

Hizb ut-Tahrir

(Translated from the Arabic)

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1. Hizb ut-Tahrir

Hizb ut-Tahrir is a political party whose ideology is Islam, so politics is its work and Islam is its ideology. It works within the Ummah and together with her, so that she adopts Islam as her cause and is led to restore the Khilafah and the ruling by what Allah (swt) revealed. Hizb ut-Tahrir is a political group and not a priestly one. Nor is it an academic, educational or a charity group. The Islamic thought is the soul of its body, its core and the secret of its life.

2. The Reasons for the Establishment of Hizb ut-Tahrir

Hizb ut-Tahrir was established in response to the saying of Allah (swt).

"Let there be among you a group that invites to the good, orders what is right and forbids what is evil, and they are those who are successful" [TMQ 3:104]

Its purpose was to revive the Islamic Ummah from the severe decline that it had reached, and to liberate it from the thoughts, systems and laws of *Kufr*, as well as the domination and influence of the *Kufr* states. It also aims to restore the Islamic Khilafah State so that the ruling by what Allah (swt) revealed returns.

2.1 The Legal Obligation of Establishing Political Parties.

(a) The establishment of the Party in response to the saying of Allah (swt), *"Let there be among you a group ..."* is because Allah (swt) has ordered the Muslims in this verse that there must be among them a structured group which should perform two duties: Firstly, to invite to the good, i.e. to invite to Islam; and secondly, to order what is right and forbid what is evil.

This order to establish a structured group is a request. However, there is a conjunction to the effect that this is a decisive request (command), because the work of the structured group, as defined in the above verse (inviting to Islam, ordering what is right and forbidding what is evil), is an obligation upon Muslims; they have to perform it as confirmed in many verses of the Qur'an and the ahadith of the Messenger of Allah (saw) which indicate that.

The Messenger of Allah (saw) said, **"By Him in Whose hand is my soul, you must order what is right and forbid what is evil, otherwise Allah will be about to send His punishment upon you. And then if you pray to Him (to ask Him), He would not answer you."**

This hadith of the Messenger of Allah (saw) is a conjunction showing that the request (in the above verse) is decisive, and the order is an obligation.

(b) The fact that this structured group is a political party is understood by the verse when it asks the Muslims to form from themselves a group, and that the work of this group is defined to be inviting to Islam, ordering what is right, and forbidding what is evil.

Carrying out the duty of ordering what is right and forbid what is evil includes ordering the rulers to do what is right and forbidding them from what is evil. This aspect, which means taking the rulers to task and giving them advice is most important, and this work is political; it is one of the most important political actions and one of the main tasks of political parties. The verse then indicates the obligation of establishing political parties. However, the verse imposes the constraint that these political parties should be Islamic, because the task of these parties, as defined by the verse is inviting to Islam, ordering what is right and forbidding what is evil, according to the laws of Islam, which cannot be performed except by the groups and parties that are Islamic.

An Islamic party is that which is established on the Islamic *'aqeedah*, adopts the Islamic thoughts, laws and solutions, and follows the method of the Messenger of Allah (saw). Therefore, it is not allowed for Muslims to form groups on a basis other than Islam as a thought and method, because Allah (swt) has ordered them not to do this, and because Islam is the only correct ideology in the world. It is a universal ideology that agrees with human nature, and deals with human beings as human beings. So Islam deals with man's instincts and organic needs, and organises them and their satisfaction correctly, without

suppressing them or allowing them free reign, or allowing one instinct to overcome another. In sum, it is a comprehensive ideology which organises life's affairs.

(c) Allah (swt) has made it imperative for Muslims to restrict themselves only to Islam and its laws, whether organising their relationship with their Creator, such as the rules of beliefs and ritual worships, or with themselves, such as the rules of morals, food and dress or with others such as the rules of transactions and legislation.

Allah (swt) has also obliged Muslims to implement Islam throughout all of life's affairs, to rule with Islam and to make their constitution and their various laws on the basis of Shari'ah rules which are derived from the Book of Allah (swt) and the Sunnah of His Messenger (saw). Allah (swt) says,

"And rule between them by what Allah has revealed, and do not follow their whims away from the Truth which came to you." [TMQ 5:48]

"And rule between them by what Allah has revealed, and do not follow their whims, and beware that they tempt you away from even some part of what Allah has revealed to you." [TMQ 5:49]

Allah (swt) considered not ruling by Islam as an act of *Kufr*. Allah (swt) says,

"And those who do not rule by what Allah has revealed, they are disbelievers." [TMQ 5:44]

Ideologies other than Islam, like Capitalism and Communism (which includes Socialism), are corrupt ideologies which contradict human nature and are man-made. Their corruption has become evident, their defects apparent, and they contradict Islam and its laws, so their adoption is prohibited. Embracing and calling for them is prohibited and to establish groups on their basis is also prohibited. Therefore, when Muslims establish groups it must be on the basis of Islam alone as a thought and method, and it is prohibited for Muslims to establish groups on the basis of Capitalism, Communism, Socialism, Nationalism, Patriotism, Sectarianism or Freemasonry. Thus, it is prohibited for Muslims to establish Communist, Socialist, Capitalist, Nationalist, Patriotic, Sectarian or Masonic parties or to associate themselves with such parties or to promote them, since they are *Kufr* parties which call for *Kufr*. Allah (swt) says,

"And whosoever seeks a deen other than Islam, it will never be accepted from him, and in the hereafter he shall be one of the losers." [TMQ 3:85]

And the above verse states, "invites to the good" [TMQ 3:104] i.e. to Islam. And the Messenger of Allah (saw) said, "**Whosoever does an action which is not according to our order (i.e. Islam), it is rejected.**" And he (saw) said, "**Whosoever calls for 'asabiyyah (tribalism) is not one of us.**"

(d) The revival of the Islamic Ummah from the decline that she has reached, and her liberation from *Kufr* thoughts, systems and laws, and from the domination and influence of the *Kufr* states - all this must be achieved by raising her intellectually through the fundamental and comprehensive change of the thoughts and concepts that led to her decline and by bringing about within her the Islamic thoughts and concepts, and by shaping her attitude towards life solely according to the thoughts and laws of Islam.

The matter that led to this shocking decline, which does not befit her, is the severe weakness that occurred in the minds of the Muslims in their understanding and performance of Islam. This was due to a number of factors that obscured the thought and method of Islam from the time of the 2nd century after hijrah until now. These obscuring factors resulted from many things, the most prominent of them being:

1. The influx of Hindu, Persian and Greek philosophies, and the endeavours of some Muslim philosophers to reconcile these philosophies with Islam despite the complete contradiction between them.
2. The scheming of malicious people against Islam who promoted certain thoughts and rules that are not from Islam, in order to defame it and deviate Muslims away from it.
3. The negligence in using the Arabic language in understanding and delivering Islam, and its detachment from Islam in the 7th century AH, in spite of the fact that Islam cannot be understood without the Arabic language. Moreover, the deduction of new laws for new situations and issues through *ijtihad* cannot be achieved without the Arabic language.

The missionary, cultural and then the political invasion from the time of the 17th century CE launched by the Western *Kufi* states who wanted to distort the Muslims' understanding of Islam and distance them from it, for the purpose of demolishing it.

(e) A number of attempts and movements, Islamic as well as non-Islamic, arose in order to revive the Muslims, but all of them failed. They could neither revive the Muslims nor stop their severe decline. The cause of the failure of these attempts and the groups which were established to revive Muslims with Islam was due to a variety of reasons; these were as follows:

1. The absence of an accurate understanding of the Islamic thought in those people who took up the duty of reviving the Muslims. This is because they were influenced by certain obscuring factors. They used to call for Islam in a general undefined manner, without defining the thoughts and rules with which they sought to revive the Muslims, to solve their problems, and to apply. This was because of the lack of clarity of these thoughts and laws in their minds. They made the situation the source of their thinking, from which their thought was produced, and they tried to interpret Islam and explain it using meanings which its texts forbid. They did so as to agree with the existing situation even though it contradicted Islam. They did not make the situation the subject of their thought so as to change it according to Islam and its laws. Instead, they called for liberty and democracy, and the Capitalist and Socialist systems and understood them to be from Islam, although they totally contradict with it.
2. The absence of an accurate and clearly defined method by which the Islamic thoughts and laws are implemented. The groups and individuals conveyed the Islamic idea in an improvised way and in a manner which was surrounded with ambiguity. They visualised the revival of Islam through the building of mosques and publishing of books, or by establishment of welfare and co-operative organisations, or by moral education and reformation of individuals; whilst ignoring the corruption of the society and the domination of *Kufi* thoughts, laws and systems upon it. They thought that the reformation of society is achieved by reforming its individuals, despite the fact that its reformation is only achieved by reforming its thoughts, emotions and systems, which would lead to the reformation of the individual members of the society, because society is not composed of a set of individuals alone, but is comprised of individuals and relationships, i.e. individuals, thoughts, emotions and systems. This was exactly the way that the Messenger of Allah (saw) worked to change the *jahili* society into an Islamic society. He started work to change the existing creeds to the thoughts of the Islamic '*aqeedah*, and to change *jahili* thoughts, concepts and traditions to Islamic thoughts, concepts and laws, and hence change the people's emotions from attachment to *jahili* creeds, thoughts and traditions to attachment with the Islamic '*aqeedah* and with the thoughts of Islam and its laws. This occurred until Allah (swt) facilitated to him the transformation of the society in Madinah such that the great mass of the population in Madinah came to embrace the creed of Islam and adopt its thoughts, concepts and rules. Then the Messenger of

Allah (saw) and his Companions migrated to Madinah after concluding the second pledge of 'Aqabah, whereupon he began to apply the rules of Islam and by this he established the Islamic society.

Other movements carried the Islamic thought by material means and endorsed the taking up of arms. They, however, failed to differentiate between *Dar al-Islam* and *Dar al-Kufr*. They also did not understand the difference between the manner of conveying the *da'wah* as opposed to changing the evil within these two different situations. Today we live within *Dar al-Kufr* because everywhere around us the rules of *Kufr* are applied, and in this respect society resembles Makkah at the time when the Messenger of Allah (saw) was sent by Allah (swt). Therefore, conveying the call to Islam in this situation must be performed through *da'wah* and political action and not by material means. This is in accordance with how the Messenger of Allah (saw) conveyed the *da'wah* in Makkah, where he restricted his work to the *da'wah* to Islam and did not resort to material means. The aim in the current situation is not to change a ruler who rules by *Kufr* in *Dar al-Islam*; the aim is rather to change the whole of *Dar al-Kufr*, including its thoughts and systems. Its change is achieved by changing the thoughts, emotions and systems prevailing in it, as the Messenger of Allah (saw) did in Makkah.

If in *Dar al-Islam*, which is ruled according to the revelation of Allah (swt), its ruler ruled with clear *Kufr* then the Muslims must forbid it, so that he reverts back to ruling according to Islam. In case he does not repent, it becomes imperative upon the Muslims to take up arms against him to force him to revert to ruling with the revelation of Allah (swt). This is the correct way described in the hadith narrated by 'Ubada ibn as-Samit, **"...and that you must not dispute the rulers' right to govern until you see clear (open) disbelief upon which you have proof from Allah."** And it is explained in the hadith narrated by 'Auf ibn Malik in Imam Muslim's book that the Messenger of Allah (saw) was asked by his Companions, **"Should we not face them (the rulers) with the sword?"** The Messenger of Allah replied, **"No, so long as they establish *salah* amongst you."** The establishment of *salah* in this hadith is in fact an indication of ruling by Islam. These two ahadith are concerned with the taking to task of the Muslim ruler in *Dar al-Islam*, demonstrating the manner of his questioning and the circumstances surrounding the use of material power to oppose the emergence of clear (open) *Kufr* in *Dar al-Islam* when previously it was not there.

