

NUSSRAH

MAGAZINE

Issue 52

January/February 2020 CE

Jamadi ul-Awal/ Jamadi us-Thaane 1441 AH

**Western
civilization in
crisis**

**General
Bajwa's
dilemma**

**The idea of
"Nation state"
and its
destructive
effect on
humanity**

**Sohbah
(صحبة Companionship)
With The Pious For The
Sake Of Allah (swt)**

**Failure Of the
"Naya Pakistan
Experiment"**

**"Protests:
Hizb Ut-Tahrir - Wilayah
Bangladesh Marches
Against Submissiveness Of
Hasina Regime In Face Of
Hinduvta Aggression "**

Nussrah Magazine Issue 52

January/February 2020 CE- Jamadi ul-Awal/ Jamadi us-Thaane 1441 AH

Contents

Editorial: System Failure Mandates System Change	01
Shaikh Ata Bin Khalil Abu Al-Rashta: Tafseer-Al-Baqarah 196	02
Musab Umair : Sohbah (صحبة Companionship) With The Pious	08
Engineer Moez : Western Civilization In Crisis	12
Usman Aadil : Reality And Intellectual Foundations Of Western Morals	16
Wilayah Pakistan : The Naya (New) Pakistan Experiment....	22
Mohammad Imran: What Is Jihad?	24
Riadh Ibn Ibrahim : Babri Masjid In India - The Case & Islamic Viewpoint	32
Bilal Al-Muhajir : The Nation-state, a Primitive Idea, Has Destructive Effects	36
Khalid Salahudin: General Bajwa's Dilemma	41
Q&A: The Meaning Of "Competence" In The Conditions For....	44
Q&A: Extraction Of Gold & Silver	46
Q&A: The Punishment Of Muhsan Zani....	47
Wilayah Bangladesh: Protesting The Indian Hindutva Aggression For "Ram Temple"....	51

[Price: Rs. 30/-](#)

System Failure Mandates System Change

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Whilst there was unrestrained joy in the corridors of government over the six month extension of General Bajwa, paving the way for a further three year extension upon parliamentary approval, there was palpable disappointment amongst the Muslims in general. General Bajwa is seen as having brought Imran Khan to power, whilst crushing political opposition and muzzling the media. General Bajwa thus put himself forward as the figure for the unpopular policies of the government. During the court deliberations over the extension, there was a sense of anticipation that if Bajwa's tenure end, so would Imran's. When it didn't, there was spontaneous widespread dissatisfaction at the outcome, which strongly contrasted with the sighs of relief from the ruling faction.

The widespread disappointment will not wither away because its aggravations remain. Laying waste to the economy through lying down before the IMF and betrayal of Occupied Kashmir through submitting to the US State Department demand for "restraint" before India are both ongoing and unrelenting. Disappointment will fester and grow into frustration at the current state of

affairs. It is growing and spreading as seen in the sheer rang of protests from health care workers in Khyber-Pakhtunkhwa, traders in Punjab, to sanitary workers in Sindh. However, even then real change will remain elusive, if there is a blind-spot regarding the source of the figures that disappoint us and the policies that afflict us. Until then the vacuum will grow without anything productive to fill it. For real change, dissatisfaction must be directed at the source of our misery, the ruling system of Democracy. Democracy has granted human-beings the right to discard the commands and prohibitions of Allah (swt) by making the assembly sovereign. It is the factory for figures that will serve the colonialists and implement their policies, as has been seen throughout the Muslim World for the long decades since the destruction of the Khilafah (Caliphate). It is upon us all to work with Hizb ut Tahrir now in its struggle to restore Islam as a way of life for it is the only sincere and aware leadership that calls for the abolition of Democracy and the re-establishment of the Khilafah (Caliphate) on the Method of Prophethood.

leadership that calls for the abolition of

[Continued on Page 7](#)

