

Press Release

The Strange and non-Islamic Verdict of Kandahar Primary Court Against the Call for Khilafah Based on the Method of Prophethood and the Unity of Ummah

The primary court of Kandahar province has issued a verdict against 15 Dawah carriers of Hizb ut Tahrir, according to which they will remain imprisoned indefinitely unless they express remorse, regret, and repentance from their call for the Khalifah based on the method of the Prophethood. This implies that, under the shadow of the ruling regime, anyone who remains committed to calling to the correct and complete implementation of Islamic Sharia is destined for **life imprisonment**. Not even the most brutal Central Asian regimes have passed such a verdict or any of the tyrannical Arab regimes did that in the last 70 years or any of the secular or communist states! The Afghan court system did certainly break all the records. Do they really think that such a zulm would scare a dawah carrier who believes in the Justice of Allah (swt) that would come most certainly in the Akhirah if not even earlier?

While we condemn this judicial decision in the severest form possible, we question those who have issued such an unjust verdict against Muslim Dawah carriers: based on what principle has this judgment been made? According to which Islamic jurisprudential verdict, religious principle or which madhab, and based on which command, custom, domestic or even international law have you made this decision? With such inhumane judgments, do they intend to remind us of the Companions of the Prophet (PBUH) in the Mecca era who were given only two choices for their Islamic Dawah; either to renounce the Islamic dawah or to accept torture in the scorching desert to the death?

The post of a Judge in Islam holds a highly esteemed status, and every decision must be made in the light of Islamic thoughts, rulings, and values. However, what has emerged from this judicial decision is nothing but the whims of their Nafs. Muslims have inherited the legacy of the Prophet (PBUH) in terms of ruling and judgment. So how can a judge dare to issue such an unjust verdict against those Dawah carriers who are following the path of Prophet (PBUH)? Those judges who deliberately or ignorantly hinder the Islamic dawah, we warn them of disgrace in this world and fierce punishment in the Hereafter, and they should repent from such acts. As the Messenger of Allah, peace be upon him, has said: «الْقَضَاءُ ثَلَاثَةٌ: وَاحِدٌ فِي الْجَنَّةِ وَاثْنَانِ فِي النَّارِ؛ فَأَمَّا الَّذِي فِي الْجَنَّةِ فَرَجُلٌ عَرَفَ الْحَقَّ فَقَضَىٰ بِهِ، وَرَجُلٌ عَرَفَ الْحَقَّ فَجَارَ فِي الْحُكْمِ فَهُوَ فِي النَّارِ، وَرَجُلٌ قَضَىٰ لِلنَّاسِ عَلَىٰ جَهْلٍ فَهُوَ فِي النَّارِ» **“There are three types of judges; one group will go to Paradise, and two groups to Hell. Those who will go to Paradise are those who recognize the truth and judge accordingly. Those who recognize the truth but judge unjustly, they are of Hell, and those who judge for the people while ignorant, they too are of Hell.”** (Abu Dawood)

It is surprising that the court has conditioned their freedom upon repentance from dawah or else stay imprisoned indefinitely. In reality, repentance in Sharia means turning away from sin and prohibited acts. Is the call for the Khilafah (Caliphate) based on the method of the Prophethood, dawah for the unity of the Ummah, and enjoining virtue and forbidding vice, prohibited so that the Dawah carriers must renounce and repent from or else stay in jail for life? Our response to you is what is stated in Surah Taha: ﴿فَافْضِ مَا أَنْتَ قَاضٍ إِنَّمَا تَقْضِي هَذِهِ الْحَيَاةَ الدُّنْيَا﴾ **“So do whatever you want! Your authority only covers the ‘fleeting’ life of this world.”**

Most officials of the current regime consider the call of Hizb ut Tahrir a danger while the United Nations, the embassies, and political institutions of hostile countries, hundreds of seemingly humanitarian NGOs are openly operating against Islamic values and the ruling regime in Afghanistan. While all their efforts are to direct the ruling regime towards the secular international order; yet regrettably, no one is concerned about their activities and non-Islamic missions because the million-dollar packages and financial incentives have taken away their political insights and the adoption of a Sharia-based stance regarding them. As the United Nations special representative for Afghanistan said a few days ago: “The Taliban have come down from mountains, and it will take time for them to accept our principles.” Did anyone in the current regime express any Sharia-based stance against these insulting remarks? No! While the main threat to the survival of the regime are those issues mentioned above, some officials of the regime who have “Zaigh” (deviance) in their hearts have formed enmity against the Dawah carriers, arresting, torturing, and issuing unjust verdicts against them in courts.

Should these officials have a clear and correct understanding of Hizb ut Tahrir’s activities and sincerity and should they be concerned about the comprehensive implementation of Islam and the hereafter, they would have never engaged in such unjust and fruitless actions.

Hizb ut Tahrir's Dawah is a global dawah, which, by fulfilling the duty of enjoining virtue and forbidding vice, makes rulers and those in power aware of the vital issue of establishing the Khilafah and the unity of the Ummah, revealing to them the fundamental priorities of governance. Those who respond to the sincerity of Muslim Dawah carriers with injustice should be aware that the Sunnah of Allah (swt) has proven throughout history that a tyrannical nation is always replaced with another nation.

﴿وَإِنْ تَوَلَّوْا يَسْتَبَدِلْ قَوْمًا غَيْرَكُمْ ثُمَّ لَا يَكُونُوا أَمْثَالَكُمْ﴾

“If you ‘still’ turn away, He will replace you with another people. And they will not be like you.” [Muhammad: 38]

**Media Office of Hizb ut Tahrir
in Wilayah Afghanistan**