(f) As for the need to work to restore the Khilafah State, and thereby to rule by what Allah (swt) has revealed, this is because Allah (swt) has obliged Muslims to restrict themselves to all the rules of the Shari'ah, and He (swt) made it obligatory upon them to govern with His (swt) revelation. This would not be possible unless there exists an Islamic State and a Khaleefah who applies Islam upon the people.

Since the Khilafah was demolished after the First World War, Muslims have been living without an Islamic State and without an Islamic rule. Therefore, the work for the restoration of the Khilafah, as well as the rule by what Allah (swt) has revealed is a decisive obligation that Islam imposes upon all Muslims. It is an unavoidable obligation (with no option, or complacency). Any neglect in performing this duty is a great sin, for the committing of which Allah (swt) punishes severely. The Messenger of Allah (saw) said, **"Whosoever dies without having a *bay'ah* (pledge of allegiance to the Khaleefah) upon his neck, dies a death of jahiliyyah."**

And a failure to observe this duty is a negligence of one of the most important commands of Islam, since the execution of Islam depends upon this command. Even establishing Islam in the course of life depends upon it, and, *'Whatever is necessary to accomplish an obligation is itself an obligation.'*

Therefore Hizb ut-Tahrir was established and its formation was based on the Islamic '*aqeedah*'. It adopted those concepts and rules of Islam that are required to implement its aim. It has avoided the shortcomings and the causes that have led to the failure of the movements that were established to revive Muslims by Islam. The Party understood intellectually and profoundly the idea and method from the Qur'an, Sunnah, Ijma' of the Sahabah and Qiyas (analogy). It took the situation as a subject for its thought so as to change it according to the rules of Islam. It committed itself with the method of the Messenger of Allah (saw) in his work to convey the *da'wah* in Makkah till he established the State in Madinah. The Party made the '*aqeedah*', its thoughts and laws the affiliation that binds together its members.

It therefore deserves that the Ummah embraces it and proceeds with it; in fact the Ummah must embrace it and proceed with it because it is the only party that digests its idea, foresees its method, understands its issue, and commits itself to follow the *seerah* of the Messenger of Allah (saw) without any deviation from it, and without letting anything dissuade it from achieving its aim.

3. The Aim of Hizb ut-Tahrir

Its aim is to resume the Islamic way of life and to convey the Islamic *da'wah* to the world. This objective means bringing the Muslims back to living an Islamic way of life in *Dar al-Islam* and in an Islamic society such that all of life's affairs in society are administered according to the Shari'ah rules, and the viewpoint in it is the *halal* and the *haram* under the shade of the Islamic State, which is the Khilafah State. That state is the one in which Muslims appoint a Khaleefah and give him the *bay'ah* to listen and obey on condition that he rules according to the Book of Allah (swt) and the Sunnah of the Messenger of Allah (saw) and on condition that he conveys Islam as a message to the world through *da'wah* and jihad.

The Party, as well, aims at the correct revival of the Ummah through enlightened thought. It also strives to bring her back to her previous might and glory such that she wrests the reins of initiative away from other states and nations, and returns to her rightful place as the first state in the world, as she was in the past, when she governs the world according to the laws of Islam.

It also aims to bring back the Islamic guidance for mankind and to lead the Ummah into a struggle with *Kufr*, its systems and its thoughts so that Islam encapsulates the world.

4. Membership in Hizb ut-Tahrir

The Party accepts Muslim men and women as its members regardless of whether they are Arab or non-Arab, white or coloured, since it is a party for all Muslims. It invites all Muslims to carry Islam and adopt its systems regardless of their nationalities, colours and *madhahib* (Schools of Thought), as it looks to all of them according to the viewpoint of Islam.

The method of affiliating the people to the Party is through their embracing of the Islamic '*aqeedah*', their maturity in the Party culture, and by their adoption of the thoughts and opinions of the Party. The person in question imposes himself on the Party, when he melts into it, and when the *da'wah* interacts with him and he adopts the thoughts and the concepts of the Party. So the affiliation that binds together the members of the Party is the Islamic '*aqeedah*' and the Party's culture which originates from this '*aqeedah*'. The women's circles in the Party are separate from the men's circles. Women's circles are supervised by either their husbands, relatives who they cannot marry or by other women.

5. Hizb ut-Tahrir's Work

The work of Hizb ut-Tahrir is to carry the Islamic *da'wah* in order to change the situation of the corrupt society so that it is transformed into an Islamic society. It aims to do this by firstly changing the society's existing thoughts to Islamic thoughts so that such thoughts become the public opinion among the people, who are then driven to implement and act upon them. Secondly the Party works to change the emotions in the society until they become Islamic emotions that accept only that which pleases Allah (swt) and rebel against and detest anything which angers Allah (swt). Finally, the Party works to change the relationships in the society until they become Islamic relationships which proceed in accordance with the laws and solutions of Islam. These actions which the Party performs are political actions, since they relate to the affairs of the people in accordance with the Shari'ah rules and solutions, and politics in Islam is looking after the affairs of the people, either in opinion or in execution or both, according to the laws and solutions of Islam.

What is manifested in these political actions is culturing the Ummah with the Islamic culture in order to melt her with Islam and to cleanse her of the corrupt creeds, false thoughts and erroneous concepts including the influence of *Kufr* thoughts and opinions.

What is also manifested in these political actions is an intellectual and political struggle. The manifestation of an intellectual struggle is through the struggle against the thoughts and systems of *Kufr*. It is also manifested in the struggle against false thoughts, corrupt creeds and erroneous concepts by demonstrating their corruption, showing their error and presenting clearly the verdict of Islam concerning them.

As for the political struggle, it is manifested in the struggle against the disbelieving imperialists, to deliver the Ummah from their domination and to liberate her from their influence by uprooting their intellectual, cultural, political, economic and military roots from all of the Muslim countries.

The political struggle also appears in challenging the rulers, revealing their treasons and conspiracies against the Ummah, and by taking them to task and changing them if they denied the rights of the Ummah, or refrained from performing their duties towards her, or ignored any matter of her affairs, or violated the laws of Islam.

So all the work of the Party is political, whether it is in office or not. Its work is not educational, as it is not a school, nor is its work concerned with giving sermons and preaching. Rather its work is political, in which the thoughts and laws of Islam are presented in order to act upon them and to carry them so as to establish them in life's affairs and in the State.

The Party conveys the *da'wah* for Islam so that it is implemented, and so that its '*aqeedah*' becomes the foundation of the State and the foundation of its constitution and canons. This is because the Islamic '*aqeedah*' is a rational creed and it is a political doctrine from which originates a system that deals with all of man's problems, whether they are political, economic, cultural, social or any other issue for that matter.

6. The Place of Hizb ut-Tahrir's Work

Although Islam is a universal ideology, its method does not, however, allow one to work for it universally from the beginning. It is necessary, however, to invite to it universally, and make the field of work for it in one country, or a few countries, until it is consolidated there and the Islamic State is established.

The whole world is a suitable location for the Islamic *da'wah*. But since the people in the Muslim countries have already embraced Islam, it is necessary that the *da'wah* starts there. The Arab countries are the most suitable location to start carrying the *da'wah* because these countries, which constitute part of the Muslim world, are inhabited by people who speak the Arabic language, which is the language of the Qur'an and hadith, and is an essential part of Islam and a basic element of the Islamic culture.

The Hizb began and started to carry the *da'wah* within some of the Arab countries. It then proceeded to expand the delivery of the *da'wah* naturally until it began to function in many Arab countries and also in non-Arab Muslim countries as well.

7. Adoption in Hizb ut-Tahrir

After study, thought and investigation about the current situation of the Ummah and about what state it had reached, and the situation at the time of the Messenger of Allah (saw), and the time of the four Khulafa`a ar-Rashidun and the time of those who followed them, and referring to the *seerah* and the method by which he (saw) had carried the *da'wah* from the moment he had started until he had established the State in Madinah; and after studying the way that he (saw) functioned in Madinah and by referring to the Book of Allah (swt), and the Sunnah of His Messenger (saw) and to what they indicated of the Ijma' of the Sahabah and Qiyas, and the enlightened opinions of the Sahabah and their followers, and the opinions of the *mujtahideen*, after all this Hizb ut-Tahrir then adopted thoughts, opinions and laws related to the idea and method. They are but Islamic thoughts, opinions and rules, nothing of which is un-Islamic, nor are they affected by anything un-Islamic; rather they are nothing but Islamic and they do not depend upon anything other than the sources of Islam. The Party resorts to thought in concluding these thoughts, opinions and rules.

The Hizb adopted the thoughts, rules and opinions that are necessary for it to proceed in the work to resume the Islamic way of life and to carry the Islamic *da'wah* to the world through the establishing of the Khilafah State and appointing the Khaleefah.

The Party enclosed all that it adopted and what was issued by it of thoughts, rules and opinions in its books and in its many leaflets which it published and issued to the people.

These are the books which the Party has issued:

- The System of Islam
- The Ruling System of Islam
- The Economic System of Islam
- The Social System of Islam
- The Party Structure
- The Concepts of Hizb ut-Tahrir
- The Islamic State
- The Islamic Personality (in three volumes)
- Political Concepts of Hizb ut-Tahrir
- Political Views of Hizb ut-Tahrir
- Introduction to the Constitution
- The Khilafah
- How the Khilafah was Destroyed
- The Penal Code
- The Rules of Evidences
- Refutation of Marxist Communism
- Thought
- Presence of Mind
- The Islamic Thought
- The Refutation of the Theory of Liability in Western Law
- A Warm Call
- The Ideal Economic Policy
- The Treasury in the Khilafah State

The Party has also issued thousands of leaflets, reminders and intellectual and political booklets.

When the Party carries these concepts and rules to the people, it carries them politically, i.e. it carries these concepts to them so that the people adopt them, act upon them and carry

them to establish them in government and in life's affairs. This is because it is a duty upon them as Muslims, as it is a duty on the Party as an Islamic party, and its members as Muslims.

The Party depends in its adoption of the Islamic thoughts and rules solely upon the revelation of the Qur'an, the Sunnah, Ijma' of the Sahabah and Qiyas, because these four sources are the only sources whose proof has been confirmed by definite evidence.

8. The Method of Hizb ut-Tahrir

The method adopted by Hizb ut-Tahrir to convey the *da'wah* is Shari'ah Law derived from the *seerah* of the Messenger of Allah (saw) in his performance during the conveyance of the *da'wah*. This is so because it is obligatory to follow him, as Allah (swt) says,

"Surely, in the Messenger of Allah, is the best example for those who believe in Allah and the Last Day and remember Allah often." [TMQ 33:21]

"Say if you love Allah follow me, Allah will love you and forgive you your sins." [TMQ 3:31]

"Whatever the Messenger gives you take it, and whatever he forbids you abstain from it." [TMQ 59:7]

There are many other such verses which denote that following the Messenger of Allah (saw), taking him as an example and taking all aspects of the deen from him is obligatory.

Since the Muslims nowadays live in *Dar al-Kufr*, because they are governed with laws other than the revelation of Allah (swt), so their land resembles Makkah where the Messenger of Allah (saw) was first sent as a Messenger. Therefore, it is necessary to take the Makkan part of the Messenger of Allah's *seerah* as an example in conveying the *da'wah*.