Tafseer Al-Baqarah:196

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

أعوذ بالله من الشيطان الرجيم
بسم الله الرحمن الرحيم

﴿وَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ وَلَا تَحْلِفُوا رُءُوسَكُمْ حَتَّىٰ يَبْلُغَ الْهَدْيُ مَحَلَّهُ فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ بِأَذَىٰ مِنْ رَأْسِهِ فَفِدْيَةٌ مِنْ صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ فَإِذَا أُمِنْتُمْ فَمَنْ تَمَتَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ فَمَنْ لَمْ يَجِدْ فَصِيَامٌ ثَلَاثَةَ أَيَّامٍ فِي الْحَجِّ وَسَبْعَةً إِذَا رَجَعْتُمْ تِلْكَ عَشْرَةٌ كَامِلَةٌ ذَلِكَ لِمَنْ لَمْ يَكُنْ أَهْلَهُ حَاضِرِي الْمَسْجِدِ الْحَرَامِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ شَدِيدُ الْعِقَابِ

(البقرة: 196)

“And complete the Hajj and 'Umrah for Allah. But if you are prevented, then [offer] what can be obtained with ease of sacrificial animals. And do not shave your heads, until the sacrificial animal has reached its place of slaughter. And whoever among you is ill or has an ailment of the head, a ransom of fasting [three days] or charity or sacrifice. And when you are secure, then whoever performs 'Umrah [during the Hajj months] followed by Hajj [offers] what can be obtained with ease of sacrificial animals. And whoever cannot find [or afford such an animal] - then a fast of three days during Hajj and of seven when you have returned [home]. Those are ten complete [days]. This is for those whose family is not in the area of al-Masjid al-Haram. And fear Allah and know that Allah is severe in penalty”
[Surah al-Baqarah 2:196]

Allah (swt) clarifies in this verse the following:

1. Whoever sets out for Hajj or Umrah, it is obligatory upon him to complete them i.e. it is upon him to complete their rituals with regards to their conditions and pillars, as

clarified by the Messenger of Allah (saaw); “خذوا عني مناسككم **Learn from me the rituals (of Hajj and Umrah)**” [Muslim: 2286, Nasai: 3012, Abu Dawood: 1680, Ahmad: 3/218, 366].

The Amr (أمر Command) here is the Talab (طلب Request). However the Request is made Jaazim (طلب Decisive), with the Qareenah (قرينة Indication) within His (swt) saying, فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ “But if you are prevented, then [offer] what can be obtained with ease of sacrificial animals”

This implies the non-implementation (i.e. of sacrificing of animals). This means the request ‘complete (the hajj and umrah)’ is Talab Jazim (طلب جازم Decisive Request). Hence, whoever sets out for Hajj or Umrah, it is Obligatory upon him to complete them, with regards to all their Obligations.

However, Allah (swt) made an exception in the situation of Ihsar (إحصار Blockade) by saying “فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ” “But if you are prevented, then [offer] what can be obtained with ease of sacrificial animals”. The word Ihsar (إحصار) linguistically means the absolute prevention, either by an enemy or due to sickness. However, the saying of Allah (swt) “فَإِذَا أُمِنْتُمْ” “when you are secure” indicates that this prevention is the prevention by an enemy in this case. This is because Aman (أمن Security) is linguistically the opposite (antonym) to Khawf (خوف Fear) and we know that this verse was revealed during the year of Hudaibiya, which affirms that the word Ihsar (إحصار) Blockade is the Blockade by the enemy.

It should not be said here that Al-Ibratu bi Umoom il-Lafzi Laa bi KhaSoos is-Sabab (العبرة بعُموم اللفظ لا بخصوص السبب) Consideration is to the Generality of the Text and Not to the Particularity of the Cause (of Revelation)), whereby the Text is Ihsar and the Cause is

Hudaibiya, such that Ihsar is by the cause of an enemy as well as other causes, such as sickness and others. This should not be said for two reasons:

- a. Whilst it is true that Consideration is to the Generality of the Text and Not to the Particularity of the Cause, it must be in the same Mawdoo' (موضوع Subject) as established by the Usool (Fundamental of Jurisprudence). Hence, it is General to the enemies' blockade of RasulAllah (saaw) in Hudaibiya, as well as any blockade by any enemy at any time.
- b. There is no Generality here in the verse related to Ihsar as the verse, (فَإِنْ (أُحْصِرْتُمْ) **“But if you are prevented through Blockage.”** Ihsar is in the form of Fa'al Muthbat (فعل مثبت Confirmed Verb). There is no Generality for the Confirmed Verb, however it is Mutlaq (مطلق Absolute). It has thus elaborated that is the impediment by the enemy in Absolute terms, i.e. any impediment by the enemy. Therefore, Ihsar is the prevention by the enemy from completing Hajj and Umrah.

