot atmosphere and make a successful outcome.

The Makkan stage has entrenched in the Ummah now how the Islamic Ummah is built and made, by the intellectual building on the basis of Islam and making Islam an intellectual leadership for the Ummah, confounding its enemies.

What Engineer Naveed Butt, the Official Spokesman of Hizb ut Tahrir in Wilayah Pakistan, faced of abduction, kept away from his children and prevented from carrying out the Dawah in the struggle against the corrupt ideas and exposing the international conspiracies against the Ummah of Islam, is heart breaking by human standards. We feel pain at being separated from him for a decade now. However, Allah's command is more beneficial for us and for him. We do not know, perhaps Allah (swt) will show us a great goodness from his long abduction, confirming the greatness of the Makkan stage and being steadfast on it, not wavering from it an inch, whilst there is no material action. No matter how hard the criminals tried to coerce the aware structure regarding the ideology of Islam, as a Thought and a Method, to deviate even slightly, they were not successful. This is what astonished and frightened them. The Messenger of Allah (saw) said to the family of Yasir, **صَبْرًا آلَ يَاسِرٍ فَإِنَّ مَوْعِدَكُمْ الْجَنَّةُ** **“Be patient O family of Yasir-your appointed destination is Jannah”**

The ordeal and affliction of Ammar bin Yasir and his parents, Yasir and Sumaya, may Allah (swt) be pleased with them, was severe. Sumaya was the first martyr in Islam when she was stabbed by Abu Jahl, may Allah curse him. And Khabbab bin Al-Aratt, when he (ra) said to the Prophet, **أَلَا تَسْتَنْصِرُ لَنَا، أَلَا تَدْعُو** **لَنَا** “Will you not pray for victory for us, will you not pray to Allah for us?” A request that strongly reveals the affliction they were experiencing, coming from hearts weary of abuse and torture, seeking immediate relief and nearness of victory.

We are now in the Makkan stage, asking Allah (swt) to hasten the victory for us as He (swt) hastened the victory for the first generation, after they were severely abused. Now we are in pain because of the suffering of the Rohingya, the Uyghur Muslims, the plight of Naveed Butt and his brothers, our people in

Kashmir and Palestine, the oppression of Sisi in Egypt, the hunger and affliction in Syria, Iraq, Lebanon, Tunisia, Yemen, Sudan and Somalia, as if the body is being torn apart. So, let us pray to Allah (swt) to help us with the great victory of the re-establishment of the Khilafah Rashidah on the Method of Prophethood.

Our honorable Messenger (saw) made a supplication while he was returning from Taif, after what happened to him at the hands of the three brothers from Thaqif, Abd Yalil bin Amr bin Omair, Masoud and Habib, when they urged their louts and their slaves to curse the Messenger of Allah (saw) and chase him, hurling stones at him until his heels bled and he ended up in a garden, wherein he (saw) made the supplication, **اللَّهُمَّ إِلَيْكَ أَشْكُو ضَعْفَ قُوَّتِي وَقِلَّةَ حِيلَتِي وَهَوَانِي عَلَى النَّاسِ، يَا أَرْحَمَ الرَّاحِمِينَ، أَنْتَ رَبُّ الْمُسْتَضْعَفِينَ وَأَنْتَ رَبِّي، إِلَى مَنْ تَكَلَّمِي، إِلَى بَعِيدٍ يَتَجَهَّمُنِي، أَوْ إِلَى عَدُوٍّ مَلَكَتَهُ أَمْرِي، إِنْ لَمْ يَكُنْ بِكَ عَلَيَّ غَضَبٌ فَلَا أَبَالِي، وَلَكِنْ عَافَيْتَكَ هِيَ أَوْسَعُ لِي، أَعُوذُ بِنُورِ وَجْهِكَ الْكَرِيمِ الَّذِي أَشْرَقَتْ لَهُ الظُّلُمَاتُ، وَصَلَحَ عَلَيْهِ أَمْرُ الدُّنْيَا وَالْآخِرَةِ مِنْ أَنْ يَنْزِلَ بِي غَضَبُكَ أَوْ يَجِلَّ عَلَيَّ سَخَطُكَ، لَكَ الْعُتْبَى حَتَّى تَرْضَى وَلَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِكَ** “O Allah! I complain to You of my weakness, my scarcity of resources, and the humiliation I have been subjected to by the people. O Most Merciful of those who are merciful. O Lord of the weak and my Lord too. To whom have you entrusted me? To a distant person who receives me with hostility? Or to an enemy to whom you have granted authority over my affair? So long as You are not angry with me, I do not care. Your favor is of a more expansive relief to me. I seek refuge in the light of Your Face by which all darkness is dispelled and every affair of this world and the next is set right, lest Your anger or Your displeasure descends upon me. I desire Your pleasure and satisfaction until You are pleased. There is no power and no might except by You.”

A supplication that clarifies the greatness of the Makkan stage in the intellectual struggle and political struggle, so relief came a few years later when he (saw) met the Aws and Khazraj in Makkah, which was crowned after only three years, through the granting of Nussrah, with the Support Point becoming Madinah, the state of the beloved Al-Mustafa (saw).

Brother Naveed Butt has become an example of heroism to be followed, exemplifying the concept of the work of the ideological structure that is committed to its cause, so that the Ummah knows that there are men who did

not change their stances and entrenched in the Islamic Ummah the greatness of adhering to the Shariah rulings, Allah (swt) said in Surat Al-Ahzab verse 23, **مَنْ** **الْمُؤْمِنِينَ رِجَالٌ صَدَقُوا مَا عَاهَدُوا اللَّهَ عَلَيْهِ فَمِنْهُمْ مَّنْ قَضَىٰ نَحْبَهُ وَمِنْهُمْ مَّنْ يَنْتَظِرُ وَمَا بَدَّلُوا تَبْدِيلًا** **“Among the believers are men true to what they promised Allah. Among them is he who has fulfilled his vow [to the death], and among them is he who awaits [his chance]. And they did not alter [the terms of their commitment] by any alteration”** [Al-Ahzab: 23]

The Pakistani authority committed this heinous crime against Engineer Naveed Butt, adopting a vicious stance in blocking the carrying of the Dawah. Its brutality has confirmed with this action the great influence of Hizb ut Tahrir in Pakistan and Afghanistan. The Pakistani government does not work for the benefit of the people of Pakistan, as it does not appreciate the depth of thinking that Hizb ut Tahrir possesses. The detention of Naveed Butt formed an opinion that it exercises double standards. What the government has done will back fire upon it, collapsing its credibility and hastening its demise. What is natural is that it should at least side with Islam and not to be hostile to those who carry to the Ummah the project for its unity, on the basis of its Deen, the project of the Khilafah Rashidah State on the Method of the Prophethood.

It is astonishing that the Government of Pakistan has detained brother Naveed Butt for ten years, when it sees the Muslims of Kashmir for seven decades facing an existential threat and systematic demographic change, through Indian legal and military measures, after annexing Kashmir by force.

It is astonishing that the Government of Pakistan imprisons Brother Naveed Butt for ten years, and there are field reports conducted by international bodies that say that the percentage of poor people in Pakistan has reached 40%, whilst Balochistan tops the list along with the tribal areas!

Reports say that 191 Pakistanis committed suicide within a year to escape poverty, misery and the state of hardship they live in, whilst poverty drives many poor people in Pakistan to sell their kidneys, in an attempt to get rid of the debts that burden them, while the private hospitals that conduct these operations charge 15 thousand dollars per kidney transplant, yet the person who sells his kidney receives only a thousand dollars! Reports say that lentils are almost a strategic crop in Pakistan, it constitutes the meal of the low

income people below the poverty line, who number about 70 million people in Pakistan. (Al Jazeera Net).

How strange, all this is while the government of Pakistan imprisons Brother Naveed Butt, who proclaims the truth, advocates care of the poor and condemns Pakistan's subordination to America, including its torture of everyone who proclaims the truth!

Allah's justice will remain and Allah will take revenge from those oppressors who persisted in their oppression of the servants, especially those servants who advance in the ranks to reveal their plots and betrayals to the Islamic Ummah, adopting a stance that pleases Allah (swt). Only one thing to say to you, release the brother, the engineer, Naveed Butt, immediately. Those who committed this crime against our brother, Naveed Butt, will be held accountable, by Allah's permission, after the establishment of the Khilafah State, which is soon, according to the promise of Allah (swt), who does not break His promise.

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To End Our Hardship and Humiliation, Abolish Democracy and Establish the Khilafah, Now!

Hizb ut Tahrir - Wilayah Pakistan

O Muslims of Pakistan!

We address our call to you at a time when the political factions are yet again competing with each other to rule over us, through the current system of laws and policies. However, whatever the outcome of the competition, whether it is a coalition or the turn of another faction, we will lose. The current system of laws and policies is incapable of looking after our affairs, no matter who enters it and no matter how it is amended. In every term that we have witnessed in the last twenty years, since the time of Musharraf, laws and policies are manipulated by the political factions, to secure the interests of both the ruling faction and the colonialists that it serves.

Manipulation in a man-made system is inevitable because the laws and policies conform to the whims and desires of the rulers and the elected representatives, rather than having to strictly conform to divine revelation. By adopting secularism as the basis of the system, detaching our great Deen from our political affairs, the political factions are free to manipulate laws and policies as they wish, so that they and their foreign masters fully benefit from the wealth and strength of the country.

O Muslims of Pakistan!

In the turn-by-turn politics that we have witnessed over the last twenty years, it is an open secret that the opposition will never obstruct the colonialists' demands, through the IMF or FATF or any other international institution. For all their loud protests and long marches, securing the interests of the colonialists is a red line for all the political factions. In every term, both the rulers and the opposition are on the same page, when it comes to securing colonialists interests. They all understand that they will only come to rule if they are of service to the foreigners, whether it is in the matter of our economy or our security.