By studying the life of the Messenger of Allah (saw) in Makkah until he (saw) had managed to establish the Islamic State in Madinah, it is evident that he (saw) went through clearly defined stages, in each of which he (saw) used to perform specific clear actions. So the Party took from that the method of action, the stages of its action and the deeds which it has to perform during these stages in accordance with the deeds which the Messenger of Allah (saw) performed during the stages of his work.

Based on this, the Party defined its method of work into three stages:

- **The First Stage:** The stage of culturing to produce people who believe in the idea and the method of the Party, so that they form the Party group.
- **The Second Stage:** The stage of interaction with the Ummah, to let the Ummah embrace and carry Islam, so that the Ummah takes it up as its issue, and thus works to establish it in the affairs of life.
- **The Third Stage:** The stage of establishing government, implementing Islam generally and comprehensively, and carrying it as a message to the world.

The Party started the first stage in al-Quds in 1372 AH (1953 CE) under the leadership of its founder, the honourable scholar, thinker, able politician, *qadi* in the Court of Appeals in al-Quds, Taqiuddin al-Nabhani (may Allah's mercy be upon him). In this stage, the Party used to make contact with the members of the Ummah, presenting to them, on an individual basis, its idea and method. Whoever accepted the basic idea, the Party would organise for him intensive study in the circles of the Party, so that he became purified by the thoughts and rules of Islam adopted by the Party and thus in the process became an Islamic personality. Thus he interacts with Islam and enjoys an Islamic mentality and Islamic emotions leading him to start to carry the *da'wah* to the people. When a person reaches this stage he impresses himself on the Party and thus becomes a member of it. This is the way in which the Messenger of Allah (saw) had acted in his first stage of the *da'wah*, which continued for three years, by inviting people individually and presenting to them that which Allah (swt) had revealed to him (saw). He gathered together secretly those who believed in him on the basis of this ideology. He was concerned to teach them Islam and read to them from what was revealed and was being revealed to him until he had melted them with Islam. He used to meet them secretly and teach them in places hidden from the

eyes of the people. They also used to perform their worship in disguise. Eventually, the *da'wah* for Islam spread in Makkah, and people started to talk about it and began to enter Islam in groups.

At this stage of the *da'wah*, the Party focused its attention on building its body, increasing its membership and culturing the individuals in its circles by the concentrated Party culture until it had managed to form a party structure from people who were melted by Islam, and who had adopted the thoughts of the Party and had interacted with these thoughts and conveyed them to the people. After the Party had managed to form its structure and society had become aware of it, recognised it and its thoughts and what it was calling for, the Party moved to the second stage.

This stage is the interaction with the Ummah to make her carry Islam and to establish in the Ummah the common awareness and the public opinion over the thoughts and the rules of Islam adopted by the Party, so that she adopts them as her own thoughts and strives to establish them in life, and proceeds with the Party in the work to establish the Khilafah State and to appoint the Khaleefah in order to resume the Islamic way of life and carry the Islamic *da'wah* to the world.

In this stage the Party developed its activities from only approaching individuals to also talking to the masses collectively. In this stage it used to carry out the following functions:

1. The concentrated culturing of individuals in circles to build the body of the Party and increase its members, and produce Islamic personalities that are capable of conveying the *da'wah* and rushing forward into the intellectual and political struggle.
2. The collective culturing of the masses of the Ummah with the thoughts and the rules of Islam which the Hizb had adopted, through lessons, lectures, and talks in the mosques, centres and common gathering places, and through the press, books and leaflets. This was done in order to create a common awareness within the Ummah and to interact with her.
3. The intellectual struggle against the *Kufr* creeds, systems and thoughts, the erroneous ideas and the fraudulent concepts by exposing their falsehood, defects and contradiction with Islam, in order to deliver the Ummah from them and from their effects.
4. The political struggle, which is represented by the following:
 - A struggle against the *Kufr* colonialist states which have domination and influence on the Islamic countries. The challenge against colonialism in all its intellectual, political, economic and military forms, involves exposing its plans, and revealing its conspiracies in order to deliver the Ummah from its control and to liberate it from any effect of its influence.
 - A struggle against the rulers in the Arab and Muslim countries, by exposing them, taking them to task, acting to change them whenever they denied the rights of the Ummah or neglected to perform their duty towards her, or ignored any of her affairs, and whenever they disagreed with the rules of Islam, and acting also to remove their regimes so as to establish the Islamic rule in its place.
5. To assume the interests of the Ummah and to adopt its affairs in accordance with the Shari'ah rules.

The Party has carried out all this work following what the Messenger of Allah (saw) did after Allah (swt) had revealed to him,

"Proclaim what you are ordered (to say) and turn away from the idolaters." [TMQ 15:94]

The Messenger of Allah (saw) proclaimed his message and invited Quraysh to Mount Safa and told them that he was a Messenger sent to them. He asked them to believe in him. He started to make his call to the masses as well as to the individuals. When Quraysh opposed him, he confronted Quraysh, its false gods, creeds and thoughts, explaining their falsehood,

corruption and defects. He defamed them and attacked them as he attacked all the existing false creeds and ideas. The verses of the Qur'an were revealed to him continuously over these issues and they condemned Qurayshites' acts of devouring *riba*, the burying of their daughters alive, the fraudulent weighing and fornication. Verses were also revealed attacking the leaders and chiefs of Quraysh, insulting them, their thoughts and their forefathers, and exposing their conspiracies against the Messenger of Allah (saw) and against his *da'wah* and his Sahabah.

The Party was clear, open and challenging in the carrying of its thoughts and in confronting the false thoughts and political parties, both in its struggle against the disbelieving colonialists and in its struggle against the rulers. It does not flatter, coax, act courteously or prefer safety, irrespective of the results or the circumstances of its *da'wah*. It challenges everybody who disagrees with Islam and its laws, a matter which has exposed it to severe harm committed by the rulers against it; such as imprisonment, torture, deportation, pursuit, attacking members livelihoods, impairment of interests, banning from travelling and murder. The oppressive rulers in Iraq, Syria, Libya and others have killed dozens of its members. The prisons of Jordan, Syria, Iraq, Egypt, Libya and Tunisia are full of its members. The Party sustained all this through following the example of the Messenger of Allah (saw). It was he (saw) who came with the Message of Islam to the whole world. He challenged it in an open manner, believing in the truth which he (saw) called for. He (saw) challenged the whole world, struggling with all and sundry, without giving any account to their habits, traditions, religions, creeds, rulers or common people. He paid not the slightest attention to anything except the Message of Islam. He took the initiative against Quraysh by defaming its gods. He challenged them about their beliefs and he insulted them whilst he was only one person, without either adequate means or helpers, and having no weapons except his deep *Iman* in the Message of Islam which he (saw) was sent with. Though the Party committed itself to be open, clear and challengingly in its *da'wah*, it restricted itself to political actions alone and did not exceed them by resorting to material actions against the rulers or against those who opposed its *da'wah*, following the example of the Messenger of Allah (saw) who restricted himself in Makkah solely to the *da'wah* and he (saw) did not carry out any material actions until he had migrated to Madinah. And when the people of the second pledge of 'Aqabah proposed that he give them permission to fight the people of Mina with the sword, he answered them saying: **"We have not been ordered to do that yet"**. And Allah (swt) asked him (saw) to be patient about the persecution as the Messengers of Allah before him had been, when Allah (swt) said to them,

"Messengers indeed have been denied before you, and yet they remained patient after the rejection (of their message) and they were patient against the persecution till our victory reached them" [TMQ 6:34]

The fact that the Party does not use material power to defend itself or as a weapon against the rulers is of no relevance to the subject of jihad, because jihad has to continue till the Day of Judgement. So whenever the disbelieving enemies attack an Islamic country it becomes compulsory on its Muslim citizens to repel the enemy. The members of Hizb ut-Tahrir in that country are a part of the Muslims and it is obligatory upon them as it is upon other Muslims, in their capacity as Muslims, to fight the enemy and repel them. Whenever there is a Muslim amir who declares jihad to enhance the Word of Allah (swt) and mobilises the people to do that, the members of Hizb ut-Tahrir will respond in their capacity as Muslims in the country where the general call to arms was proclaimed.

When the society became unresponsive to the Party as a result of the loss of the Ummah's confidence in its leaders and chiefs on whom it had placed its hopes, the difficult circumstances under which the region was placed in order to ease the implementation of the conspiracies, the oppression and despondency which the rulers practised against their peoples and the severe harm which the rulers inflicted on the Party and its members, when

the society became unresponsive for these reasons the Party started to seek the support of the influential people with two objectives in mind:

1. For the objective of protection, so that it could manage to continue its *da'wah* while secure from affliction.
2. To take over the rule in order to establish the Khilafah and apply Islam.

In addition to performing the actions of seeking material support, the Hizb continues to perform all the actions which it used to carry out, like concentrated circles, the collective culturing, focusing on the Ummah to make her carry Islam and establishing the public opinion for Islam within it. It continued to struggle against the colonial disbelieving states by revealing their plans and exposing their conspiracies, as it continued to struggle against the rulers by adopting the interests of the Ummah and taking care of its affairs.

The Party still continues in its work and hopes that Allah (swt) will grant to it and to the Islamic Ummah the help, success and victory, and at that moment the believers will rejoice.

9. The Thought of Hizb ut-Tahrir

The idea upon which Hizb ut-Tahrir is established, which is embodied in its members and which it works to melt the Ummah with, so that she takes it as her issue, is the Islamic idea, i.e. the Islamic '*aqeedah* together with the laws which originate from it and the thoughts which are built upon it.

From this idea the Party has adopted the amount which it needs as a political party that is working to bring Islam into society i.e. to embody Islam in ruling, relationships and the various affairs of life. The Party has explained everything it has adopted in detail in its books and leaflets which it has published, together with detailed evidences for every rule, opinion, thought and every concept.

The following are general examples of the important thoughts, rules, opinions and concepts it has adopted.

9.1 The Islamic '*Aqeedah*

The Islamic '*aqeedah* is *Iman* in Allah (swt), His angels, His books, His messengers, the Last Day, and *Iman* in *al-Qada' wal Qadar* (Divine Fate and Destiny), their good and bad being from Allah (swt).

Iman is *attasdiq al-jazim* (the decisive assent), which agrees with reality, based on evidence. So if the *tasdiq* (assent) is not based on evidence it is not *Iman*, because it is not decisive, and the *tasdiq* is not decisive unless it is established on the basis of *qat'i* (definite) evidence. Therefore it is inevitable that the evidence for the '*aqeedah* must be *qat'i* and it must not be *zanni* (indefinite).

The '*aqeedah* is: 'To bear witness that there is no deity but Allah and that Muhammad is the Messenger of Allah.' And it is not a witness unless it is based upon '*ilm* (knowledge), *yaqeen* (certainty) and *sidq* (assent). It is not based on *zann* (doubt) because *zann* does not avail '*ilm* and *yaqeen*.

The Islamic '*aqeedah* is the basis of Islam and the basis of its viewpoint towards life. It is also the basis of the State, the constitution and all the canons, as it is the basis of every Islamic thought, law and concept that is derived from it or that is built upon it. Thus it is an intellectual leadership and an intellectual basis. And it is a political creed, because the thoughts, laws, opinions and concepts that originate from it, or are built upon it, relate to caring for worldly affairs as well as the matters of the Hereafter. It is the basis of caring for worldly affairs since it includes laws about trading, renting, attorney, sponsoring, marriage, companies and inheritance as much as it includes laws which manifest the manner in which the laws of caring for worldly affairs are executed, such as the laws of how to establish the amir of a group, and laws about the method of appointing the amir, obeying him and taking him to task. The laws of jihad, treaty, peace and cease-fire as well as the penal code and many others are also derived from the '*aqeedah*. Therefore, it is an '*aqeedah* that cares for the affairs and hence it is a political creed. This is because politics is caring for the affairs. And this is an '*aqeedah* which is not detached from the struggle and fight necessary to convey its *da'wah*, to protect it, to establish it in authority, its protection by the authority, to make sure that the authority remains based upon it and implements it. And it is necessary to take the authority to task if it is negligent in its implementation and execution or in carrying of its message to the world.