There are Ahadith of the Messenger of Allah (saaw) about the Habs (حبس Impediment) to complete Hajj due to sickness. However Habs differs from the reality of Ihsar (Blockade). Tirmidhi reported and graded the hadith of Hujjaj bin Amr as Hasan, in which RasulAllah (saaw) said, **من كسر أو عرج فعليه الحج من قابل** **“If anyone breaks (a bone or leg) or becomes lame, he must perform Hajj the following year.”** [Tirmidhi: 862, and he graded it as Hasan]. And in the Hadith of RasulAllah (saaw) to Duba'a bint Zubair bin Abdul Muttalib, when she asked “I intend to perform Hajj, but I am ill”, He (saaw) said, **حجي واشترطي أن محلي حيث حبستني** **“Perform Hajj but set a condition that you shall be relieved of the Ihram, whenever**

you are prevented (due to illness).” [Ahmed: 6/202] i.e. when a person who is in a state of Ihram is afflicted with illness, he can undergo Tahalal (تحلل Absolving) of Ihram. It is not upon him to complete Hajj, as a person who is prevented by the enemy must do.

Both these hadiths indicate that impediment of completing the Hajj due to illness is not called Ihsar and Ihsar's rulings will not be applicable. Instead, if illness is Habs (حبس Impediment) to Hajj, then the Hujjaj are absolved from Ihram when afflicted with sickness and perform the Hajj in the next year. There is also no sacrificing of animals as in the case of Ihsar (Blockade).

Hence, Ihsar is only due to the prevention by an enemy.

2. If Ihsar occurred, Tahalal (تحلل Absolving) the Ihram is not permitted until the slaughtering of a Hadyu (هدى sacrificial animal), that is readily available to him. (فَمَا) **“What can be obtained with ease of sacrificial animal”** i.e. what is easily available from sacrificial animals, as both the verb Istaysara (استيسر seeking to obtain easily) and the verb Taysara (تيسر easy to obtain) give the same meaning. The word Hadyu (هدى sacrificial animal) is a Masadar (مصدر Root Word) in the form of Maf'ool (مفعول Passive Form) i.e. Mahdu (مُهدى That Which is Sacrificed) from amongst cattle such as, the camel or cow or goat, as is readily available for a person who in a state of Ihram. And what is larger is better as stated by Ibn Abbas (ra).

And the obligation of slaughtering before Absolving the Ihram comes from the saying of Allah (swt) **وَلَا تَحْلِقُوا رُءُوسَكُمْ حَتَّىٰ يَبْلُغَ الْهَدْيُ مَحَلَّهُ** **“Do not shave your head until sacrificial animal reached the place of slaughter”**. Shaving of head is a Majaaz (مجاز Metaphor) for Absolving the Ihram i.e. If a person in Ihram faced Blockage, he must slaughter a sacrificial animal, which is readily available to him, before absolving the Ihram. The

Qareenah (قرينة Indication) for the Obligation of slaughtering before absolving the Ihram, comes from the Sunnah as RasulAllah (saaw) said about Muslims in Hudaibiya who delayed slaughtering, **“Perished are those...”** **لقد هلكوا** [Rawdul Unuf fee Tafsir Sirat Ibn Hisham by Suhaili 4/37]

This is the Wasifa Mafihumun (وصف مفهم Understood Description) description that establishes the Talab Jazim (طلب جازم Decisive Request) for slaughtering the sacrificial animal before absolving of the Ihram.