Thus, in every term we have witnessed in the last twenty years, with regards to our economy, the political factions implement the laws of the colonialist kuffar, as dictated by the IMF, unleashing hardship, inflation, unemployment, poverty and debt upon us. By governing by other than all that Allah (swt) has revealed, the political factions progressively impoverish a country that has been blessed by Allah (swt) with abundant wealth in all its forms, including minerals, energy, agriculture, varied climates, water and a youthful, intelligent and hard-working population.

Over the last twenty years, the political factions have progressively undermined our security, through blind obedience to the US Pentagon, the US State Department and the FATF regime. Since the time of Musharraf until now, the political factions have taken turns to progressively abandon Occupied Kashmir to India, whilst prohibiting that which Allah (swt) has commanded, Jihad. They all denounced Jihad in the Path of Allah (swt) as betrayal, imprisoning all those who were upright upon their obligation. Through the weak stance of the political factions, India became emboldened and extended its mischief, wherever it could reach within Pakistan. By disobeying Allah (swt), all the political factions have played their part in humiliating a people and a military, who are distinguished by their love for martyrdom and victory.

O Muslims of Pakistan!

Allah (swt) warned, وَأَنْ أَحْكُمْ بَيْنَهُمْ بِمَا أَنْزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ وَاحْذَرْهُمْ أَنْ يَفْتِنُوكَ عَنْ بَعْضِ مَا أَنْزَلَ اللَّهُ إِلَيْكَ **“And rule between them by all that which Allah revealed to you, and do not follow their desires, and beware that they may deviate you away from some of which Allah revealed to you.”** [TMQ Surah Al-Mai'dah 5:49]. Hardship and humiliation is what befell us and will befall us, whenever we have rulers that do not govern us by our Deen. We must turn away from the laws of the colonialist kuffaar, as well as the political factions that rule us by these kufr laws, on behalf of the foreigners, turn by turn. We must put the elections' spectacle behind us and move forwards now to install rulers over us that are obedient to Allah (swt) and His Messenger (saw). Indeed, anyone of us who truly wants change must join their hands with the shebaab of Hizb ut Tahrir and strive for the re-establishment of the Khilafah (Caliphate) on the Method of Prophethood.

O Muslims of Pakistan's Armed forces!

There is no end to the hardship and humiliation upon the people you have sworn to protect, until you extend your Nussrah to Hizb ut Tahrir, under its global Ameer, Sheikh Ata ibn Khalil Abu Ar-Rashta, for the immediate resumption of Islam as a way of life, government and state. It is only then that the Islamic Ummah will be restored to its rightful place, the greatest civilization ever witnessed, ending hardship and humiliation from the East to the West.

Grant your Nussrah for the Khilafah that will unify the vast economic resources of the Ummah, so that the Khilafah can once again relieve the hardships of humanity, as it did for centuries before. It is the Khilafah of Abu Bakr as-Siddique (ra) that announced to the non-Muslims of the newly conquered lands of Hira, that the state treasury will fully provide for their incapable, whilst relieving them of Jizyah. It is the Khilafah of Umar bin Abdul Aziz (rh) that relieved the indebted of their debt, granted provision for the unmarried to marry and paid the Jizyah on behalf of the financially weaker amongst the non-Muslim citizens. It is the Khilafah of the Uthmani Khaleefah, Bayazeed II, that granted sanctuary to the Jews who fled the persecution of King Ferdinand of Spain. It is the Khilafah of Abdul Majid I that pledged to send ten thousand pounds to grant relief to the Irish from famine during the Great Hunger, whilst Queen Victoria requested that he reduce the amount, as she was only sending two thousand pounds. So who amongst you will earn the honour of restoring the Khilafah by your hands today, relieving humanity from the crushing hardship of the capitalist economic order?

Grant your Nussrah for the Khilafah that will unify the millions of Muslim troops into the single largest military force in the world, providing security for all the oppressed from their oppressors. It is in the era of the Khilafah that the occupied lands of Muslims were always liberated, even if it were after a while and no matter how powerful the enemy was. It is in the era of the Khilafah that the armies were mobilized to end the rule of tyrants, paving the way for legions to embrace Islam, which made the numbers of Muslims great... However, after the Khilafah was abolished, the colonialists trampled over every law with ease, whether it was Bush's occupation of Afghanistan or Putin's war on Ukraine... So who amongst you will earn the honour of breaking the shackles of the kuffar,

ensuring the spread of Islam through Dawah and Jihad once more, dignifying the Ummah with its Deen and humiliating the enemies with crushing defeat?

Allah (swt) said, **وَيَوْمَئِذٍ يُفْرِحُ الْمُؤْمِنُونَ * بِنَصْرِ اللَّهِ يَنْصُرُ مَنْ يَشَاءُ وَهُوَ الْعَزِيزُ الرَّحِيمُ**
“The day believers will rejoice * Upon the victory of Allah who makes victorious whom He wishes and He is the Mighty, the Merciful.” [TMQ Surah Ar-Rum: 30: 4-5]

1 Sha’ban 1443 AH

Hizb ut Tahrir

4 March 2022 CE

Wilayah Pakistan

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Salahuddin and the Khilafah

Translated from Al-Waie Magazine Issue 188

People do highlight the military aspect of Salahuddin's personality, his jihad against the Crusaders in both Egypt and the Levant, his piety, his justice upon the citizens, his mercy and his preparation of the means. However, there is also another aspect that indicates his steadfastness upon his Deen and his firmness upon the Truth, which he adopted in any situation. This aspect is not highlighted and it manifests in his stance towards Khilafah. Since Salahuddin (may Allah have mercy on him) adopted the unity of Khilafah, he did not recognize the existence of two Khalifahs at the same time. Since the legitimate Khaleefah was the Abbasi Khaleefah, he vowed allegiance and obedience to that Khalifah. He believed in fighting the second Khaleefah, who disputed with the Abbasi khalifah.

Salahudin's intense caring for the unity of the Khilafah, and his belief that the Abbasid Khaleefah was the legitimate Khalifah, was apparent in his letter to Mansour Yaqoub bin Yusuf bin Abdul Mumin in the year 586, in which Salahuddin sought support from him against the crusader Franks, to protect the coasts of Levant and Egypt from their fleets. This was because Yaqoub had a large naval force, whilst Salahuddin had only a small navy. Yaqoub was one of the leaders of the Al-Mohad State (Al-Muwahhidun of Northern Africa and the Iberian Peninsula) and he called himself Ameer ul Mumineen (Leader of the Believers). Despite Salahuddin's urgent need of Yacoub's naval assets, he did not address Yacoub as Ameer ul Mu'mineen (i.e. Khaleefah). Instead he addressed him as Ameer ul Muslimeen (Ruler of Muslims). Salahuddin insisted in his letter consideration of the Abbasid Khaleefah to be the inheritor of Prophets (as), in terms of knowledge, the inheritor of the earth, in terms of official authority, and an adornment in the heavens of Deen, where he is the jewel in the crown.

Abul Abbasi An-Nasiri (أبو العباس الناصري) wrote in his extensive work, الاستقصا وكان عنوان الكتاب: من صلاح الدين إلى أمير المسلمين، وفي أوله الفقير إلى الله تعالى يوسف بن أيوب وبعده الحمد لله الذي استعمل على الملة الحنيفية من استعمار الأرض، وأغنى من أهلها من سأله

القرض، وأجرى من أجرى على يده النافلة والفرض، وزين سماء الملة بدراري الذراري التي بعضها من بعض... ولما وقف عليه المنصور ورأى تجافيه فيه عن خطابه بأمر المؤمنين، لم يعجبه ذلك، وأسرها في نفسه، وحمل الرسول على مناهج البر والكرامة وردة إلى مرسله ولم يجبه إلى حاجته. ويقال إنه جهز "The content of the letter was: "From Salahuddin to Ameer ul Muslimeen, Yusuf bin Ayyub, the one who is in need of Allah (swt). Praise be to Allah Who has appointed over the Islamic Ummah those who spread prosperity in the land and caused its people to be independent in financial means, without debt, and caused the supererogatory (naafilah) and the obligatory to be done through the rulers, the One who adorned the sky of Deen with the pearls of rulers ... Mansoor took exception at being addressed by Salahuddin as merely Ameer ul Muslimeen (أمير Ruler of Muslims) and not as Ameer ul Mu'mineen (أمير المؤمنين Leader of the Believers), and he held that against him. Thus he honored Salahuddin's envoy, without fulfilling any of his requests It was later reported that Mansoor nevertheless prepared to send one hundred and eighty ships, but their arrival was prevented by the Crusaders' capture of the Syrian coastal cities. Allah Knows Best."

كتاب الروضتين في أخبار (شهاب الدين المقدسي) Shihab Al-Din Al-Maqdisi in his book "The Book of the Two Gardens, Concerning Affairs of the Reigns of Nur al-Dīn and Ṣalāḥ al-Dīn" stated, "الدولتين النورية والصلاحية لم يحصل من جهة سلطان المغرب ما التمس منه من النجدة وبلغني أنه عز عليه كونه لم يخاطب بأمر المؤمنين على جاري عادتهم، وقد كان "Salahuddin did not get enforcement from the Sultan of Maghrib. I was informed that the Sultan was concerned over not being addressed as Ameer ul Mu'mineen, according to their customs. He used to be a just Sultan who manifested Shariah and a warrior." This narration brought by Shihab Al-Din Al-Maqdisi in his book, is preponderate over what is contained both in the poem of Yacoub's cousin and the poem of Shamsuddin bin Munqid, the envoy of Salahuddin. The first poem considers Mansour to be the best of Khulafa'a and the second called him "the Leader of Muslims."