The Islamic '*aqeedah* requires that only Allah (swt) should be worshipped, that He (swt) alone be given absolute obedience and that only He (swt) has the right to make the Law. It also requires the negation of worshipping all things and creatures like idols, tyrants, whims and desires because Allah (swt) alone is the Creator, the only One to be worshipped, the

Judge, the One Who acts as He wishes, the Law-Giver, the Guide, the One Who provides, gives life and causes death, the Helper and Sovereign, and the Only One Who is able to do everything. In these nothing from His creation has any share.

And the Islamic 'aqeedah also requires that we only follow Muhammad, the Messenger of Allah (saw). Hence, no one is followed except him (saw) and laws are not taken from anyone else except him (saw), because he (saw) is the conveyer of Allah's (swt) legislation and it is not allowed to take the legislation from men, religions, principles or legislators other than him (saw). Rather it is a duty to only follow and take from him (saw).

"Whatever the Messenger gives you take it. And whatever he forbids you abstain from it. " [TMQ 59:7]

"It is not fitting for a believer, man or woman, that when a matter has been decided by Allah and His Messenger, to have any option about their decision." [TMQ 33:36]

"But no, by your Lord, they will not believe (in truth) until they make you the judge in all disputes between them." [TMQ 4:65]

"Let those beware who oppose the Messenger's order, lest some calamity befall them, or a grievous penalty be inflicted on them. " [TMQ 24:63]

The Islamic 'aqeedah demands as an obligation the complete and comprehensive application of Islam all at once, and it prohibits applying a part of it and leaving the remaining part, just as it prohibits its gradual implementation. This is so because Muslims have been ordered to implement all that Allah (swt) has revealed unto His Messenger after the following verse was sent down without differentiating between any two rules,

"This day I have perfected your deen for you, and completed my favour upon you and have chosen for you Islam as your deen." [TMQ 5:3]

This is so because all of Allah's orders are equal as regards implementation. It is for this reason that Abu Bakr together with the Sahabah fought those who refused to pay the *zakat* because they refused to implement only one rule, i.e. giving *zakat*, and Allah (swt) has threatened those who differentiate between any two orders or believe in a part of the Book and neglect or refuse the remaining part, with disgrace in this life and severe torture in the Hereafter, when He (swt) says,

"Then is it only a part of the Book that you believe in, and do you deny a part? What is the reward for those among you who do so, except disgrace in this life? And on the Day of Judgement they shall be consigned to the most grievous penalty." [TMQ 2:85]

The Party has dealt with the thoughts of the 'aqeedah and related topics such as proof of the existence of Allah (swt), the Creator, and the proof of the need for messengers, the proof that the Qur'an is from Allah (swt) and that Muhammad (saw) is a messenger of Allah. All of this is by rational and textual proof from the Qur'an and hadith *mutawatir*. The Party has also dealt with other topics such as *Qadar*, *al-Qada' wal Qadar*, *rizq* (livelihood), *ajal* (life span), *tawakkul* (trust in Allah (swt)) and *hidayah* (guidance) and *dalal* (misguidance).

9.2 Principles of the Shari'ah

The principle that the basis of actions is to be restricted to the *Hukm Shar'i* (the Shari'ah ruling) and therefore no action is performed until its ruling is known. The basis of things is permissibility unless there is an evidence for prohibition.

In the Shari'ah a Muslim is required to perform all actions according to the Shari'ah rules. Allah (swt) says,

"But no, by your Lord, they will not believe (in truth) until they make you the judge in all disputes between them." [TMQ 4:65]

And He (swt) also says,

"Whatever the Messenger gives you take it. And whatever he forbids you abstain from it." [TMQ 59:7]

Therefore the basis for every Muslim is to restrict all his actions by the Shari'ah rules. *Al-Hukm* (the rule) is the speech of the Law-Giver relating to human actions. Therefore any action not specified by the speech of the Law-Giver cannot be a Shari'ah rule. Allah (swt) has laid down the rule for every action and thing in this world when He (swt) commands,

"This day I have perfected your *deen* for you, and completed my favour upon you and have chosen for you Islam as your *deen*." [TMQ 5:3]

"And We have revealed unto you the Book as clear explanation for everything." [TMQ 16:89]

The general speech of the Law-Giver establishes the *ibahah* (permissibility) of things and *ibahah* is a Shari'ah ruling because *ibahah* is the matter in which the Law-Giver has given the choice for man to do or not to do. Allah (swt) says,

"And He has created for you everything in the Heavens and in the Earth." [TMQ 2:29]

This means that Allah (swt) has created for us the things in the heavens and the earth, and that He (swt) has put them at our service and therefore they are, in general, *mubah* (permitted) and there is no need for any one of these things to have a specific evidence because it is included in the general rule of *ibahah*. Allah (swt) says,

"Eat that which is in the Earth, as *halal* and good." [TMQ 2:168]

And this means that generally eating anything is *halal* and it does not require a specific evidence because it is covered by the general rule of *ibahah*. The prohibition to eat things like carrion, pork, the fallen animal and predators or the prohibition to drink things like wine, have all come as a result of specific evidences for their prohibition and are exceptions to the general rule of things which is *ibahah*.

- Principle: Whatever is necessary to accomplish an obligation is itself an obligation.
- Principle: Taking along the original rule.
- Principle: Good is that which pleases Allah (swt) and Evil is that which makes Allah (swt) angry.
- Principle: Nice is that which the Shar'a portrays as nice and the abominable is what the Shar'a portrays as abominable.
- Principle: Matters of worship, food, drinks and morals are not to be reasoned intellectually but the text should be followed.

9.3 Shari'ah Definitions

The Shari'ah rule is defined as the speech of the Law-Giver relating to human actions, like the definition of *wajib* (obligatory) which is that which is a decisive request (command), or which if done, is rewardable and if left, is punishable, and the *haram* is that which is absolutely prohibited and the one who commits *haram* is punishable.

9.4 Non-Shari'ah Definitions

Like definitions of 'thought', 'rational method', 'scientific method' and 'society'. All these are definitions about reality.

9.4.1 Thought

The thought, the mind and comprehension are of the same meaning, which is the transfer of the reality to the brain through the senses together with previous information through which reality can be explained.

Four things are required for 'thought', they are:

- The presence of reality.
- The presence of a functioning brain.
- The presence of senses.
- The presence of previous information.

The presence of all these four things is necessary in order to ensure the rational process, i.e. to initiate 'the mind' or 'thought' or 'comprehension'.

(a) The Rational Method: The method by which things are understood is the method in which the mind can arrive to thoughts i.e. it is the manner by which the mind produces thought, so it is the method of thinking.

The rational method of thinking is a specific way adopted in research to attain understanding of the thing under consideration by transferring the sensation of reality through the senses to the brain, together with the presence of previous information by which the reality is explained. As a result the brain can produce its judgement of the reality. This judgement is the thought or the rational comprehension.

This occurs in discussing tangible matters like physics, in discussing thoughts like creeds and legislation, and in the understanding of words like in fiqh and literature. This method is the natural and original method to reach comprehension as it is, and its process is the way in which thought or understanding of things is realised. And by this method man, as a man, can reach the understanding of things.

(b) The Scientific Method: The scientific method is a specific method in research used to find the reality of something by performing experiments on that thing, and it is only employed in research on tangible things. It cannot be employed in the domain of thoughts and therefore is particular to the experimental subjects. It depends on subjecting the matter to conditions and environments other than its original conditions, and then comparing the original and the imposed conditions. By this process a tangible reality is deduced as is the case in laboratories. The result that the researcher obtains by the scientific method is not absolute, rather it is indefinite and therefore subject to error or the possibility of error. The possibility of error in the scientific method is one of its principles as laid down in scientific research.

This method is an offshoot of the rational method and is not a basis of thought. It is not possible to make it a basis because it is not an origin that could be built upon, rather it is a branch of an origin. Also in treating the scientific method as an origin would exclude most of the information and facts from research, and would lead to the absence of a large number of branches of knowledge which have been studied and which contain facts, despite the fact that they do definitely exist and are felt through the senses and reality.

9.4.3 Society

Society is a collection of people who are connected by the same thoughts, emotions and one system. It is a collection of people who have relationships between them and not simply just a collection of people only. A collection of people is a group and not a society. The key factor that forms a society is the relationships. The society in its detailed reality is people, thoughts, emotions and systems, and its correction or elevation can only proceed by correcting its thoughts, emotions and systems.

Societies are identified by the relationships and solutions adopted and so are said to be an Islamic, Communist, or Capitalist.

9.5 The Existing Ideologies in the World

Three ideologies exist in the present world. They are: Islam, Democratic Capitalism and Communism.

9.5.1 Democratic Capitalism

This is the ideology of the Western nations and the United States, and it is an ideology based on the separation of religion from the state and the separation of religion from worldly life, as stated by "*Render unto Caesar what is Caesar's and unto God what is God's.*"

On this basis, it is man who lays down his system in this life. This ideology is *Kufr* in nature and contradicts Islam because Allah (swt) is the sole Legislator and He (swt) is the only One Who laid down the system for man and made the State a part of the laws of Islam. He (swt) made it imperative that all matters of life be solved by Islamic laws which He (swt) has revealed. Therefore it is prohibited for Muslims to embrace the Capitalist ideology or to take its ideas or systems, because it is a *Kufr* ideology and its ideas are *Kufr* ideas, and its systems are *Kufr* systems and they contradict Islam.

Islam's Opinion on 'Rights' or 'Freedoms'

One of the most emphasised ideas in the Capitalist ideology is the necessity to safeguard the 'rights' (freedoms) of man. These rights are: freedom of belief, freedom of speech, freedom of ownership of capital, and personal freedom. The freedom of ownership resulted in the Capitalist economic system which is based on benefit, and which led to immense monopolies and pushed the Western disbelieving nations to colonise people and exploit their riches.

The four common 'freedoms' are in conflict with the laws of Islam. The Muslim is not free in the matter of his belief because if he apostasizes from Islam, he is asked to return. If he does not, his punishment is death. The Messenger of Allah (saw) said, "**Whosoever changes his deen, kill him.**"

The Muslim is not free in his opinion. His opinion is the opinion of Islam, and it is not allowed for a Muslim to have an opinion other than that of Islam.

The Muslim is not free to own and it is not correct for him to own except according to the divine means of ownership. He is not free to own what he likes and by the way he likes. He is rather restricted by the divine means of ownership and prohibited to own by means other than these. He cannot own by using *riba* or by monopolies or hoarding or by selling wine, pigs, or similar means which are prohibited.

Personal freedom does not exist in Islam because a Muslim is not free in personal affairs, but he is rather restricted by the Islamic Law. If he does not perform *salah* or fast, for example, he must be punished. If he drinks wine or commits adultery, he is punished. If a woman comes out uncovered or with a dazzling display of her beauty she is punished. Therefore the 'freedoms' as defined in the Western Capitalist system simply do not exist in Islam and they are in absolute conflict with the laws of Islam.

One of the principle concepts of Capitalist ideology is democracy.