3. The place of slaughtering the sacrificial animal is Al-Haram. And this comes in the saying of Allah (swt), **وَلَا تَحْلِفُوا رُغُوسَكُمْ حَتَّىٰ يَبْلُغَ الْهَدْيُ مَحَلَّهُ** **“Do not shave your head until the sacrificial animal reaches its place”**. And its place is al-Haram due to the saying of Allah (swt), **ذَٰلِكَ وَمَنْ يُعَظِّمْ شَعْبَرَ اللَّهِ فَإِنَّهَا مِنْ تَقْوَىٰ الْقُلُوبِ**, **(٣٢) لَكُمْ فِيهَا مَنَافِعٌ إِلَىٰ أَجَلٍ مُّسَمًّى ثُمَّ مَحَلُّهَا إِلَىٰ الْبَيْتِ الْأَعْتِقِ** **“That [is so]. And whoever honors the symbols of Allah - indeed, it is from the piety of hearts. For you the animals marked for sacrifice are benefits for a specified term; then their place of sacrifice is at the Ancient House.”** [Surah al-Baqarah 22:32, 33]. The Ancient House is the Honorable Ka'ba which here is as a Majaaz (مجاز Metaphor) for the entire Haram, Min Bab 'Itlaq al-Juz' wal Muraad al-Kuli (من باب إطلاق) from the principle of naming the part to intend the whole), as in the the saying of Allah (swt), **سَبَّحَانَ الَّذِي أَسْرَىٰ بِعَبْدِهِ لَيْلًا مِّنَ الْمَسْجِدِ الْحَرَامِ إِلَى الْمَسْجِدِ الْأَقْصَا الَّذِي بَارَكْنَا حَوْلَهُ** **“Exalted is He who took His Servant by night from al-Masjid al-Haram to al-Masjid al- Aqsa, whose surroundings We have blessed,”** [Surah al-Kahf 17:1]. Here Al-Masjid Al-Haram is named Metaphorically to denote the entire Haram, according to the principle of “from the principle of naming the part to intend the whole”, as RasulAllah (saaw) travelled from Haram and not from inside the Al-Masjid Al-Haram. Here the mention of the Ancient House is similar to

that i.e. it is a Metaphor to denote the whole Haram, “from the principle of naming the part to intend the whole.”

It is affirmed that the whole Haram is the place of slaughtering as RasulAllah (saaw) said, **نَحَرْتُ هَا هُنَا وَمِنْ كُلِّهَا مَنَحَرٌ، فَانْحَرُوا فِي رِحَالِكُمْ** **“I have sacrificed (the animals) here, and the whole of Mina is a place for sacrifice; so sacrifice your animals at your places.”** [Reported by Muslim]. And RasulAllah (saaw) said, **كُلُّ فُجَاجِ مَكَّةَ طَرِيقٍ وَمَنَحَرٍ** **“Every road of Makkah is a thoroughfare and a place of sacrifice.”** [Reported by Abu Dawud, Hakim reported it and graded it as Sahih]. Here it contradicts with the sacrificial animal of Messenger of Allah (saaw) in Hudaibiya which he (saaw) slaughtered there. As we know Hudaibiya is in Al-Hil at the border of Haram i.e. it is outside the Haram and not inside the Haram. The answer regarding this has two aspects:

- a) The disbelieving Quraish prevented both the Messenger of Allah (saaw) and the sacrificial animal with him from Umrah that year. So they stayed in their place in Hudaibiya and slaughtered wherever they stayed, due to their enemy preventing them from entry and preventing sacrificial animals reaching their place, i.e. Haram. This was indicated by the saying of Allah (swt), **هُمُ الَّذِينَ كَفَرُوا وَصَدُّوكُمْ عَنِ الْمَسْجِدِ**, **“They are the ones who disbelieved and obstructed you from al-Masjid al-Haram while the sacrificial animal was prevented from reaching its place of sacrifice.”** [Surah al-Fatah 48:25] i.e. the sacrificial animal is blocked and prevented from reaching its place of sacrifice, which is Haram. The Messenger of Allah (saaw) slaughtered the sacrificial animal at the place where he (saaw) was confined, due to the enemy preventing him from

entering into Haram, which is the place of slaughtering.

It means that the place of slaughtering of the sacrificial animal is in the Haram. However if the enemy prevents it, then it is slaughtered at the place of Ihsar.

- b) It is mentioned in the Seerah of Ibn Hisham from Ibn Ishaq that the tents of Messenger of Allah (saaw) were made in Al-Hil and he (saaw) used to pray in the Haram, since Hudaibiya is at the border of Al-Hil and Haram. Zuhri reported that the Messenger of Allah (saaw) offered sacrifice in Haram and particularly Messenger of Allah (saaw) used to perform his prayers, while he (saaw) was in Hudaibiya in Haram i.e. he (saaw) traversed from Al-Hil to Haram to pray and returned. In this way Messenger of Allah (saaw) offered sacrifice in Haram, as the place is connected and so the matter was easy.