Regarding the poem of Yaqoob's cousin, Al-Maqdasi said,

وفيه يقول ابن عمه سليمان بن عبد الله بن عبد المؤمن أبو الربيع من قصيدة أولها:

وَجِدْتَ بِسَعْدِكُمُ النَّجُومُ الطَّلُعُ

هَبَّتْ بِتَصْرِكُمُ الرِّيَّاحُ الْأَرْبَعُ

فَإِلَيْكَ يَا يَغْفُوبُ نُومِي الْإِصْبَعُ

إِنْ قِيلَ مَنْ خَيْرُ الْخَلَائِفِ كُلِّهَا

أَنْتَ الْمُقَدَّمُ وَالْخَلَائِقُ تُبَعُّ

إِنْ كُنْتَ تَتْلُو السَّابِقِينَ فَإِنَّمَا

“His cousin Sulaiman bin Abdullah bin Abdul Muimin Abu Rab’ee says about the first poem:

‘The spring wind blows with your support, whilst rising stars are found with your happiness.

If asked who is the best of all the Khulafa’a, the fingers will point to you, O Yacoub!

Though you follow the predecessors, you and your morals are to be followed”

Regarding the poem of the envoy of Salahudin, Al-Maqdisi said,

وقد مدحه أيضاً شمس الدين بن منقذ هذا المرسل إليه من جهة السلطان بقصيدة منها:

إِلَى بَحْرِ جُودٍ مَا لِنَعْمَاهُ سَاحِلُ

سَأَشْكُرُ بَحْرًا ذَا عُبَابٍ قَطَعْتُهُ

إِلَى مَنْ سَمَتْ بِالذِّكْرِ مِنْهُ الْأَوَائِلُ

إِلَى مَعْدِنِ التَّقْوَى إِلَى كَعْبَةِ الْهُدَى

إِلَى بَابِكَ الْمَأْمُولِ تُزَجِّي الرَّوَاحِلُ

إِلَيْكَ أَمِيرَ الْمُسْلِمِينَ وَلَمْ تَزَلْ

“Shamsuddin bin Munqid has praised Al-Mansoor as Sultan in his poem:

‘I thank the angrily swelling sea that I cut away from, into the generous, calm sea, enjoyed at the coast,

To the mine of piety and the compass of guidance, to the one whom the predecessors would call upon, out of mention,

It is you, the Leader of Muslims, and your hopeful door always satisfies those who pass by.”

What affirms the passion of Salahuddin for the unification of Khilafah, and his conviction that the Abbasid Khalifah was the legitimate Khaleefah, is the

report of Shihab Al-Din Al-Maqdisi (شهاب الدين المقدسي) in his book كتاب الروضتين "The Book of the Two Gardens, Concerning Affairs of the Reigns of Nooruddin and Salahuddin" which contains the letter sent by Salahuddin to the capital of the Khilafah, Baghdad.

The book mentions what came in the letter: وبلاد أولاد عبد المؤمن فلو أن لها ماء "had the lands of the children of Abdul Mu'min raised a sword of water raised against them, to extinguish the fire therein, raising the Word of Allah as the Highest, the Abbasid Authority would come to cover the whole earth."

Here, Salahuddin seeks permission to fight the children of Abdul Mu'min. The reason for fighting them is their departure from the obedience to the Bagdad Khaleefah, through their declaration of themselves as Khulaafah or the Leaders of Believers.

As for Salahudin's own obedience to the Khalifah, he declared it at the beginning of every letter he sent to the Diwaan of the Khaleefah, and he considered himself a loyal servant.

Amongst those declarations is what is transmitted by Al-Qalqashandi (القلقشندي) in his encyclopedia, صبح العشى "Dawn for the Blind," الخادم ينتهب ثرى "The servant who plunders the wealth of noble thresholds by greetings...In compliance to the honorable order which he hastens to and fights for." The letter also says, وحامداً الله الذي جعله من طاعة أمير المؤمنين عند حسن يقينه, "All Praise to Allah the One Who made him obey the Ameer ul Mu'mineen with the goodness of his certainty."

The letter also states, أعلى الله الموحدين على الملحدین، وثبت كلمة المتقين على اليقين، "May Allah raise the status of those of Tawheed over those of atheism. May Allah establish the word of righteous people with certainty, continuously in days of noble courts... May Allah inspire the Creations to address in obedience to him (the Khaleefah), within the scrolls of Iman."

Amongst Salahudin statements about declaring obedience, as mentioned by Al-Maqdasi, is, وهذه المقاصد الثلاثة الجهاد في سبيل الله والكف عن مظالم عباد الله والطاعة, "These three objectives, Jihad in the Path of Allah, preventing oppression upon the servants of Allah and obedience to the Khalifah of Allah (swt), are intended from a servant of a land when it is conquered and are his spoils in this world, if he is granted."

Salahuddin (may Allah have mercy on him) viewed that there can be no community, without an Imam. In one of his writings as mentioned by the Al-Madisi: أدام الله أيام الديوان العزيز... والأمة مجموعة الشمل بإمامته جمع السلامة لا جمع التكسير "May Allah preserve the days of noble Diwan. The Ummah is a collective, unified by its Imam. The Ummah is a collective of safety and not an amalgam of divisions."

Salahudin also believed that leadership is individualistic and not collective. Al-Maqdasi quoted from him in one of his letters, ولا يختار إلا أن تغدو جيوش المسلمين, متحاشدة على عدوها، لا متحاشدة بعثوها، ولو أن أمور الحرب تصلحها الشركة لما عز عليه أن يكون كثير المشاركين، ولا ساءه أن تكون الدنيا كثيرة المالكين، وإنما أمور الحرب لا تحتل في التدبير إلا الوحدة "He (the Khaleefah) alone, not the tyrants with their injustice, decides upon mobilizing the armies of the Muslims against the enemy of the Ummah. If the matters of war were reconciled by the collective, there would be far more participants. The world may not be harmed through many rulers but governing the matters of war mandates nothing else but unity."

These texts, though they were written by Al-Qadi Al-Fadhil (Salahuddin's senior advisor), the Sultan Salahuddin was supervising. Al-Qadhi only expressed the Sultan's opinion and he ensured the consent of the Sultan, as the letters were directed to the Diwan of the Khilafah, in the name of the Sultan.

The most glaring evidence about Salahuddin's view regarding the unity of Khilafah, is that he eliminated the Ubaid Caliphate of the Fatimids in Egypt. He considered the Fatimids to be the usurpers of the Baghdad Khaleefah, upon whom he had given Bay'ah. The Ubaidis seized the Wilayah of Egypt in 357 AH, and declared a Caliphate for themselves, which they falsely and scandalously called the Fatimid Caliphate. In the year 549 AH, the Abbasid Khaleefah, Al-Muqtafi, wrote a covenant conferring the Wilayah of Egypt to Nooruddin Zengi,

the Wali of Aleppo and Damascus, and ordered him to proceed to Egypt. In 562 AH, Sultan Nooruddin Zengi prepared an army of two thousand troops, under the command of Asad Din Shirkuh. Then in 564 AH, Shirkuh's nephew Salahuddin took his place. The last Fatimid Caliph, Al-Adid, remained in Egypt, outside the influence of the Abbasid Khaleefah in Baghdad. Then Salahuddin ended the Khutba declared for Al-Adid Al-Fatimi and returned Egypt to the Abbasid Khalifah in 567 AH. Thereby, the Khilafah became one and the Ummah was unified under the Abbasid Khalifah of Baghdad.

Imam Suyuti says in his "History of the Khulafa'a" about the incident in the year 567 AH: قال العماد الكاتب: استفتح السلطان صلاح الدين بن أيوب سنة سبع بجامع مصر على الطاعة والسمع، وهو إقامة الخطبة الأولى منها بمصر لبني العباس، وعفت البدعة، وصفت الشرعة، وأقيمت الخطبة العباسية في الجمعة الثانية بالقاهرة إلى أن يقول: وسير السلطان نور الدين بهذه البشارة شهاب الدين بن المطهر إلى بغداد، وأمرني بإنشاء بشارة عامة تقرأ في سائر بلاد الإسلام، فأنشأت بشارة أولها: الحمد لله معلي الحق ومعلنه، وموهي الباطل وموهنه، ومنها: ولم يبق بتلك البلاد منبر إلا وقد أقيمت عليه الخطبة لمولانا الإمام المستضيء بأمر الله أمير المؤمنين The I'mad the Scribe stated that in 567 AH the Sultan Salahuddin bin Ayub demanded the full submission of the people in the Great Mosque of Egypt and that was by the establishment of the Khutbah, on the first Friday in the month of Muharram, for the House of Abbas. Thus, innovation was destroyed and Shariah flourished. The Khutbah was read for the House of Abbasids on the second Friday in Cairo.... Sultan Nooruddin dispatched Shibabuddin al-Mudhahhar, to Baghdad with the good news and ordered me to draw up a public announcement of it to be read in all the Wilayahs of Islam. I accordingly penned a joyful proclamation beginning thus, "Praise be to God, the Exalter of Truth and its Revealer, the Destroyer of Falsehood and its Disabler." It also contained the following, "and there is not left in those Wilayahs a minbar but that the Khutbah is appointed to be read therein for our master, the Imam al Mustadhi bi' Amrillah, the Amir of the Believers." Mustadhi was the Abbasid Khaleefah of the time.

In response to the good news, the Khaleefah sent robes of honor and presents to Nooruddin and Salahuddin, with standards and banners for the Khuteebis of Cairo. He bestowed upon I'mad the Scribe a robe of honor and a hundred dinars.

In the year 569 AH, a faction in Cairo wanted to return the Caliphate to the House of Al-Adid, so Salahuddin killed them and crucified them between the two palaces. He considered their actions to be of the greatest crimes that would divide the community of Muslims.

When Khaleefah Nasir Al-Abbasi assumed the Khilafah, he dispatched to Salahuddin a robe of honor and the investiture of his dignity. Salahuddin wrote him a letter which stated, *والخادم، والله الحمد، خلع من كان ينازع الخلافة رداءها، وأساغ الغصة التي أذخر الله للإساعة في سيفه ماءها* “Your servant, All Praise be to Allah, may those who dispute with the Khilafah over its essence, drown upon the water which Allah (swt) has stored in His Sword for flooding...”

This was how Salahuddin (may Allah have mercy on him) adopted the unity of the Khilafah, believing that if the Bay’ah was given to two Khalifahs at the same time, the latter would be killed, since fulfilling the Bay’ah is obliged only to the first Khalifah alone, just as the Messenger of Allah (saw) conveyed.