Islam's opinion of Democracy

Democracy is the rule of people, for the people, by the people. The basis of the democratic system is that people possess the right of sovereignty, choice and implementation. They

have the right to execute their own choices because they are their own masters and no one has any sovereignty over them. They are therefore the law-makers. They make the laws which they choose and cancel the laws which they choose to remove; and because all people cannot do this by themselves, they elect representatives to make laws on their behalf. The people possess the right of ruling and implementation. Since it is unfeasible for them to rule by themselves, they elect rulers to rule on their behalf by the laws which people have made. Hence the people are the source of power in the Western Capitalist system. And the people are the masters, the ones who put laws and who govern.

This is the democratic system, and it is a *Kufir* system because it is laid down by man and it is not from the Shari'ah Laws. Therefore to rule by democracy is to rule by disbelief, and to call for it is to call for a *Kufir* system. Therefore to call for it is prohibited and to take from it is prohibited under all conditions. This democratic system is against the laws of Islam, because Muslims are ordered to perform their actions by the laws of Islam. A Muslim is Allah's slave. He acts only according to Allah's injunctions. i.e. what He (swt) has ordered and what He (swt) has prohibited.

The Ummah cannot act according to its desire because she does not own the sovereignty. The matter which controls the choice of the Ummah is the Shari'ah because to it alone belongs sovereignty. The Ummah, therefore, does not possess the right of legislation because Allah (swt) is the Legislator. If the whole Ummah decides to allow what Allah (swt) has prohibited like *riba* or monopolising or adultery or drinking wine, its consensus will be of no value because it contradicts with the laws of Islam. If it insists on doing so, it should be fought against. However, Allah (swt) has given the authority i.e. of rule, and the implementation to the Ummah and therefore given it the right to elect or appoint a ruler, so that he rules and implements on her behalf. Allah (swt) has ordained that the way this ruler is to be selected is through the *bay'ah*, and with this it is easy to realise the difference between sovereignty and authority. The sovereignty belongs to the Shari'ah and the authority is for the Ummah.

9.5.2 Communism

Communism is a materialistic ideology which is based upon the denial of anything other than the matter and it considers that matter is eternal, i.e. there is nothing before it and nothing after, that it was not created by a Creator, that neither a Creator nor the Last Day exist. It considers religion as an opium for the people.

It is a materialistic ideology based on the theory of materialistic and historical evolution. In its view the matter is the origin of everything and things originate from it and are produced through evolution. The system is acquired by means of production and the systems develop according to the development of the means of production, and society is a general collection consisting of the earth, the means of production, nature and man. All are one thing i.e. matter, and when nature and its contents evolve, man and the society evolves with it as well.

Therefore the society in Communism is subject to evolution and when the society evolves, man evolves with it, and he moves with the society in a way like the spoke within a wheel. Communism prohibits the personal possession of the means of production and considers them state property. The Communist ideology is a *Kufir* ideology and its ideas and systems are *Kufir* ideas and systems. It is in conflict with Islam totally and basically, both in its principles and details.

Islam clearly explained and proved that matter is created and is not absolute. It will be destroyed. Man is created by One Creator. The universe and what is in it are all created by One Creator. The system is from Allah (swt) and not from the evolution of matter or the means of production or from man. It also explained that society is composed of man.

thoughts, emotions and systems, and the issue which identifies the nature of societies is the system implemented in the society. The society that implements Islam will be an Islamic society whatever the means of production prevalent in it. Similarly, the society where Capitalism is implemented is a Capitalist society, and a society where Communism is implemented is a Communist society even though the means of production in it are the same as those in a Capitalist society.

9.6 Hadharah (Culture) and Madaniyyah (Civilisation)

Culture is a collection of concepts about life. Civilisation is the material shapes that are used in matters of life. Culture is therefore specific according to one's viewpoint in life. Therefore, Islamic culture is not equivalent to Western culture or Communist culture since everyone of these cultures has a different specific viewpoint with respect to life. Therefore it is prohibited for Muslims to take anything from Western or Communist culture, because of their contradiction with Islam.

As far as civilisation is concerned, if it results from a culture, like paintings of living things and statues, it is then considered specific to that culture and it is not allowed to be taken. The Islamic culture prohibits the making and the owning of statues as it prohibits the drawing of living things, whilst the Western culture and Communist culture allow them and don't forbid them.

If the civilisation results from the progress of science and technology, like the means of transportation e.g. aeroplanes, ships and cars, and also like the means of production such as agriculture, advanced machines of war and all that the human mind has produced as inventions, discoveries, or as a result of scientific progress and technological advancement like computers, then they can be acquired since they do not go against the laws of Islam; indeed it is necessary to acquire them. All these are universal forms and they are for the whole world and are not specific to any culture, nation or to any religion, in fact they are for all of mankind because they do not depend on culture nor on the point of view of life.

9.7 Some Laws of the Islamic System of Government

Islamic Authority: Islam has defined the Islamic authority as the rule according to that which Allah (swt) has revealed,

"And rule between them by what Allah has revealed, and do not follow their whims, and beware that they tempt you away from even some part of what Allah has revealed to you." [TMQ 5:49]

"And rule between them by what Allah has revealed, and do not follow their whims away from the Truth which came to you." [TMQ 5:48]

Thereupon every authority that rules according to what Allah (swt) has revealed i.e. rules exclusively according to the Book and the Sunnah, is an Islamic authority.

9.8 The Structure of the Islamic System of Government

Islam has determined the structure of Islamic government to be the system of Khilafah and it is the only system of ruling of the Islamic State. Muslim narrated about Abu Hazim, who said, **"I accompanied Abu Hurayrah for five years and heard him talking of the Prophet's saying: The Prophets ruled over Bani Israel, whenever a Prophet died another Prophet succeeded him, but there will be no Prophet after me. There will be Khulafa'a and they will number many."**

This hadith is a clear statement of the fact that the Islamic structure of government after the Messenger of Allah (saw) is the Khilafah. This fact is strengthened by evidence from

numerous other ahadith that the Khilafah or Imamah is the only system of government in Islam, like the hadith, "After me there will be Imams" and the hadith, "If a bay'ah is taken for two Khaleefahs..." and other ahadith which all indicate that the system of government in Islam is the Khilafah only.

9.8.1 The Method of Appointment of the Khaleefah

Islam has determined the way in which the Khaleefah is appointed to be by *bay'ah*. Nafi'a narrates from Ibn 'Umar, who said, "I heard the Messenger of Allah say: He who dies whilst there was no bay'ah (oath of allegiance) on his neck, he dies a death of jahiliyyah." 'Ubada ibn as-Samit said, "We took an oath on the Messenger of Allah that we would obey him and listen to him in the time of ease or hardship and we would not dispute the authority from those who have the right to it and that we would stand or say the truth wherever we were, not fearing the blame of anybody for the sake of Allah." And the hadith that, "If a bay'ah is taken for two Khaleefahs, kill the latter of them."

The ahadith explicitly indicate that the method of appointing the Khaleefah is by the *bay'ah*, and there was also an Ijma' of the Sahabah on this issue. Therefore when every rule and authority is based on the system of Khilafah, and the appointment of the Khaleefah takes place by way of the *bay'ah* and the rule is by what Allah (swt) has revealed i.e. by the Qur'an and Sunnah, then this is an Islamic divine rule, and an Islamic authority.

Any Khaleefah whom Muslims have chosen and to whom they have given their pledge of their own free will is considered a legitimate Khaleefah who must be obeyed.

Therefore the Monarchical system is not an Islamic system and Islam does not approve of it whether the king is a figurehead who does not rule, as is the case in Britain and Spain, because the Khaleefah is not a figurehead, rather he is the ruler and an executor of the laws of Allah (swt) on behalf of the Ummah, or if the king is the head and the actual ruler, as is the case in Saudi Arabia and Jordan. This is because the Khaleefah does not acquire his position like the kings do, rather, Muslims select him and give him the *bay'ah*. The hereditary system is not allowed in Islam; the Khaleefah does not have more privileges than any other Muslim citizen and he is not above the Law like the kings who cannot be tried, rather he is subservient to the laws of Allah (swt) and is liable to be accounted on every act he commits.

Similarly, the Republican system is not an Islamic system and Islam does not approve of it whether it is Presidential in nature as in the US or it is Parliamentary, as found in Germany, because the Republican system in both these forms is based on the democratic system which gives the sovereignty to the people, whilst the system of Khilafah is based on the system of Islam that gives sovereignty to the Shari'ah. Accordingly the Ummah does not have the right to remove the Khaleefah, though it has the right to choose him and to account him, and only the Islamic rule can remove the Khaleefah i.e. in case he works against the Shari'ah in such a way that it becomes necessary to remove him. The power to decide whether the Khaleefah has worked against the Law such that he must be removed rests with the *Mahkamat ul-Mudhalim* (Court of the Unjust Acts) which has the authority to remove him from the seat of Khaleefah, due to Allah (swt) saying,

"O you who believe! Obey Allah, obey the Messenger and the rulers from amongst you, and if you disagree on a matter then return it (for judgement) to Allah and the Messenger if you truly believe in Allah and the Last Day." [TMQ 4:59]

This means that they must turn over the matter to the Law of Allah (swt) and His Messenger (saw), and the Court of the Unjust Acts represents the Law of Allah (swt) and His Messenger (saw), whilst in the case of the President of the Republican system the

people have the right to remove him, because the people have the sovereignty and the authority. The Khaleefah is not elected for a limited term; the only limitation to his rule is the implementation of Islam. If he does not implement Islam, he will be removed even if it is after only one month of his appointment. In contrast the President of the Republic is elected for a limited term. Moreover, in the Parliamentary system there is the Prime Minister beside the President, and the President is only a figurehead without power, the real power rests with the Prime Minister. The Khaleefah is the real ruler and he rules and implements his orders and he has no ministers who rule independent of him.

Although the President in the Presidential system is himself the actual ruler, he does have with him ministers who have authority of ruling and he is their head and his rank is that of the President of the government. This is in contradiction to the system of Khilafah where the Khaleefah rules directly, and he has with him assistants. These assistants do not have the powers of ministers as in the democratic Republican system. When the Khaleefah becomes the ruler he is the ruler in the capacity of the head of the State and not the head of an executive committee. Therefore there exists a great difference between the Republican and the Khilafah systems, and therefore it is not allowed to name the Islamic State an Islamic Republic, nor is it allowed to say that the system of government in Islam is Republican nor that Islam is a Republican system because of the complete contradiction between the two.

9.8.2 The Unity of the Khilafah.

The system of government in Islam, which is the system of Khilafah, is a unitary system of one state and not a federal system. And Muslims all over the world are not allowed to have more than one Islamic State, nor to have more than one Khaleefah who rules them by the Book of Allah (swt) and the Sunnah of the Messenger of Allah (saw) i.e. he implements the Islamic Law, because Shari'ah evidences has established this and prohibited the existence of more than one state, as is narrated by 'Abdullah ibn 'Amr ibn al-'As, who said that he heard the Messenger of Allah (saw) say, **"He who gave the bay'ah to an Imam giving him the clasp of his hand and the fruit of his heart shall obey him as long as he can, and if another person comes to dispute with him (his authority) you have to strike the neck of that person."** And as narrated by Abu Said al-Khudri, that the Messenger of Allah (saw) said, **"If a bay'ah is taken for two Khaleefahs, kill the latter one"**, and as narrated by 'Arafaja that he heard the Messenger of Allah (saw) say, **"If someone comes to you when you are united over one man and wants to break your strength and divide your unity, kill him."**

These ahadith are clear statements of the fact that Muslims cannot have more than one Khaleefah, and if another person tries to wrest his power it is necessary to kill that person. If bay'ah is taken for two persons, the first is considered the Khaleefah and the second is killed if he does not back out. If anyone disputed with the Khaleefah in order to break up the State or to put himself forward as Khaleefah, he should be killed.