On this basis, sacrificing of animals was done in Haram as came in the verse, **وَلَا تَحْلِفُوا** “Do not shave your head until the sacrificial animal reaches its place” i.e. place of Haram.

4. In His (swt) saying, **فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ بِهِ آدَى مِنْ رَأْسِهِ فَفِدْيَةٌ مِنْ صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ** “And whoever among you is ill or has an ailment of the head [making shaving necessary must offer] a ransom of fasting [three days] or charity or sacrifice.” Ka’b b. ‘Ujra (ra) reported that the Messenger of Allah (saaw) happened to pass by him at Hudaibiya before entering Makkah in a state of Ihram, whilst Ka’b was kindling fire under the cooking pot and vermin were creeping on his face. Thereupon RasulAllah (saaw) said, **أَيُؤْذِيكَ هَوَامِكُ** “Do these vermin trouble you?” He (Ka’b) said: Yes. The Messenger of Allah (saaw) said, **فاحلق رأسك وأطعم فرقا من ستة مساكين - والفرق ثلاثة أصع - أو صم ثلاثة أيام أو انسك نسيكة** “Shave your head and give food equal to the quantity of Faraq to feed six needy

persons (faraq is equal to three sa's), or observe fast for three days or offer sacrifice of a sacrificial animal (i.e sacrifice a goat.)” [Muslim: 2084]. In the narration of Bukhari, Prophet (saaw) said to him, **ما كنت أرى أن الجهد** “I have never thought that your ailment (or struggle) has reached to such an extent as I see. Can you afford a sheep?” Ka’b replied “No”. He (saaw) then said, **صم ثلاثة أيام أو أطعم ستة مساكين لكل مسكين** “Fast for three days, or feed six poor persons each with half a Sa’a of food and shave your head” [Bukhari 1686]

As it was clarified in the verse and hadith that whoever is ill or has an ailment of the head such as injury, lice and head ache, this is Specified (Khas) for the saying of Allah (swt) **(لَا تَحْلِفُوا رُءُوسَكُمْ)** “Do not shave your heads” i.e. it is permitted to shave and offer the Fidyah (فدية Compensatory Redemption), which is amongst the choice of three days of fasting or feeding six poor persons or a goat. This is the Qareenah (قرينة Indication) for the Obligation and it is due to the Choices between several matters, in accordance with Usool (Fundamentals of Jurisprudence).

5. Then Allah (swt) clarified the Sharia ruling to those who wish to follow the Umrah with the Hajj without Blockade i.e. when he is safe. Those who wish to follow Umrah with Hajj, it is upon him to take Ihram for Umrah from Meeqath (Area where one must be in a state of Ihram for Hajj) in the month of Hajj. Then after performing Umrah, he should absolve the Ihram and wait for the day of Tarawiah, 8th of Dhul Hijjah. Then, he must take Ihram for the Hajj from inside Makkah and perform the rites of Hajj and it is upon him to slaughter what is readily available from sacrificial animals, This is the sacrificial animal for Tamuta’a (تمتع Combining both Umrah and Hajj). This is the meaning of saying of Allah (swt), **فَإِذَا أَمِنْتُمْ فَمَنْ تَمَتَّعَ بِالْعُمْرَةِ** “And when you

are secure, then whoever performs 'umrah [during the Hajj months] followed by Hajj [offers] what can be obtained with ease of sacrificial animals. Whoever does not find a sacrificial animal to slaughter in Hajj, it is upon him to fast three days in Hajj such that he fasts on the seventh, eighth and ninth days of Dhul Hijjah or during the days of Tashriq, the 11th, 12th and 13th of Dhul Hijjah, as reported by Bukhari and Jaama'ah from Aisha (ra) , in which she said, لم يرخص ﷺ في أيام التشرية أن يصمن إلا لمتمتع لم يجد هديا "Prophet (saaw) did not allow to fast on the days of Tashriq except for those who could not afford the Hadi (sacrificial animal)." [Bukhari 1859]