It is worthy of notice that Al-Quds, which was captured by the Crusaders in 492 AH, was liberated by Salahuddin from the Crusaders in 583 AH, after he had eliminated the Ubaid Caliphate (Fatimids) from Egypt and unified the Khilafah in the year 567 AH. Thus the power of Muslims is in their Khilafah. We ask Allah (swt) to return the Khilafah Rashidah so that the Jewish entity will be eliminated from its roots, whilst Al-Quds will be liberated and the Blessed Land will be completely returned into the Abode of Islam.

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Q&A: The Russian Invasion of Ukraine, Its Dimensions and Repercussions

(Translated from Arabic)

Question:

All indications suggests that the current crisis in Ukraine is in fact a crisis between Russia and the West, and it is not just a dispute between Russia and Ukraine. Some compare it to Nazi Germany's occupation of Czechoslovakia: piece by piece in 1939, followed by the occupation of Poland, until the outbreak of World War II... Could the Russia attack on February 24, 2022, against Ukraine and its continuation until today, lead to a world war? Are the reactions from America and Europe of imposing sanctions without military intervention appropriate for this attack? Or is it luring Russia into the quagmire of Ukraine? If so, what is the purpose behind that? Thank you.

Answer:

In order for the picture to become clearer about these questions, we need to review the following matters:

First: The past days have proven beyond any doubt that the Russian president suffers from megalomania, and believes that Russia can, in the current international circumstances, restore its international status as a superpower next to America. He bitterly criticizes the inappropriate way in which the West deals with Russia, and criticizes its marginalization in international issues, and criticizes NATO's progress in the east, and demands the removal of American military bases from the countries that joined NATO after 1997, i.e. Poland, Romania and other Eastern European countries. What indicates his delusion of grandeur are:

1- Putin received the leaders of France, Germany and Iran in an undiplomatic manner, as well as the President of Turkey shortly before that. Some of them had to wait for him for a while in halls filled with symbols of Russian victories. Russian security asked the French President, Macron, upon

his arrival at the airport to carry out a Coronavirus test. He sat at a distance of six meters from him. While he did not do this with the presidents of Kazakhstan and Belarus, who visited him in the same period. He indicated to the German chancellor to walk behind him as they exited the press conference hall!

2- Putin's open and unequivocal declared view of Ukraine is that it is not a state, and that Russia gave it from its lands to form a state, and supported it with 150 billion dollars over decades. He described its rulers as those who occupy power in Kiev. All of this indicates that he does not see the Eurasian region (the confluence of Europe and Asia) except being Russian. This view of the Eurasian region and Russia's center in it is what prompted him to involve forces from the countries of the Collective Security Treaty in Kazakhstan in the uprising that took place at the beginning of 2022 to control it.

3- Putin did not care about insulting all European countries when he requested security guarantees for Russia in Europe from America, despite the widespread criticism at first from France and some other countries that called for Europe's security to be in the hands of the Europeans first. Putin did so because he sees himself as an equal to America, not to European countries. When Macron offered to mediate during his visit to Russia, Putin replied that France does not lead NATO.

Second: The Kremlin announced in a statement that Russian President Putin informed his French counterpart Macron on 28/2/2022 in a telephone conversation, that took place between them, of Russia's conditions for stopping the war, which are: "Recognition of Russia's sovereignty over Crimea, the disarmament of the Ukrainian state, its abandonment of Nazism, and the guarantee of its neutrality." (France Press 28/2/2022), and we mentioned in the answer to a question on 22/12/2021 the following: "Thus, the current crisis reveal that Russia's first aim is to stop questioning that Crimea's remains part of it, but rather wants that as a fait accompli with international American and European recognition. The second goal is for eastern Ukraine to become outside the control of Ukraine and be part of Russia, and the third and most effective goal is to prevent Ukraine from joining NATO, and that it needs guarantees for that."

Russian Defense Minister Sergei Shoigu emphasized this, saying: "The armed forces of his country will continue the special military operation in Ukraine until it achieves its goals. Western countries should stop building military facilities in the countries of the former Soviet Union that are not members of NATO. The Western world is using the Ukrainian people in the fight against Russia. The important thing is to protect Russia from the military threat posed by Western countries" (Anadolu 1/3/2022). Hence, this crisis is one of the largest global crises that has recently arisen, and it will constitute a bitter conflict between Russia and the West, and therefore it is unlikely that Russia will stop until it achieves its goals, or else its loss will be terrible... It is unlikely that the West will accept these conditions.

Therefore, the current circumstances exacerbated the severity of this crisis, to the extent that there was a threat of using nuclear weapons. The Russian presidential spokesman, Peskov, announced that "President Vladimir Putin has ordered to put the Russian strategic deterrence forces on a clear and explicit combat alert" (TASS 28/2/2022), which includes defensive rather than offensive nuclear weapons. Strategic deterrence forces are divided into strategic offensive forces and strategic defensive forces. The Russian Ministry of Defense announced that it had "put the Strategic Missile Forces, the Northern and Pacific Fleet and the strategic aviation on alert" (Russian Novosti, 28/2/2022). Russia, in the words of its Foreign Minister, Sergey Lavrov, confirmed its demands by saying: "The realization of legally binding security guarantees by NATO countries is of fundamental importance for Russia" (TASS 1/3/2022). That is why there is no retreat on the part of Russia from its goals in this case, unless the Ukrainians show strong resistance, and continue their resistance as the Afghan Mujahideen did against the Soviet Union in the eighties of the last century.

Third: The American position: It is clear that America made every effort to lure Russia into the Ukrainian quagmire with deception and provocation:

1- America did not respond to Russia's demands of the security guarantees, instead it worked to implicate it in Ukraine, so it made the government of Ukraine provoke it to launch attacks in its east of the Donbass region. This provocation was increased by America's statements, such as Biden's statement

during a press conference on 19/1/2022: "I think that (Putin) will move, he has to do something. Russia will be held accountable if it invades, and it depends on what it does, It's one thing if it's a minor incursion by Russia into Ukraine that may not have a high price unlike a full-scale invasion" (CNN 20/1/2022). Following that, a Ukrainian official told CNN, the American network did not name him, "Biden has given the green light to the Russian President Putin to enter Ukraine. Kiev is astonished by these statements!"

2- When the Russian military operation against Ukraine began, US President Biden announced that "America will not interfere if Russia intervenes in Ukraine, but if it interferes in NATO countries, it will intervene." And he announced that "about 7,000 American soldiers will be sent to Germany." America has previously deployed about 5,000 American soldiers in Germany, Poland and Romania. He also announced a package of sanctions against Russia. Biden said, "Our forces did not go to Europe to fight in Ukraine, but to defend our NATO allies and reassure those allies in the east" (Al-Jazeera 24/2/2022), and he confirmed this in the state of the Union speech, saying: "His country's forces will not engage in any fight against Russia, but it will prevent Russian forces from advancing westward towards other European countries. It will defend every inch of the territory of any NATO member state." (Al-Jazeera 2/3/2022)

He announced the closure of NATO airspace to Russian aircraft, as did European countries and Canada. These statements from the US President tempted Russia and encouraged it to carry out and continue its military operation in Ukraine. This was followed by statements by NATO, and NATO Secretary-General Jens Stoltenberg said during a press conference with the Polish President in the capital Warsaw on 1/3/2022: "NATO will not be a party to this conflict. But it will provide all kinds of military support to Ukraine. No soldier will be sent to it. The alliance is defensive and does not seek confrontation with Russia. We try to help Ukraine as much as possible, and the NATO allies have imposed a heavy cost on Russia" (Anadolu 1/3/2022), he expressed the American opinion exactly.

3- America was dealing with Russia provocatively, so Russia was waiting for its Foreign Minister Lavrov to meet with US Secretary of State Blinken in

Geneva on 24/2/2022, but Blinken canceled the visit, [US Secretary of State Anthony Blinken announced yesterday that he canceled the scheduled meeting between him and his Russian counterpart Sergey Lavrov after Moscow's recognition of the two separatist regions in eastern Ukraine and sending troops to them. Blinken said during a joint press conference with his Ukrainian counterpart Dmytro Kuleba in Washington, "Now that we see the invasion is beginning and Russia has made clear its wholesale rejection of diplomacy, it does not make sense to go forward with that meeting at this time." (Albayan 23/2/2022)].

This may have failed the meeting before it was held, and thus provoked Russia. Then the American warnings successively and provocatively began about a Russian invasion of Ukraine, while Russia was declaring that it did not intend to invade Ukraine. Everything that was issued by Washington provoked Russia, as if it was pushing it to invade Ukraine. America increased in pushing Russia to invade by declaring several times that it would not fight in Ukraine, because the latter is not a member of NATO. At the same time, America increases shipments of new weapons to Ukraine, which are transported by American planes every day, and with shipments of American Stinger missiles and anti-armor materials!

4- America increased the frequency of its announcements about the imminence of the Russian invasion, and that what it announced was based on intelligence information, thus increasing the international sense of danger. Everyone was watching out for the Russian invasion hour by hour based on what was issued by US President Biden, his Secretary of State, the Minister of Defense and their spokesmen, and even from the American press. America also increased the risks of war in Ukraine when it decided to withdraw its personnel in the Contact Line Observation Mission in the disputed Donbass region between Ukraine and the separatists. And these American employees are part of the European security mission, and Russia felt a great danger of their withdrawal. Zakharova, the spokeswoman for the Russian Foreign Ministry said: ["Some countries" decided to withdraw their citizens, employees of the organization's special monitoring mission in Ukraine, on the grounds of "exacerbating security conditions." Zakharova added that these decisions raise Moscow's grave concern, warning against "deliberately dragging the mission

into military hysteria fueled by Washington and its exploitation as a tool for possible provocation.” (Sada Al-Balad, 13/2/2022)]. In the sense that Russia may have seen that America wants to inflame the very sensitive conflict in the Donbass. The conflict that has been freezing since 2015.