These ahadith are also explicit that Muslims are not allowed to have more than one state and they are explicit in the necessity that the Islamic State is a state of unity, and not a state of union, made up of many units.

9.9 The Principles of Government in Islam

The Islamic system of government is based on four principles:

9.9.1 Sovereignty is for Allah (swt) and not for the People

What controls and runs the Muslims and the Ummah is not the Muslims themselves, nor the Ummah, rather the choice of the Muslims and the Ummah is regulated by Allah's orders and prohibitions only.

"Surely they will not believe until they make you the judge in what they disagree." [TMQ 4:65]

"It is not for the believer (male or female) that when Allah and His Messenger have decided a matter that they should have any choice in their matter." [TMQ 33:36]

"O you who believe! Obey Allah, obey the Messenger and the rulers from amongst you, and if you disagree on a matter then return it (for judgement) to Allah and the Messenger if you truly believe in Allah and the Last Day." [TMQ 4:59]

And the Messenger of Allah's (saw) saying, **"None of you will be a (true) believer until his desire follows that which I have come with (i.e. Islam)."**

These evidences are explicit in making the sovereignty for the Laws of Allah (swt) and not for the Ummah.

9.9.2 The Authority is for the Ummah

It is clear that the authority i.e. the government, is for the Ummah because it is apparent in the method, defined by the Law-Giver in appointing the Khaleefah by the Ummah through the *bay'ah*, and also from the fact that the Khaleefah takes the authority by the *bay'ah* and he governs the Ummah on her behalf. And the fact that the Khaleefah takes the *bay'ah* is a clear proof that the actual authority is from the Ummah, who gives it to whom it sees fit. There are also other explicit ahadith which states that the Ummah appoints the leader and gives a *bay'ah* to him. It is narrated by 'Abdullah ibn 'Amr that the Messenger of Allah (saw) said, **"It is not allowed that three be in the open (during a journey) and that they do not make one of them their leader."**

It is clear here that the appointer is the Ummah. And the ahadith of *bay'ah*, already mentioned, clearly make the point that the authority is from the Ummah.

9.9.3 There is only one Khaleefah

To appoint one Khaleefah upon all Muslims to represent them in the government is a duty of the Muslims and we have gone through many ahadith about the appointment of the Khaleefah and the necessity that the Khaleefah is one, a matter which was also indicated by the Ijma' of the Sahabah.

9.9.4 The Khalifah alone has the right to adopt and enforce Islamic opinions in the State

The Khaleefah is the one who issues the constitution and the various canons. The Ijma' of the Sahabah proves that only the Khaleefah can adopt divine laws and from this consensus is deduced these famous principles: "The Imam's order settles the differences" and "The Imam's order is implemented" and "The Imam can put forward as many solutions as the (number of) problems which arise."

9.10 The Structure of the Islamic State

The structure of the Islamic State consists of the following components:

1. The Khaleefah.
2. Delegated Assistants.
3. The Executive Assistants.

4. The Amir of Jihad.
5. The Walis (Governors).
6. The Judiciary.
7. The Administrative System.
8. The Council of the Ummah.
9. The Army.

These components have been taken from the Sunnah of the Messenger of Allah (saw), because he (saw) built the structure of the State, and he (saw) was the head of the State, and he (saw) ordered the Muslims to put for themselves a Khaleefah (after him) and he (saw) appointed Abu Bakr and 'Umar as his assistants (as narrated in Tirmidhi), **"My two wazirs from the people of the earth are Abu Bakr and 'Umar."**

And wazir means the one who helps, and not the term Minister as used in the Western democracies. Similarly, the Messenger of Allah (saw) appointed commanders for war and jihad and appointed walis for the provinces. He appointed Mu'adh as a governor of Yemen and appointed 'Utbah ibn Usayd as governor of Makkah after the conquest of Makkah. Similarly, he (saw) appointed judges to judge between people. He appointed 'Ali ibn Abi Talib as a judge for Yemen and sent Rashid ibn 'Abdullah as the amir of judiciary and Unjust Acts. As regards to the administration structure, he (saw) appointed secretaries for the public administration, their rank being that of head of department. He appointed Mueqeeb ibn Abu Fatimah as secretary for the spoils of war and Hudhayfah ibn al-Yaman as secretary for collection of the *zakat* on the fruits of Hijaz.

As regards the Council of the Ummah, the Messenger of Allah (saw) did not always have a formal assembly, but he (saw) used to take advice from Muslims. He (saw) collected them on the day of Uhud and sought their advice. And sometimes he (saw) used to call specific persons on a continuous basis to seek their advice, and these were some of the leaders of their people (tribes), who included Hamzah, Abu Bakr, 'Umar, Ja'far, 'Ali, Ibn Mas'ud, Salman, 'Ammar, Hudhayfah, Abu Dharr, al-Miqdad, Sa'd ibn 'Ubadah and Sa'd ibn Mu'adh, and they were like an assembly whose advice was sought. Similarly, the Messenger of Allah (saw) formed an army and he was its real commander and he (saw) also used to appoint commanders in some of his battles.

9.11 Political Parties

The Muslims have a right (by Islam) to form political parties for the purpose of accounting the rulers or for establishing the government through the Ummah. There is, however, a pre-condition: these parties should be founded on the Islamic belief and doctrine, and the laws and solutions that they adopt should be solely Islamic laws and solutions. A licence or permission to form such a party is not required and it is allowed for more than one party to exist simultaneously, as Allah (swt) says.

"There should be amongst you a group(s) which calls for good, and commands what is right and forbids what is evil, surely they are the ones who are successful" [TMQ 3:104]

9.12 Taking the Rulers to Task

Allah (swt) made it obligatory upon the Muslims to obey the rulers and to account them for their actions and behaviour, and the order for the Muslims to account the rulers is decisive. He (swt) ordered them to work to change them if they oppressed the Ummah or were careless in their duty towards them or neglected any of their affairs or conflicted with any of the Islamic laws or ruled by anything other than what Allah (swt) revealed.

The Messenger of Allah (saw) said, "The best jihad is to say the truth before a tyrant ruler" and, "The prince of martyrs is Hamzah and the man who stood facing a tyrant ruler, gave him the correct advice and then the ruler killed him."

9.13 Obedience of the Ruler who rules by Islam is obligatory unless he orders with a sin

The obedience of the ruler who rules by the word of Allah (swt) is obligatory upon Muslims unless the ruler orders them to commit a sin or until he performs an act of *Kufr* bu'ah (open disbelief) in his government. Allah (swt) says,

"O you who believe! Obey Allah and obey the Messenger and the rulers amongst you."
[TMQ 4:59]

Therefore obedience to the Muslim ruler is absolute except when he orders a sinful act; in the latter case, obedience to the ruler is not allowed.

The Messenger of Allah (saw) said, "Listening and obeying is essential for a Muslim in what he likes or dislikes unless he is ordered to do a sinful act; if he is ordered a sinful act, then there is no listening nor obeying."

9.14 To openly oppose (rebel) against a Ruler who rules by Islam is prohibited unless he rules by clear Kufr

Islam has prohibited rebellion against a ruler as long as he rules by Islam, even if he commits some injustices; he should be accounted for that injustice, but rebellion cannot be invoked against him on the basis of his injustice. The Messenger of Allah (saw) said, "He who leaves (comes out of) the Ummah, has surely taken off the 'necklace' of Islam from around his neck until he returns."

In the ahadith, rebellion against the ruler is clearly prohibited even if they are unjust, except under one condition and that is if they rule by clear *Kufr*, which is without doubt *Kufr* by definite evidences. The Messenger of Allah (saw) said, "There will come rulers after me and you will see them doing evil, and disapprove. He who commands righteousness will pass and he who disapproves will be safe (on the Last Day), but he who agrees and follows, he will be punished. The companions asked: Should we not fight them (the rulers)? He (saw) replied: No, as long as they establish *salah*." The word *salah* in this hadith is in fact an indication of rule by Islam. 'Auf ibn Malik narrates (in Muslim), "The Messenger of Allah was asked: Should we not fight them by the sword? He said: No, as long as they establish *salah* amongst you" In 'Ubada ibn as-Samit's hadith, "That we will not wrest power from its possessors until you see clear *Kufr* of which you have clear proof from Allah."

9.15 The Laws in the Economic System In Islam

Hizb ut-Tahrir has written a long preface to its book The Economic System of Islam to specifically criticise the economic thought of the Capitalist, Communist and Socialist economic systems. It has explained the wrongs inherent in all these economic thoughts and also explained their contradictions with the thoughts and the laws of the economic system in Islam.

9.15.1 The Economic Policy of Islam

The policy of the economic system in Islam is to guarantee the fulfillment of all basic needs of every person and to enable every individual to satisfy his additional needs as much as possible, given that he lives in an Islamic society which has a special way of life.

Therefore, the laws of Shari'ah contain the fulfilment of man's basic needs like food, drink and shelter for every person and that is achieved by forcing those capable to work, so that their basic needs and those of their dependants are met. Islam has obliged the father to provide for his dependants, and obliged his inheritor to provide for these needs if the father is unable to do so. If there is no one who is capable to provide for these needs, *Bait al-Mal* (state treasury) will provide for them. In this way Islam has guaranteed to fulfill the basic needs which every individual requires as a human being.

9.15.2 The Economic Problem in the view of Islam

It is the distribution of capital and services amongst all the people. In other words, it is the distribution of wealth and not the production of wealth.

9.15.3 The Origin of Ownership of Capital

Capital is originally the property of Allah (swt) alone and Allah (swt) has given it to man, and thus man has the right to own it. It is Allah (swt) Who has allowed the individual to own it and through this special permission the individual becomes its real owner. Allah (swt) says,

"So give them from the wealth of Allah which He has given you." [TMQ 24:33]

Here the capital is described as Allah's. And Allah (swt) says,

"So spend from that in which He has made you heirs." [TMQ 57:7]

Here He (swt) has made people the heirs of capital from Him. He (swt) made them the heirs.

9.15.4 Types of Property

There are three types of property: Individual Property, Public Property and State Property.

Individual Property

It is the permission of the Law-Giver for man to utilise capital, by consumption, use or exchange. Islam has made ownership as a legal right for the individual. Thus he can possess movable property such as cattle, money, automobiles, clothes and immovable property such as land, housing and factories. The Shari'ah has given the possessor the power over what he owns so he can dispose of it. But the Law-Giver has defined the means by which a person can possess and invest capital, as well as the ways to dispose of it.

Means of Ownership

The Law-Giver has defined the means by which man can own and invest his capital. One of these means of ownership is work by all its forms like working for one's self and for others, cultivating the dead land, hunting and mining, brokering, *mudharabah* and *musaqat*. Islam has defined other means of ownership such as inheritance, need of money for one's life, grants of the State's property to citizens, and capital acquired without labour and without exchange of property such as the capital from presents, gifts, by will, blood money, dowry and lost property.