5- This increase in American provocations to Russia coincided with America’s announcement that it had almost secured gas to the European continent as a substitute for natural gas from Russia, which Russia is expected to cut off or that its Ukrainian supply pipelines will be affected by the war, meaning depriving Russia of the European market and finding alternatives to American and Qatari gas and from importers of Asia, especially the Japanese, who hold gas futures contracts. This comes in light of the light winter and the approaching spring, when the need for natural gas is less... Also, there were very dangerous events taking place in the far east of Russian, the Russian army announced that an American nuclear submarine had entered the Russian territorial waters in the Kuril Islands, and that they did not respond to the Russian warnings, and that Russian ships used rougher methods to force it to retreat. The process of pushing them out of Russian territorial waters took 3 hours. And these Kuril Islands are Japanese islands occupied by Russia during World War II and Japan is still claiming them, and because of Russia's failure to respond to these Japanese demands, Tokyo, since 1945, has not signed any cease-fire agreement with Russia, meaning that Japan has been officially and since 1945 in a state of war with Russia. This meant that Russia’s fear from America has increased. So, will America push Japan to occupy the Kuril Islands?

6- Thus, things will continue in the direction of provocation and escalation. It will increase step by step until Russia is immersed in the Ukrainian mud. Until then, the American provocations will continue along with the British provocations, and European provocations, such as Germany stopping the Nord Stream project, on the one hand, and the American temptation to Russia to continue the war in Ukraine. America does not effectively threaten Russia, rather, it merely shows its intention to impose sanctions. Its foreign minister, Blinken, calls the Russian military preparations a prelude to a "successful" invasion of Ukraine! On the other hand, Ukraine's demands to join NATO has increased and so has Ukraine's demands from the West for more armaments, which increases the stacking of risks to Russia and accelerates its accumulation.

This continues until it is the only open door for Russia to solve its security risks around Ukraine, by invasion, war and drowning in the quagmire. This is what America wants, which is setting up Ukraine with traps for Russia. It does not seem that Russia is able to stop going in this path today, after it has fallen into the ropes of its stupid plan!

Fourth: The European position: The European Union High Representative Josep Borrell said on 22/2/2022 that this is a black day for Europe, the day Russia recognized the republics of Donetsk and Luhansk. British Prime Minister Johnson said a few days ago that we have entered into a new strategic competition with Russia that may extend for an entire generation. All of this makes the door open to all possibilities, and nuclear threats are not excluded. Nevertheless, Europe has tried to calm the situation and reach an agreement with Russia, and its leaders in France and Germany have communicated with it, so French President Macron visited Moscow, and he spoke by phone several times with Putin, most recently after the Russian military operation in Ukraine. The Elysee Palace announced that Macron “repeated in the conversation the international community’s demanded to halt the Russian attack on Ukraine, and reaffirmed that an immediate ceasefire would be in effect, halt all strikes and attacks on civilians and their places of residence, preserve all civilian infrastructure and secure roads, especially the road south of Kiev.” (France Press 28/2/2022). The German Chancellor Olaf Scholz, also visited Moscow and discussed with Putin and stated from there, saying: "There is no doubt for us Germans, but all Europeans, that stable security cannot be achieved against Russia, but only with it... This is what we agreed with the Russian President, however, opportunities for resolving the current crisis in Europe are still present." (Russia Today, 15/2/2022).

Despite this, Europe was already implicated in the Ukraine crisis, as America wanted. It was forced to declare its full support for Ukraine, its supported it with military equipment and advanced weapons, and the imposition of sanctions on Russia in various fields, amounting to launching an all-out war without sending soldiers. German Chancellor Olaf Scholz said on his Twitter account on 26/2/2022: "The Russian aggression against Ukraine constitutes a turning point, it threatens the situation that was established after the Second World War... In this situation on our part we have to help Ukraine as much as

we can in defense against the invading Putin's absurdity." Germany decided to send 1,000 rocket launchers and 500 Stinger surface-to-air missiles. Scholz said to the German parliament "with the invasion of Ukraine we are in a new era...Germany will invest from now on and year after year more than 2% of its GDP in our defense sector, we will invest 100 billion euros in military equipment this year. The goal is to have a strong, modern and advanced army that is able to protect us reliably" (France Press 27/2/2022). After the Russian military operation, he announced the suspension of work on the Nord Stream 2 gas pipeline that extends from Russia to Germany via the Baltic Sea. The European Union's Foreign Relations and Security Officer Josep Borrell said on 27/2/ 2022 that "the Union decided to provide military aid to Ukraine, including weapons worth 450 million euros and protective equipment worth 50 million euros. Which will be financed from the Fund for Peace in Europe, and from the Intergovernmental Fund." (Anadolu 28/2/2022). At an emergency meeting of the European Union in Brussels, European Council President Charles Michel said, "The sanctions will have an impact on us as well, but this is a price owed to the defense of our freedom." European Union Foreign Minister Josep Borrell said: "We see before us a new geopolitical birth for Europe. The catastrophe that Europe is facing today forces it more than ever to unite and cooperate." European Commission President Ursula von der Leyen said, "Europe's fate is at stake during the war in Ukraine." (Al-Jazeera 1/3/2022)

Hence, we see that Europe has become involved in this war that overturned the state of peace it has lived since the end of World War II, and made it under the Russian threat, except for its great economic losses due to its loss of energy resources such as gas and oil. The European Union gets about 40% of the gas and 27% of the oil from Russia. America wants Europe to turn to it, to rely on its gas at high costs and with lower quality. The Nord Stream 2 pipeline would have provided it with a third of the external demand, at a cost that was about 25% lower. Putin said at the press conference with German Chancellor Scholz in their last meeting, and in an expression of his favours on the Germans, saying: "The German consumer, whether it is an industrial or domestic consumer, receives gas from Russia five times less (than the current price), so let the German citizen check his wallet and says he ready to buy gas at a price 3-5 times higher. This is why he should thank the former German Chancellor Schroder who supported the Nord Stream 1 project through which Germany

receives about 55 billion cubic meters of gas and this gas is provided on future contracts. (Russia Today, 15/2/2022). Putin stated that Germany holds 60% of the Russian market. And Putin did this only to tempt Europe to cooperate with Russia and not stand against it on the American side, and to reassure it that Russia is not thirsty for its resources. By this Russia wants to keep itself safe from Europe's side.

Fifth: The Chinese Stance: China has come close to Russia on this issue. China has supported Russia by declaring that the Western countries should take Russia's security demands seriously. To mobilize international support for Russia's policy on Ukraine, Russian President Putin visited Beijing (the Winter Games) and met with Chinese President 2/2/2022, and China announced in a joint statement signed by its president with Russian President Putin that it opposes Ukraine's accession to NATO. The two countries (Russia and China) declared their unified positions in the face of American hegemony and called for international multipolarity and said that a new era in international relations had been launched. They signed major contracts for China to invest in Russia's gas and oil, and to increase trade exchange between them, raising it to \$200 billion a year. However, it appears that China is awaiting to see how will the state of affairs of Russia be in Ukraine, and whether it will take a similar step to annexing Taiwan. Voices began to rise in China: "It's the best chance to take back Taiwan now,"

This is on the Chinese version of Twitter. China has rejected sanctions against Russia so that it would not face similar treatment if it moved to seize Taiwan by force, and it refrained from vetoing a draft resolution condemning Russian aggression. It chose not to vote to avoid a Western campaign against it. It appeared to be not supporting Russia when it did not veto the draft resolution condemning Russia.

Note that it, i.e., China, did not criticize Russia for its invasion of Ukraine and blamed America, but it appreciates the principles of stability and territorial integrity. In a conversation with his Ukrainian counterpart, Chinese Foreign Minister Wang Yi said, "Concerning the current crisis, the Chinese side calls on Ukraine and Russia to find a way to solve it through negotiations and supports all constructive international efforts for a political settlement." (TASS 1/3/2022)

The Chinese Foreign Minister had announced his country's opposition to the sanctions, saying: "China not only does not support sanctions as a means to solve problems, but rather strongly opposes the unilateral sanctions that are inconsistent with international law." (TASS 27/2/2022).

Sixth: The Conclusion:

1- America has "succeeded" of implicating Russia in a complete or almost complete invasion of Ukraine... This will make Russia face local tensions and political, economic turbulence, and may be military as well, for years, whether it is satisfied with occupying eastern Ukraine or bypassing it for larger areas in Ukraine, all or some ...and it is not excluded that it will affect Putin's continuation in power.

2- Likewise, the international situation of Russia will be impacted by this turbulence, if not make it reach the point of falling! The international campaign has expanded, under American and European pressures, to highlight that Russia is attacking sovereign countries, and at the same time, America and Europe have forgotten or wanted to forget its attacks on many sovereign countries in Asia and Africa... All these countries, Russia, America and Europe, come from the same bases, they don't value human life.

3- As for the fact that these attacks will lead to a third world war, as was the second world war after Nazi Germany's attack on Czechoslovakia and its occupation piece by piece in 1939, as stated in the question, the matter is somewhat different... because its occurrence is inseparable from a nuclear war because this weapon It exists in these countries, and they may think about it a thousand times before implementing it, not because it destroys others, this has no weight for them, but because it may affect them, so they have no values except what benefits them even if it harms others! Al-Jazeera published in an interview with Lavrov, the Russian Foreign Minister on 2/3/2022: (and in response to a question about the danger of a third world war, Lavrov said that the leaders of the five permanent members signed a declaration that the world war should not erupt, because it would be nuclear and with no victorious in it, pointing out that it was US President Joe Biden is the one who said that sanctions against Russia were the only alternative to World War III.) Lavrov's country does not find an objection to bombing a nuclear plant as long as the

damage resulting from it is far from it and close to others! Al Jazeera published this day: [“The most prominent event witnessed by the nuclear plant in the city of Zaporizhzhia, where Ukraine spoke of Russian bombing, which led to the outbreak of a fire that was later controlled; but it caused casualties among its workers, according to the Ukrainian version, while the Russian Ministry of Defense accused the Ukrainian forces of being responsible for it.” (Al Jazeera 4/3/2022)].

4- These are the major countries in the world today, monsters of the jungle, the strong eats the weak, and if they call for help, there will be no help... History repeats itself, and the struggle of the major powers today repeats the conflict between the Persians and the Romans yesterday. The answer to this matter is the same as the first answer: the rule by what Allah (swt) has revealed and jihad in the cause of Allah (swt). It protects the weak and give justice to the oppressed and then the Khilafah (Caliphate) that is the glad-tiding of the Messenger of Allah (saw) will return:

«نُمْ تَكُونُ خِلَافَةً عَلَىٰ مِنْهَاجِ النَّبُوءَةِ»

“Then there will be Khilafah on the method of Prophethood.”

And in it the strong will be weak until the right is taken from him, as the rightly-guided Caliph Abu Bakr al-Siddiq said in what was reported by Kanz al-Ummal Fi Sunan Al-Aqwal Wal Af'al: On the authority of Abdullah bin Akeem, he said: When Abu Bakr was given the pledge of allegiance, he ascended the pulpit but on a lower step from the seat of the Prophet (saw), he praised Allah (swt) and said:

وَأَنَّ أَقْوَأَكُمْ عِنْدِي الضَّعِيفُ حَتَّىٰ أَخْذَ لَهُ بِحَقِّهِ، وَأَنَّ أَوْعَفَّكُمْ عِنْدِي الْقَوِيُّ حَتَّىٰ أَخْذَ الْحَقَّ...
... مِنْهُ

“...The strongest of you to me is the weak until I give him his right, his, and that the weakest of you to me is the strong until I take other’s rights from him.”

This is how good spreads in the Dar ul Islam (Abode of Islam).

(وَيَوْمَئِذٍ يَفْرَحُ الْمُؤْمِنُونَ * بِنَصْرِ اللَّهِ يَنْصُرُ مَن يَشَاءُ وَهُوَ الْعَزِيزُ الرَّحِيمُ)

“And that day the believers will rejoice * In the victory of Allah. He gives victory to whom He wills, and He is the Exalted in Might, the Merciful” [Ar-Rum: 4-5].

1 Sha'ban 1443 AH

4/3/2022 CE

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Q&A: The Hadith: "لا يأتي زمان إلا الذي بعده شر منه" "For no time will come upon you but the time following it will be worse than it. I heard that from the Prophet", and its Suspicion (Shubha) of Conflict with the Hadith of the Return of the Khilafah

(Translated from Arabic)

Question:

My brother in Islam, the Ameer of Hizb ut Tahrir,

Assalam Alaikum Wa Rahmatullah Wa Barakatuh.

What is the authenticity of this hadeeth, and if it is true, please explain it, may Allah reward you with all the good?

Al-Zubayr bin 'Adi, may Allah have mercy on him, said: "We went to Anas bin Malik, may Allah be pleased with him, and we complained to him about the wrong we were suffering at the hand of Al- Hajjaj. Anas bin Malik said:

"اصبروا فإنه لا يأتي زمان إلا والذي بعده شر منه حتى تلقوا ربكم، سمعته من نبيكم ﷺ" "Be patient till you meet your Lord, for no time will come upon you but the time following it will be worse than it. I heard that from your Prophet (saw)." [Extracted by Al-Bukhari]

Answer:

First: I want to remind you of two matters in Usul to clarify the answer

1- If there is a suspicion (Shubha) of conflict in the evidence, then we turn to combining the evidences, because the application of the two evidences is more important than the neglect of one of them.

2- If it is not possible to combine the evidences, we outweigh between the evidences according to the rules of outweighing.

Now we answer the question:

Bukhari extracted from Az Zubair bin 'Adi, he said: We went to Anas bin Malik, and we complained to him about the wrong we were suffering at the hand of Al- Hajjaj. Anas bin Malik said:

"اصبروا فإنه لا يأتي زمان إلا والذي بعده شر منه حتى تلقوا ربكم، سمعته من نبيكم ﷺ"

"Be patient till you meet your Lord, for no time will come upon you but the time following it will be worse than it. I heard that from your Prophet (saw)."

This Hadith indicates that every time period is worse than the one before it.

This Hadith contains a suspicion (Shubha) of conflict with other Hadiths

a- It contains a suspicion (Shubha) that conflicts the Hadith of the return of the Khilafah (Caliphate), which is better than the oppressive rule (mulk al-jabriyah) that preceded it:

Ahmad included in his Musnad on the authority of Hudhaifah bin Al-Yaman who said: (The Messenger of Allah (saw) said

«تُمْ تَكُونُ مُلْكًا جَبْرِيَّةً فَتَكُونُ مَا شَاءَ اللَّهُ أَنْ تَكُونَ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ أَنْ يَرْفَعَهَا ثُمَّ تَكُونُ خِلَافَةً...»
(عَلَى مِنْهَاجِ النَّبُوَّةِ) «تُمْ سَكَتَ»

"Then there will be an oppressive rule (ملكاً جبرية), and it will last for as long as Allah wishes, then He will lift it if He wishes. Then there will be a Khilafah on the method of Prophethood." Then he (saw) fell silent".

b- And in conflict with the Hadith of the appearance of the Mahdi (from the house of the Messenger (saw)), who will fill the earth with justice after the injustice that preceded it:

Al-Tabarani narrated in Al-Mi'jam Al-Kabeer on the authority of Abdullah bin Masoud, may Allah be pleased with him, who said: The Messenger of Allah (saw) said:

« لَا تَقُومُ السَّاعَةُ حَتَّى يَمْلِكَ رَجُلٌ مِنْ أَهْلِ بَيْتِي، يُوَاطِئُ اسْمُهُ اسْمِي، يَمْلَأُ الْأَرْضَ عَدْلًا وَقِسْطًا كَمَا «
«مُلِئْتُ ظُلْمًا وَجَوْرًا»

“The world will not pass away before the Arabs are ruled by a man of my family whose name will be the same as mine; who will fill the earth with equity and justice as it has been filled with oppression and tyranny.”

c- Likewise, the suspicion (Shubha) of conflict with the Hadith of the descent of Eesa, peace be upon him, after the existence of the evil of the Dajjal that preceded him:

Al-Tabarani narrated in Al-Kabeer on the authority of Samra bin Jundub, may Allah be pleased with him, that the Prophet (saw) said:

« إِنَّ الْمَسِيحَ الدَّجَالَ يَلْبَثُ فِي الْأَرْضِ مَا شَاءَ اللَّهُ، ثُمَّ يَجِيءُ عِيسَى ابْنُ مَرْيَمَ صَلَّى اللَّهُ عَلَيْهِ مِنْ «
«الْمَشْرِقِ، مُصَدِّقًا بِمُحَمَّدٍ ﷺ وَعَلَى مِلَّتِهِ، ثُمَّ يَقْتُلُ الْمَسِيحَ الدَّجَالَ

“The Dajjal will remain on earth for as long as Allah wills, then Jesus the son of Mary will come from the East, believing in Muhammad (saw) following his way (millah), and he will kill the Dajjal.”

So, the Hadith about every time (period) is worse than what came before it, has suspicion (Shubha) of conflict with these Hadiths which state that their time (period) is better than the one before it and not worse than it...

As I mentioned at the beginning, if it is possible to combine (the evidences), then this is the priority, otherwise we outweigh (the evidences) ... After studying the Hadiths, it is clear that we can combine the evidences. So, the Hadith of Al-Bukhari (every time is worse than what came before it) is understood that it is not general, but rather it is specific in other than the previous mentioned cases, i.e. before the return of the second rightly-guided Khilafah (Caliphate) on the method of prophethood... As if this agrees with the

Hadith of the Messenger of Allah (saw), which Al-Bukhari extracted that the Prophet (saw) said:

« خَيْرُ النَّاسِ قَرْنِي ثُمَّ الَّذِينَ يَلُونَهُمْ ثُمَّ الَّذِينَ يَلُونَهُمْ ثُمَّ يَجِيءُ مِنْ بَعْدِهِمْ قَوْمٌ تَسْبِقُ شَهَادَتُهُمْ «
«أَيْمَانُهُمْ وَأَيْمَانُهُمْ شَهَادَتُهُمْ»

“The best of men are my generation, then those who come next to them, then those who come next to them. Afterwards people will come who will give testimony before swearing an oath and swear an oath before giving testimony.”

Muslim extracted it with the following version:

« خَيْرُ النَّاسِ قَرْنِي ثُمَّ الَّذِينَ يَلُونَهُمْ ثُمَّ الَّذِينَ يَلُونَهُمْ - فَلَا أَدْرِي فِي الثَّلَاثَةِ أَوْ فِي الرَّابِعَةِ قَالَ - ثُمَّ «
«يَتَخَلَّفُ مِنْ بَعْدِهِمْ خَلْفٌ تَسْبِقُ شَهَادَةَ أَحَدِهِمْ يَمِينُهُ وَيَمِينُهُ شَهَادَتُهُ»

“The best among people are of my generation, then those next to them. (The narrator said): I do not know whether (he said) it three times or four times. Then there would follow after them such persons whose evidence would precede the oath, and in case of some others, the oath (would precede) the evidence.”

And Ibn Abi Shaybah narrated in his Musanaf on the authority of Abu Burda on the authority of his father, who said: The Messenger of Allah (saw) said:

«وَأَصْحَابِي أَمَنَةٌ لِأُمَّتِي فَإِذَا ذَهَبَ أَصْحَابِي أَتَى أُمَّتِي مَا يُوعَدُونَ»

“And my Companions are a source of security for the Umma and as they would go there would fall to the lot of my Umma as (its people) have been promised.”

Thus, the closer the time is to the Messenger of Allah (saw) and his companions (ra), the more goodness prevailed. Evil is closer until the return of the rightly-guided Khilafah (Caliphate), so that goodness returns in it instead of the evil that preceded it in the oppressive rule.