Islam also made agriculture, trading and industry as means to invest and earn capital and defined the ways by which a Muslim can invest and earn, as it defined the ways under which a Muslim is prohibited to invest his capital or to take it as a means of earning. So it prohibited the earning and investing of capital by the following ways:

Capitalist Shareholding Companies

The Capitalist shareholding companies are forbidden by Islam and are not allowed because they do not fulfill all the conditions of contract and conditions of correctness given by Shar'a. In shareholding companies the elements of contract that consist of offer and acceptance are not fulfilled because the contract is sealed by one side, that is the shareholder, because by signing to the conditions of a company the person becomes a partner, and simply by buying stocks (shares), he becomes a partner. Therefore, it is considered by the Capitalist people as an individual choice. There are not two parties in a shareholding company, but only one party which runs the company, and there is no offer and acceptance, but offer only, and it does not contain capital and body labour, but rather there is only capital.

The permitted form of a company must be through offer and acceptance, between two parties as in selling or renting and as in similar contracts. It must be between two bodies (persons involved) or between capital and a body, and it is not permitted between capitals only without the body (labour). Therefore the Capitalist shareholding company is not correctly formed because it does not have an essential element of the conditions of contract and therefore is a false contract and is prohibited. Being against the Shari'ah, it is considered of that which Allah (swt) prohibited, because it fails to fulfill the essential conditions that Allah (swt) has laid down for company contracts. Added to that, it goes against what Allah (swt) has warned of, that is not "to do against His order". Allah (swt) has warned,

"Those who oppose Allah's order have to be warned that a calamity may strike them or a painful doom may fall upon them." [TMQ 24:63]

Islam has also prohibited the earning and investing of capital by means of interest, hoarding, monopoly, gambling, fraud, cheating or by selling wine, pigs, dead meat, crosses, Christmas trees or by means of theft, deceit, robbery, bribery or other unfair means.

Public Property

The second type of property is the Public Property and it is defined as the commodities which Islam has made the property of Muslims as a whole, and made it common between them, allowing individuals to utilise them, but forbidding them to own them as their own property.

These commodities come under three main subheadings:

(a) Utilities Of The Community: The utilities of the community without which the everyday life of the community cannot properly function, and if it does not have the utility it will disperse. Under this category comes water; the Messenger of Allah (saw) said, "The people are partners in three things: Water, pastures and fire."

However, the order is not restricted to these three things, it includes everything that is a common need for the whole community. All machinery used for these things is similarly Public Property, like machinery for drawing water for public use, the pipes for transporting water to consumers, and hydro-electric power stations and its pylons and distribution cables.

(b) Public Commodities: Commodities that by their nature naturally cannot be an individual's property like the seas, rivers, public parks, mosques and public roads. The Messenger of Allah (saw) said, "Whoever reaches Mina first has the right to it."

This category include trains, transmission poles, water pipes and sewerage drains along the public roads; they cannot be an individual's property for they belong to the public. The Messenger of Allah (saw) said, "There is no *hima* (secluded property) except for Allah (swt) and His Messenger." Therefore there is no *hima*, except for the State.

(c) **Natural Unaccounted Minerals:** These are the many minerals, which are vast in quantity. They are the property of all Muslims and individual or company possession of these is forbidden. The mining, manufacture, storage or distribution of these minerals is not given to individuals or companies on an exclusive basis. It is necessary that they remain the common property of all Muslims. The State should itself mine them or sub-contract them as the representative of the Muslims, and all revenue should be kept in *Bait al-Mal* (the State treasury). There is no difference, as regards the law, between the minerals whether they are in open mines like salt and antimony sulphide (mascara) or if they are deeply hidden underground and difficult to mine, like gold, silver, iron, copper, lead, uranium, oil and the like. The Shari'ah reason for this is from the narrative of Abaydh ibn Hammal al-Mazni that he requested the Messenger of Allah (saw) to allot him certain property in Ma'reb, which he (saw) gave to him. When he turned back, the Messenger of Allah (saw) was asked, "O Messenger of Allah, do you know what you have given him? You allotted to him unaccounted water." The narrator said, "He (saw) took it back from him."

As regards small amounts of minerals like ornaments of gold or silver, it is allowed for individuals to own them. As an example, the Messenger of Allah (saw) allotted Bilal ibn al-Haris al-Mazni the minerals of Qabaliyah in al-Hijaz. Bilal had asked the Messenger of Allah (saw) to allot it to him and therefore he (saw) did so and made him the owner.

The Way of Utilising Public Property

Since Public Property is a property of all Muslims, common between them, it is a right of every individual to utilise it. If the commodities of this property are such that every person can utilise them directly like water, pasture, fire, public roads, rivers and seas, then he is allowed to do so by himself.

However, if the commodities of Public Property are such that they are not easy for every individual to utilise them directly, like oil and minerals, then it is for the State to mine and collect their revenue in *Bait al-Mal* and for the Khaleefah to spend from it in ways that are useful to all Muslims, and it is possible that he decides the distribution of the products and revenues in the following manner:

1. It is spent on the running and mining of Public Property commodities, as well as on public buildings, staff, advisors, experts, machinery and factories.
2. It is spent upon the Muslims since they are common owners of the commodities. He can distribute amongst them commodities like water, gas, oil, electricity without charge or he can distribute amongst them money from their revenues according to the situation of Muslims for their general betterment.
3. He can take from it revenue to spend on jihad and what the jihad demands such as ordinance factories, establishing the army and other expenses of *Bait al-Mal* which are required whether capital is present or not in *Bait al-Mal* and which Muslims must provide if there is no capital available in *Bait al-Mal*.

State Property

The third type of property is owned by the State; it includes every commodity of land or building which is connected to the right of the public and is not included in the Public Property. So the State Property consists of commodities that are liable to individual possession like land, buildings and moveable things. However, the public has a right to these and therefore their running and control over use is given to the Khaleefah (i.e. to the state) because he has the responsibility to exercise his powers regarding everything that is associated with the right of the public, like deserts, mountains, river banks, dead lands not owned by people, buildings and property which the State has purchased and made possible for living, or has captured from enemies in war like state department buildings, schools, hospitals and the like.

The state has the right to give of its property to individuals, such as lands and buildings, because the Khaleefah can give them to the people on an ownership and utilisation basis, or on the basis of utilisation only, or people can be permitted to cultivate dead land and thus acquire its ownership. Whichever way the State property is used, it is for the good of the Muslims.

9.15.5 Lands

Lands have raqabah (neck) and benefits. Its raqabah is its origin and its benefit is through utilisation in agriculture and in other ways. Islam has permitted ownership of the raqabah of the land, as it has allowed the ownership of its benefit and it has laid down laws in both cases.

There are two types of land: *'Ushri* land and *Kharaji* land.

(a) The 'Ushri Land: It is the land whose people embraced Islam, such as Indonesia, the land of the Arabian peninsula, and the dead lands cultivated by man. The raqabah and benefit of the *'Ushri* lands can be owned and *zakat* is taken on the produce of the land, and it is one-tenth of the produce of the land if irrigated by rain, and one-twentieth if it is artificially irrigated.

(b) The Kharaji Land: This is land conquered in war, or by peace treaties, except the Arabian peninsula, such as the land of Iraq, Syria, Egypt and other areas conquered by force. The raqabah of *Kharaji* land is for Muslims and the State represents them in this ownership. It is allowed for individuals to own the benefit of the *Kharaji* land. Kharaj is levied on *Kharaji* land and it is an amount which the State imposes on the land, and *zakat* is taken from the produce after deduction of Kharaj, if this reaches a certain level.

Everyone is entitled to utilise *'Ushri* land by selling, inheritance and gift as he is entitled to the benefit of *Kharaji* land through buying or inheritance like any other belonging (capital).

9.15.6 Factories

Private ownership of factories is permitted. Factories manufacturing cars, furniture, garments and tinned material etc. can be individually owned. State ownership of factories like ordinance factories, oil extraction and mining enterprises etc. is also permitted.

Factories that produce public commodities can be publicly owned like the factories of iron, steel, copper, gold, silver, oil extraction etc. The ownership of these factories depends upon the material that they produce according to the rule that the factory comes under the law of its produce.

9.15.7 Bait al-Mal

The revenues of *Bait al-Mal* are:

1. Spoils of war, returns of war, the fifth part.
2. The Kharaj.
3. The jizyah (tax on non-Muslim citizens of the Islamic State).
4. Revenue from Public Property, placed in a separate account.
5. Revenue from State Property like land, buildings etc.
6. The tenth part (customs) taken from border lands.
7. A fifth of hidden treasures and small minerals.
8. Taxes.
9. *Zakat*, placed in a separate account.

9.15.8 The Necessity of money being in Gold and Silver

The Muslims at the time of the Messenger of Allah (saw) had taken units of gold and silver as the basic monetary currency and used both of them simultaneously. They used the Byzantine dinars and Persian dirhams as their currency and they did not forge their own currency from the time of the Messenger of Allah (saw), until 'Abdul Malik ibn Marwan came. In his period of leadership 'Abdul Malik issued special Islamic currency and made it of a special shape and type and patterned on it Islamic patterns. He based it on the unit of gold and the unit of silver with the weight of the Shari'ah dinar and dirham.

Islam enunciated divine laws with respect to gold and silver; it considered them to be gold and silver elements and currency and coins, and the prices for things, or the wages for work, and Islam prohibited their hoarding and attached to them specific, fixed, unchanging laws. It prescribed *zakat* on them; it considered them to be two forms of money, and the prices for goods and it assigned the *nisab* (minimum money amount for *zakat*) in dinars of gold and dirhams of silver. And when Islam imposed *diyyah* (blood money), it made the payment to be by this currency and prescribed an amount in gold, that is one thousand dinars and an amount in silver, that is twelve thousand dirhams. And when Islam obliged the cutting of a hand for theft, it laid down the amount on which the thief's hand is to be severed to be one fourth of a dinar of gold, or three dirhams of silver. Similarly, when it laid down rules for exchange in currency matters, it defined them in gold and silver.

The connection of Islam with these Shari'ah rules for gold and silver as two currencies and as means for exchange and as a price for goods is by the agreement of the Messenger of Allah (saw) who made gold and silver alone the standard unit of currency by which the prices of goods and the wages of work are estimated.

This indicates that Islam considers currency as gold and silver, because all the rules which are connected with currency have been connected with gold and silver.

Therefore, it is essential for Muslims to have their currency in gold and silver, and it is the duty of the Khilafah State to make its currency in gold and silver and to work on the basis of gold and silver as it was during the time of the Messenger of Allah (saw) and his Khulafa'a after him. It is the duty of the State to print dinars and dirhams in a shape and style unique to the Khilafah State, and to fix the weight of dinars equal to the Shari'ah dinar or 4.25 grams for one dinar, which is the weight of one Miskal, and to fix the weight of one silver dirham equal to one Shari'ah dirham, which is called the weight of seven i.e. every 10 dirhams have the weight of seven Miskal. Therefore the dirham has the weight of 2.975 grams. The basis of gold and silver as currency is the only way to solve currency related economic problems and the high inflation rates that are common in the world, and to produce currency stability for rates of exchange and progress in international trade. Only by taking gold and silver as the standard, can the American control and the control of the dollar as an international currency, be demolished in international trade and world economies. By returning to gold as the basic currency, the dollar will lose its influential status in the world.

9.16 Educational Policy

It is essential that the basis of the educational curriculum should be the Islamic *'aqeedah* and therefore all the subjects of study and the methods of education should be designed such that there are no deviations in education from this basis.

The policy of education is to produce an Islamic mentality and emotions and therefore the subjects of study are to be designed with this in mind.

The purpose of education is to produce the Islamic personality, and to impart to the people knowledge and skills in the matters of life and therefore it is necessary to teach Islamic culture in all the stages of education.