Of course, what is meant by every time is the majority in it, and not the emergence of individuals who contradict the majority, for example, the Caliph Omar bin Abdul Aziz was in his justice different to the caliphs of the Umayyads,

and some of the caliphs in the Abbasid and Ottoman era until the caliphate ended 1342 AH -1924 CE. It was followed by the great evil of the oppressive rule. And after that, the Khilafah will return on the method of Prophethood again, and goodness will shine with it.

(وَيَوْمَئِذٍ يَفْرَحُ الْمُؤْمِنُونَ * بِنَصْرِ اللَّهِ يَنْصُرُ مَنْ يَشَاءُ وَهُوَ الْعَزِيزُ الرَّحِيمُ)

“And that day the believers will rejoice * In the victory of Allah. He gives victory to whom He wills, and He is the Exalted in Might, the Merciful” [Ar-Rum: 4-5].

This is what I have outweighed regarding this issue, and Allah is Most Knowledgeable, Most Wise.

Your Brother,

Ata Bin Khalil Abu Al-Rashtah

13 Rabi' Al-Akhar 1443 AH

18/11/2021 CE

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Q&A: Any Matter that is not Fully Implemented Prohibits Leaving What is Easy from it

(Translated from Arabic)

Question:

O honorable Ameer, Assalam Alaikum wa Rahmatullahi wa Barakatuh,

May Allah protect you and open all goodness through your hands

How true is this Sharia principle, and is it permissible to infer from it gradual implementation of the Sharia rules?

"ما لا يدرك كله لا يترك ما تيسر منه" "Any matter that is not fully implemented prohibits leaving what is easy from it." May Allah reward you with goodness.

Answer:

Wa Alaikum wa Rahmatu Allahi wa Barakatuh,

First of all, may Allah bless you for your kind prayers for us, and we pray for you as well.

You are asking about two matters: the first: What is the validity of the Shariah principle that says, "Any matter that is not fully implemented prohibits leaving what is easy from it," and the second one: you are asking if it is permissible to infer from it the gradual implementation of the rules of Sharia. The answer to that is the following:

First: With regard to your question about the validity of the rule, "Any matter that is not fully implemented prohibits leaving what is easy from it":

1. This saying has several forms circulating in the books of the scholars, and they are similar: "Any matter that is not fully implemented, prohibits leaving all

of it”, “Any matter that is not fully implemented prohibits leaving most of it”, “Any matter that is not fully implemented prohibits leaving small portions of it”, “Any matter that is not fully implemented prohibits leaving what is less than it”, “Any matter that is not fully implemented prohibits leaving parts of it”. In addition to the form that came in your question: “Any matter that is not fully implemented prohibits leaving what is was easy from it” ... and some call it a proverb or a saying while others describe it as a Sharia principle... In fact, it is as if it was on the tongues of some people as if it was a hadith from the Prophet, peace be upon him, which made the muhaddith of Al-Sham during his days Ismael bin Muhammad bin Abd al-Hadi al-Jarrahi al-Ajluni al-Dimashqi, Abu al-Fida, who died in 1162 AH, mentioned it in his book: “Revealing invisibility and removing ambiguity from the hadiths that are well-known on the people’s tongues” and he says about them: [Any matter that is not fully implemented, prohibits leaving all of it, is in the meaning of the verse: (فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ) “So, observe taqwa (total obedience to Allah in awe of Him) as far as you can,” [TMQ At-Taghabun:16] and the hadith: «اتَّقِ اللَّهَ مَا اسْتَطَعْتَ» “Fear Allah as much as you can.” The wording of the translation is a principle, not a hadith.]

Likewise, it was mentioned by Ahmad bin Abdul-Karim Al-Ghazi Al-Amiri [deceased in 1143 AH] in his book, “Thorough Effort in the Explanation of What is not a Hadith”, stated: [Any matter that is not fully implemented, prohibits leaving all of it, is a principle and not a hadith and it is in the meaning of the verse: (فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ) “So, observe taqwa (total obedience to Allah in awe of Him) as far as you can” [TMQ At-Taghabun:16].

2. By examining the matter, it becomes clear that the reference to the saying “Any matter that is not fully implemented, prohibits leaving all of it” is to the Sharia principle that says (the easy part of any matter is not cancelled due to its difficult side), that is, it is another expression of the principle (the easy part of any matter is not cancelled due to its difficult side), and the latter is a principle mentioned in the books of Sharia principles with its evidences, for example, Al-Suyuti says in Al-Ashbah and Al-Natha’er: [The thirty-eighth principle: “The easy part of any matter is not cancelled due to its difficult side.” Ibn al-Subki said: and it is one of the most well-known principles deduced from what he (peace be upon him) said:

«إِذَا أَمَرْتُمْ بِأَمْرٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ» “If I command you to do something, do as much of it as you can.”] Al-Zarkashi mentioned it in his book, Al-Manthur fi Al-Qawa'id, so he said: [The easy part of any matter is not cancelled due to its difficult side: this goes back to the principle of ability to some origin], and he explained it and explained its limits when talking about the subject of “the portion that one is able to do, is it obligatory”.

3. The scholars have inferred for the principle (the easy part of any matter is not cancelled due to its difficult side) or its other equivalent (any matter that is not fully implemented, prohibits leaving all of it) or to the subject of (the portion that one is able to do, is it obligatory). They cited that from Allah, the Most High saying: (فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ) “So, observe taqwa (total obedience to Allah in awe of Him) as far as you can,” [TMQ At-Taghabun:16] and the hadith:

«إِذَا أَمَرْتُمْ بِأَمْرٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ» “If I command you to do something, do as much of it as you can.” [Narrated by Al-Bukhari in his Sahih on the authority of Abu Hurairah, may Allah be pleased with him].

They represented this with detailed examples to clarify the reality of these rules. He mentioned many in the book Al-Ashbah wa Al-Nathai'r many branches that we will mention some:

[“The easy part of any matter is not cancelled due to its difficult side”... and its branches are many: one of them: if some of the limbs were amputated then the remaining parts must be washed. Among them: the one who is able to cover parts of Sutrah, covers the part that he definitely can, and another one: the one able to recite some of Surah Al-Fatiha must recite it in prayers without dispute...and including: if one is unable to ruku' (bowing) and sujood (prostrating) without standing he must perform ruku' and sujood without dispute among us... including: the one who only has less than Saa' for Zakat Al-Fitr then one still must give as this the correct opinion...]

4. From a study of what the scholars have represented for the principle, “The easy part of any matter is not cancelled due to its difficult side” and its counterparts, it becomes clear that they connote by the principle that the specific ruling that is commanded by Sharia is that if the person is unable to perform some of the matter because of one's inability to do so, i.e. because of

its difficulty, then his performance of the rest of the commanded action does not fall from him, but rather he must perform what he can do from the action he is commanded because the one who is obligated is legally required to perform from the commanded what he is able according to the texts of the Qur'an and Sunnah...

(فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ) “So, observe taqwa (total obedience to Allah in awe of Him) as far as you can,” [TMQ At-Taghabun:16] and the hadith:

«إِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ» “If I command you to do something, do as much of it as you can.”

For example, the worshiper must read Al-Fatihah in full in every rak'ah. If a person embraces Islam and wants to pray, but he does not know of Al-Fatihah except some of it, is he obliged in his prayer to recite the verses that he knows from Al-Fatihah, or should he stop reciting Al-Fatihah altogether because he does not know some of its verses? The answer to that according to this rule is that he has to read what he knows from Al-Fatihah, and it is not correct for him to leave reading it, because the easy part (reading verses that he knows from Al-Fatihah) is not cancelled due to the difficult part (reading verses that he does not know from Al-Fatihah)...

For example, the one who is obligated to perform ablution must wash his hands up to the elbows, but if his palm is cut off, is he obligated to wash the rest of his hand, or is washing the rest of the hand waived because he cannot wash part of the hand (the palm)? The answer to that according to this rule is that washing the rest of the hand (the east part) is obligatory, even if washing the hand is excused (the difficult part), because the easy part is not cancelled due to the difficult part...Thus, the subject of this principle, according to scholars, is the Shari' ruling that is commanded. So if the obligated is not able to perform some of it because it is difficult for them, then the obligation to perform the required action is not waived from him.

5. The principle “The easy part of any matter is not cancelled due to its difficult side” and its counterparts are not rigid principles, they are correct in some areas and incorrect in others, for example, whoever is not able to fast part of a day in Ramadan, he does not have to continue fasting the rest of the

day and be as if he fasted that day with a pretext, the easy part of any matter is not cancelled due to its difficult side, but he rather breaks his fast and makes up for the fast of the day he missed...Thus, it appears that these rules are not consistent, so it is valid to apply them in some cases and not to apply them in other cases, and their application requires diligence in studying the reality to be applied to it and knowing the relevant Sharia rulings... The scholars have noticed that these principles are not rigid:

a- Al-Suyuti has mentioned in Al-Ashbah wa Al-Nathai'r the following: [Caution: out of this principle emerged several issues: including: the one who can only afford some amount to free a slave doesn't free a slave but he moves to the next substitute without dispute. And it has been directed that combining a partial amount of freeing a slave fasting two consecutive months, combining between the substitute and initial action, and combining fasting one month with freeing half of the amount of freeing a slave would lead to reducing the Atonement, which is prohibited, and that the Legislator said: (فَمَنْ لَمْ يَجِدْ) "And whoever does not find one" [TMQ An-Nisa: 92]. The one who can only afford some of the amount of freeing a slave is equivalent to the one who hasn't found a slave...and among it: Fasting part of a day instead of the whole day, doesn't require him to continue holding the fasting.]

b- Likewise, Al-Zarkashi explained this matter in Al-Manthur Fi Al-Qawa'id and said: [Matters that are partly possible to do, are divided into four parts in terms of obligation:

One of the them is that which is absolutely obligatory, like when a person praying was only able to recite some of Al-Fatiha than he must complete that prayer with what he can.

The second: is that which is obligatory upon the healthy...and if he has wounds on his body that prevent him from using water, then the math'hab (what he has to do) is wash the healthy part and perform Tayamum on the wounded part...

The third: is that which is not absolutely obligatory, like if he found in the arranged atonement a partial amount of freeing a slave, then it is absolutely

not obligatory because the Shariah intends him to complete freeing a slave as much as possible; ... then he moves to the substitute...

The fourth: is that which is not obligatory upon the healthy, like when a person who needs to perform ablution and can't find water but instead found snow, or hail and it wasn't possible to melt it, then according to the math'hab he doesn't need to wipe his head; because the order of arrangement is obligatory, and this cannot be used on the head before performing tayammum on the face and hands...]

Thus it appears that the aforementioned rule(s) are not absolutely correct and are not absolutely wrong, rather they are correct and straightforward in some areas and incorrect in others.

Second: With regard to the inference of the principle (any matter that is not fully implemented prohibits leaving what is easy from it) or (the easy part of any matter is not cancelled due to its difficult side) on the subject of gradualism in the application of the rules of Sharia:

The inference of these principles on the permissibility of gradual application of the rules of the Sharia is a kind of confusion in people and a form of slandering the religion of Allah (swt), because there is absolutely no room for inferring these rules on the gradual implementation of Sharia from several angles:

1- The meaning of gradual application of the Shariah rulings is that part of the Shari'a rulings are applied in some matters and the rulings of Kufr are applied in others, such as making marriage contracts in accordance with the rulings of Islam but allowing usury, adultery and drinking alcohol, and making the punishment for the thief amputation of his hand and no punishment is put in place for the adulterer or for the one who drinks wine...The real meaning of the gradual application of the rulings of the Sharia is to rule by the rulings of Kufr in specific issues instead of ruling by the Sharia, and this is undoubtedly far from the subject of the principle (any matter that is not fully implemented prohibits leaving what is easy from it) because this principle says that the act that is commanded by Sharia must be performed in parts that are found easy if doing the rest of the others is not possible due to the lack of ability, hence the

principle does not say that it is permissible to do the forbidden or to implement Kufr when one is not able to perform the commanded...

2- These rules talk about the commanded action, and not the prohibited action, for the commanded action is to implement the Shari'a, and as for the application of other than the Shari'a, it is undoubtedly forbidden, rather it is one of the greatest sins, so how can this rule be inferred that the rules of Kufr may be applied? Isn't this strange?!

3- Those who talk about the gradual implementation of the rulings mean by this; the ruler's gradual implementation of the Shariah, and nothing should prevent the ruler from implementing the Shari'a, so the issue of inability should not be mentioned in his regard, because he is the ruler. For example, what prevents a Muslim ruler from implementing all the rulings of Sharia instead of applying the rulings of Kufr in most areas of life? Isn't he the actual ruler of the country? So why does he not apply the rulings of the Sharia, but rather submits to the rulings of Kufr? Is the reality of the ruler like a person who is unable to stand in prayer because of his illness, so he is pardoned from that obligation of standing and prays the prayer without standing? Where is the similarity between them?!

4- Before and after all of that, the Shariah texts that he inferred for these principles do not indicate gradualism at all:

a- So when Allah's (swt) says: (فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ) "So, observe taqwa (total obedience to Allah in awe of Him) as far as you can," [TMQ At-Taghabun:16].

It does not imply the opposite, i.e. it is not understood from the verse that piety is not enjoined when it is not possible, but on the contrary, the verse indicates the necessity of exerting all efforts in attaining piety and adhering to Allah's commands and prohibitions, and Imam al-Tabari highlighted this meaning in his interpretation, saying:[...His (swt) saying: "So, observe taqwa (total obedience to Allah in awe of Him) as far as you can," Allah Almighty says: O believers, beware of Allah and fear His punishment, and avoid His punishment by performing His obligations and avoiding His disobedience, and doing what brings you closer to Him as much as you are able to and within your reach and power.]

Ibn Ashour excelled in his interpretation of Al-Tahrir wa Al-Tanweer when he addressed this verse with an explanation. He said: [... (فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ) (...)] "So, observe taqwa (total obedience to Allah in awe of Him) as far as you can, and listen and obey, and spend (in Allah's way), it being good for you. And those who are saved from the greed of their souls are the successful".

The Arabic letter 'Faa' is eloquent and explains the latter, i.e. if you know this fear Allah in all matters that require piety... and the words following fear Allah are omitted to deliberately generalise with regard to piety in all cases mentioned and others so that this speech is like the appendix because its content is more general than the previous content. Since piety in the mentioned affairs and other things may expose its owner to shortcomings in implementing it in order to satisfy the lust of the self in many of the conditions of those things.

The issue of piety was further emphasized by saying: as far as you as you can. And the Arabic letter 'Ma' is circumstantial, i.e. the duration of your ability will prevail in all times, and conditions would prevail according to all the times and would include all types of abilities so they do not give up on their piety in any moment in times. Also, times have been made as circumstances for ability lest they don't fall short in implementing something they can do in matters that they have been commanded to have piety in, as long as it would not come out of the ability limit and move into the hardship limit...] END.

The noble verse clearly indicates the necessity of exerting effort in fearing Allah, glory be to Him, and not deviating from His commands and prohibitions, as far as the Muslim is able to do so with utmost commitment, and it does not in any way indicate gradualism, that is, the permissibility of applying the rulings of Kufr in parallel to the rulings of the Shari'a. Rather, it requires adherence to the entire Sharia to the utmost degree of commitment.

The noble hadith that was used as evidence for the aforementioned principles is as narrated by Al-Bukhari in his Sahih on the authority of Abu Hurairah who narrated that the Prophet (saw) said,

دَعُونِي مَا تَرَكْتُمْ إِنَّمَا هَلَكَ مَنْ كَانَ قَبْلَكُمْ بِسُؤَالِهِمْ وَاخْتِلَافِهِمْ عَلَى أَنْبِيَائِهِمْ فَإِذَا نَهَيْتُمْ عَنْ شَيْءٍ «
فَاجْتَنِبُوهُ وَإِذَا أَمَرْتُمْ بِأَمْرٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ

“Leave me as I leave you, for the people who were before you were ruined because of their questions and their differences over their prophets. So, if I forbid you to do something, then keep away from it. And if I order you to do something, then do of it as much as you can.” The hadith says with regard to prohibitions that they must be avoided, for forbidden matters must inevitably be avoided, and as for commands, they are those that are linked with ability, and there is no doubt that the implementation of the rulings of Kufr (along with the rulings of Islam) under the pretext of gradualism is one of the matters that the Sharia forbade with conclusive evidence, for Allah (swt) says:

(وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ)

“And those who do not judge by what Allah has revealed are ‘truly’ the disbelievers” [TMQ Al-Ma’ida: 45]

(وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ)

“And those who do not judge by what Allah has revealed are ‘truly’ the wrongdoers” [TMQ Al-Ma’ida: 46]

(وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ)

“And those who do not judge by what Allah has revealed are ‘truly’ the rebellious” [TMQ Al- Ma’ida: 48]

وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ وَمَنْ يَعْصِ اللَّهَ (وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُبِينًا)

“It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should [thereafter] have any choice about their affair. And whoever disobeys Allah and His Messenger has certainly strayed into clear error.” [TMQ Al-Ahzab: 36]

Therefore, the hadith does not in any way indicate the permissibility of negligence in the arbitration of Sharia and the application of the rulings of Kufr

on the pretext of gradualism, because ruling by other than what Allah (swt) has revealed is one of the forbidden matters and prohibitions that the hadith necessitated to avoid. Upon this, the inference of this rule for the gradual implementation of the rulings of the Sharia is a false inference that is not based on any evidence at all.

Your brother,

Ata Bin Khalil Abu Al-Rashtah

05 Rabii' Al-Akhir 1443 AH

10/11/2021 CE

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Hizb ut Tahrir / Wilayah Turkey: Protests against the Visit of the President of the Usurping Jewish entity to Turkey!
#ReturnTheKhilafah



#Time4Khilafah

NUSSRAH

Nussrah is the Hukm Shar'i upon which the political future of the Muslim Ummah depends. It is through Nussrah that a state will be established which will end the chain of treacheries faced by the Ummah, beginning ruling by all that Allah (swt) has revealed, unifying the entire Ummah under a single state and spreading the message of Islam to the world through Dawah and Jihad.

The divine evidence of Nussrah is established in the Seerah of RasulAllah (saw). When the society of Makkah became rigid before the message of Islam, Allah (swt) ordered RasulAllah (saw) to present himself to various tribes, to seek their Nussrah. After the death of his (saw) uncle Abu Talib, RasulAllah (saw) started contacting various Arab tribes. The leaders of the tribes of Madinah, the Aus and Khazraj, accepted Islam and gave Nussrah to him (saw).

Through the Nussrah of the Second Pledge of Aqabah, the first Islamic State was established. So, the leaders of Aus and Khazraj were named as Ansar, to be remembered by this honored title until the end of the life of this world.

Today, the need of the hour is that sincere officers in the armed forces of Pakistan follow the footsteps of their Ansaar brothers, granting Nussrah for the re-establishment of the ruling by all that Allah (swt) has revealed. They must uproot the Kufr capitalist democratic system and pledge allegiance to a Khaleefah Rashid for the implementation of the Quran and Sunnah, fulfilling the glad tidings of RasulAllah (saw) when he (saw) said, **ثُمَّ تَكُونُ مُلْكًا جَبْرِيَّةً فَتَكُونُ مَا شَاءَ اللَّهُ أَنْ تَكُونَ تَكُونُ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ أَنْ يَرْفَعَهَا ثُمَّ تَكُونُ خِلَافَةً عَلَىٰ مِنْهَاجِ النَّبُوءَةِ ثُمَّ سَكَتَ** "Then there will be a forceful rule and it will remain for as long as Allah wills it to remain. Then He will raise it when He wills to raise it. Then there will be a Khilafah upon the the Method of Prophethood." Then he (saw) became silent." (Ahmad).