9.17 Thoughts and Rules in Public Relations and Foreign Policy

Politics is the looking after of the affairs of the Ummah and the State, both internally and externally. It is carried out by the State implementing the system upon the people, caring for their affairs and fulfilling their interests at home, and by understanding the international situation, and the politics of the superpowers and those other nations influencing it, and establishing foreign relationships with countries according to the demands of carrying the message (of Islam) to the world through invitation and jihad.

Politics is carried by the Ummah and by the political parties active within it, through accounting the rulers on how they look after the affairs of the Ummah and on their actions and deeds, and by giving them fair advice and by showing interest in the affairs of the Muslims.

9.18 Dar al-Islam and Dar al-Kufr

Dar al-Islam is the land where Islamic Law is implemented in all matters of life and ruling and whose security is maintained in the name of Islam even if its citizens are non-Muslims.

Dar al-Kufr is the land where *Kufr* laws are implemented in all matters of life and whose security is maintained in the name of *Kufr* even if all its citizens are Muslims. This is because the criterion of a region being *Dar al-Islam* or *Dar al-Kufr* are the laws that are implemented there, and the security by which it is protected, the criterion is not the religion of its citizens. Out of the Muslim countries of today, there is not a single country or state where Islamic laws are exclusively implemented in ruling and life's affairs; therefore all of them are considered *Dar al-Kufr* although their citizens are Muslims.

Therefore Islam makes it a duty upon all Muslims to work to change their countries from *Dar al-Kufr* to *Dar al-Islam*, and this can be achieved by establishing the Islamic State i.e. the Khilafah, and by electing a Khaleefah and taking a *bay'ah* on him that he will rule by the Word of Allah (swt) i.e. he will implement Islamic laws in the country where the Khilafah has been established. Then the Muslims should work with the Khilafah to combine the rest of the Islamic countries with it, hence the countries will become *Dar al-Islam* and they will then carry Islam to the world through invitation and jihad.

9.19 Jihad

Jihad is the expending of one's maximum capability through fighting in the way of Allah (swt) to raise His (swt) Word, to spread the call of Islam directly or with the aid of money or opinion or through mobilising the masses or others. Jihad then is the fighting to raise the Word of Allah (swt) and to spread Islam, and it is a duty which has been established in the Qur'an and Sunnah, because tens of verses and ahadith have confirmed that.

Jihad originally is *fard kifayah* (a collective duty to be fulfilled by a sufficient number of Muslims) but when the enemy attacks it becomes an individual duty for all Muslims. The meaning that jihad is *fard kifayah* originally is that we begin fighting the enemy even if he did not start fighting us. If no one from the Muslims begins fighting in any period of time, all Muslims then would have committed a sin by leaving jihad. And therefore jihad is not a defensive war; it is in fact a war to raise the Word of Allah (swt), and it is compulsory originally in order to spread Islam and to carry its message even if the disbelievers did not attack us.

9.20 International Relations

The relationship of the Islamic State with other states should be based upon Islamic laws and would be in the following form:

1. All the countries of the Islamic world are to be considered as if they are one, because Muslims are an Ummah apart, and they should be one unit as one state and one being. Therefore, the relationship with them is not considered within foreign relations with states nor a part of the foreign policy, rather it should be a part of home policy. Therefore the Islamic State does not establish any diplomatic relations or enter into any treaties with them. It is necessary to work to unite them into one state, the State of the Khilafah. The citizens of these countries are not considered foreigners, if their country is *Dar al-Islam*; they are treated as citizens of the Khilafah. If their region is *Dar al-Kufr*, they are treated as citizens of *Dar al-Kufr*.

2. All the other countries of the world, in the East or the West are considered *Dar al-Kufr* and potentially *Dar al-Harb* (land of war), and the relationship with them is a part of the foreign policy, and this relationship is defined by the demands of jihad and the interests of Muslims and the Khilafah State according to the divine law.

3. It is allowed to enter into treaties with these countries, treaties of good neighbourhood, commerce, trade, science, agriculture, and those similar matters allowed by Islam on condition that these treaties are for limited periods and the entrance into these treaties is according to the demands of jihad, and the interests of Muslims and the Khilafah State.

The relationship with these countries should be according to the text of their treaties. The treaties in commerce and trade should be limited to specific items, a specific period, and under specific conditions which are necessary for Muslims on condition that they do not strengthen those countries. The citizens of those countries can enter the Khilafah on the basis of an identity card without the need of a passport if the treaty says so, provided similar treatment is offered to Muslims.

4. Countries with which we do not have treaties or pacts include the colonial/imperialist nations like the United States, Britain and France and those countries which have intentions on Muslim lands, like Russia; these nations are considered to be in a potential war (*Kafir Harbi Hukman*) with the Khilafah. Therefore all precautions must be taken towards them and no diplomatic relations should be established with them, and they should not be allowed to open embassies within the Khilafah. The citizens of these countries are required to have a passport to enter the Khilafah and permission is required for every visit.

5. The actual warring nations (*Kafir Harbi Fi'tan*) like Israel, should be considered as states at war with the Khilafah, and as such the basis of all relations are as if war is engaged between us and them, irrespective of the current situation whether one of war or cease-fire. All of such state's citizens are prohibited to enter Muslim countries and the blood and property of its non-Muslim citizens have no sanctity.

A cease-fire treaty can be entered into with these warring nations only for a specified time. These treaties cannot be for an unlimited time, because this abrogates jihad. However, if any of these nations occupies Islamic lands as Israel has occupied Palestine, then legally no peace can be established with her even if the occupied territory only exceeds a square inch, because she has become an aggressor by this act. Peace with her would mean foregoing a piece of Islamic land and enabling her to control it and Muslims within it, and this is not allowed by Islamic Law. Islam then makes it imperative upon all Muslims to engage her in war and exterminate such a state and free the Muslim lands from her. Allah (swt) says,

"And Allah will never make way for the disbelievers upon the believers." [TMQ 4:141]

"And whosoever transgresses on you, transgress on him as he has transgressed on you."
[TMQ 2:194]

6. The Khilafah State cannot enter into military pacts with other countries. These include mutual defence and mutual security pacts and what is associated with them, like military facilities or provision of military bases, airports and harbours. These pacts are prohibited by Islam and Muslims are prohibited to enter into them with disbeliever countries because it is not permitted for Muslims to fight under a Kafir flag or in the way of disbelief or for a disbelieving country, or that a Kafir be allowed to have influence on Muslims or the land of Islam.

7. To ask for the help of disbeliever nations or their troops is prohibited because the Messenger of Allah (saw) prohibited Muslims from it when he stopped them using the power of the pagans for fighting, as he (saw) said, **"Do not fight with the fire of the pagans"** and fire here is an indication of power. He (saw) also said, **"We do not ask help of a pagan."**

Similarly, to take aid or loans from these countries is prohibited because their loans are with interest which is prohibited because it is *riba* and because these loans and aid are a means of creating influence for these *Kufr* countries over Muslims and their lands. All this is prohibited by the Shari'ah principle: "The means to a prohibited thing is prohibited."

Similarly, Muslims are not allowed to put their cases in the hands of disbelieving nations to solve for them, like they put their issues to the US, Russia, Britain or France for resolution, because to seek help from disbelieving nations and armies and to put our cases into their hands make way for these nations to exercise their influence and control over Muslims, and Allah (swt) has forbidden for disbelievers to have their way over Muslims.

Similarly, it is not permitted for Muslims to enter into international organisations like the United Nations, the World Bank, or the International Bank for Reconstruction and Development, because these organisations are based on foundations contradictory to the laws of Islam and because they are a tool in the hands of the superpowers, particularly the US, which uses them to achieve special interests and as a means to create foreign influence upon Muslims and their lands. This is forbidden by Shari'ah because the means to a prohibited thing is itself prohibited.

Similarly, Muslims are not permitted to enter into regional pacts or organisations like the Arab League and the Organisation of Islamic Conference (OIC) and pacts of mutual defence because they are all established on a basis which contradicts Islam and because they sustain the division of Muslim lands and prevent their unification as one state.

Glossary

1. Mabda'a (Ideology)

It is the basic thought on which other thoughts are built. In this book, it means an intellectual creed (*'aqeedah*) from which emanates a system. In today's world, only three ideologies exist: Islam, Capitalism and Communism (of which is Socialism).

2. Systems

The plural of system which are laws that organise for man the affairs of life. Hence, the economic system means the collection of laws that organise for man the affairs of economics; similarly, there is the system of ruling and the social system etc. Sometimes system refers to a group of systems.

3. Intellectual Creed (*'aqeedah*)

It is that belief which men reach (conclude) by means of the mind (by rationality, by thought) and it is the result of an intellectual approach.

4. Political Struggle

It is to enter into a struggle with the ruler, by means other than a bloody struggle or material means, with the intention of gaining total or partial change. This is undertaken by a party from the people. It generally requires belief in the faith and strength of intention and strong determination in matters of confrontation.

5. Personality

The personality of a person is composed of his intellect and his psyche. His intellect is the manner in which his mind works, i.e. the way he grasps concepts; and the psyche is the manner in which he satisfies his instincts and organic needs.

The Islamic personality comprises an Islamic intellect and an Islamic psyche. This poses the question: What is the Islamic intellect and psyche? The answer to this is: the Islamic intellect is that which thinks on the basis of Islam, i.e. it takes Islam as the only criterion for concepts about life, practical and actual. The Islamic psyche is that which builds its emotions and tendencies on the basis of Islam, i.e. it takes Islam as the only criterion for the fulfillment of instincts and organic needs. In short, he who thinks upon the basis of Islam and regulates his desires under the control of Islam possesses an Islamic personality.

6. The Purification Process

It is the unification process of the concepts, thoughts and beliefs of the Ummah, such that it results in the unifying of the aim of the Ummah. This aim is the establishment of the Khilafah that implements Islam and carries its message to the rest of the world.

7. The Hizb Culture

It is the collection of Islamic rules that the Hizb has adopted, i.e. it has selected them from the entire rules of Islam. These include those which deal with the solution of the individual problems between people and in their relationships. They also include those which concern the confrontation of the public opinion found between Muslims and others, and concern the relationship of Muslims and others. They are constituted of Islamic thoughts, concepts and rules; and nothing else. They do not have any non-Islamic content nor are they influenced by non-Islamic things. They depend only on the principles and rules of Islam.

8. Interaction

It is the friction between two types of matters such that there is overlapping, it is similar to that which happens in a chemical reaction. Interaction is the second stage within the defined stages of the Party, and it consists of making the Ummah understand the ideology of the Party as a well defined aim, that is to make the Ummah adopt the Party's ideology and thoughts as its own. Interaction takes place when the Ummah gives its opinion about these thoughts either by supporting them or opposing them.

9. *Al-Mudharabah*

It is a contract between two persons in business. One of them contributes the capital and the second one contributes the work.

10. *Al-Musaqat*

It is the handing over of one's trees to another person for the purpose of irrigating them and for the rest of the essential work in return for a known part of the trees' fruit. It is only allowed in the case where the trees have fruit on them or they give fruits every year like the rose.

11. Open Disbelief (*Kufir Bu'ah*)

It is disbelief clearly defined by a definite evidence as a disbelief, as narrated in 'Ubada ibn as-Samit's hadith that the Messenger of Allah (saw) said: **"...but that you may see open disbelief on which you have a clear proof from Allah."**

So the Messenger of Allah (saw) did not limit his saying to open disbelief but added, **"on which you have a clear proof from Allah."** "Clear proof" means a definite evidence. Therefore open disbelief is that clearly defined by a definite evidence. Examples of this are:

- Ruling without the Word of Allah (swt).
- To believe that Islam is not fit for all circumstances.