Malik reported from Zuhri "He said: بعث رسول الله ﷺ عبد الله بن حذافة فنادى في أيام التشرية فقال: إن هذه أيام أكل وشرب وذكر الله تعالى إلا من كان عليه صوم من هدي The Messenger of Allah (saaw) sent Abdullah bin Hudafah to call out in the days of Tashriq and said: These are the days of eating and drinking and remembrance of Allah except for those who fast for sacrificial animal" [Tafsir Tabari: 2/250]. After that when he returns to his home, he completes the fasting of the remaining seven days so that the total days of fasting is ten complete days. Ibn Abbas says in his Tafsir to the verse, "Fast seven days when you return" that it means "when you return to your cities" [Tafsir Tabari 2/248 and it is not reported by Bukhari]. All this is due to the saying of Allah (swt), "فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ فِي الْحَجِّ وَسَبْعَةٍ إِذَا رَجَعْتُمْ" "And whoever cannot find [or afford such an animal] - then a fast of three days during Hajj and of seven when you have returned [home]. Those are ten complete [days]"

The saying of Allah (swt), "تِلْكَ عَشْرَةٌ كَامِلَةٌ" "those are ten complete days" is to remove any confusion over His saying, "فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ" "then a fast of three days during Hajj and of seven when you

have returned [home]." which means fasting three days in Hajj or fasting seven days when you return (home). This is because the conjunction Wa (و and) also has the meaning of alternative of Aw (أو Or). So, when I say to you "Sit with Zaid "Wa" Umar" and if you sat with both of them or with any one of them, then both the actions are in compliance with the command. Hence the saying of Allah (swt), "تِلْكَ عَشْرَةٌ كَامِلَةٌ" "Those are ten complete days" clarifies the intention which is, "فَصِيَامُ" "fast of three days during Hajj and of seven when you have returned [home]" i.e. ten complete days.

This is when his family is not in the area of Masjid Haram, otherwise the case is different. Allah (swt) says, "ذَلِكَ لِمَنْ لَمْ يَكُنْ أَهْلَهُ حَاضِرِي الْمَسْجِدِ الْحَرَامِ" "This is for whose family is not in the area of al-Masjid al-Haram."

The word Dhalik (ذَلِكَ That) indicates back to either His saying, "فَمَنْ تَمَتَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ" "then whoever performs 'umrah [during the Hajj months] followed by Hajj" or to His saying "فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ فِي الْحَجِّ وَسَبْعَةٍ إِذَا رَجَعْتُمْ" "And whoever cannot find [or afford such an animal] - then a fast of three days during Hajj and of seven when you have returned [home]". However the preposition by the letter Laam (اللام L denoting For) along with the pronoun Mann (مَنْ Who) to form Limann (لِمَنْ For who) gives preponderance that the word Dhalik (ذَلِكَ That) indicates back to the saying "فَمَنْ تَمَتَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ" "then whoever performs 'umrah [during the Hajj months] followed by Hajj."

This is because if the Dhalik (ذَلِكَ that) indicated back to the one who performs Tamuta'a (تمتع Combining both Umrah and Hajj) when he does not find sacrificial animal, then the preposition would not have been Lam (اللام For), rather it would have been the word Ala (على Upon) such that the verse would become, "ذَلِكَ عَلَى مَنْ لَمْ يَكُنْ أَهْلَهُ حَاضِرِي الْمَسْجِدِ"

الحرام “This is **upon** those whose family is not in the area of Masjid Al-Haram.” The word Lahum (لهم For them) is not like the word Alayhim (عليهم Upon them).

The word Lahum (لهم For them) is appropriate for both those who perform Tamuta’a (تمتع Combining both Umrah and Hajj) and for those who do not. As for the word Alayhim (عليهم Upon them), it is appropriate for arranging something, which they did as a result of not achieving a matter.

Hence the preposition Lam (اللام For) with the pronoun Mann (مَنْ Who) gives preponderance that the word Dhalik (ذَلِكَ that) refers back to the verse, **فَمَنْ تَمَتَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ** “**whoever performs ‘Umrah [during the Hajj months] followed by Hajj.**”

Hence the meaning of the above is as follows: if a person whose family is in Al-Masjid Al-Haram, then it is not permitted for him to continue Tamuta’a (تمتع Combining both Umrah and Hajj) i.e. it is not allowed for them to take Ihram for Umrah in the month of Hajj and then complete it, then absolve the Ihram and then adorning Ihram again for the Hajj. Instead, if his family is in Masjid Al-Haram, they should either take Ihram in the month of Hajj combined, so that they perform Umrah and do not absolve Ihram. Instead they continue in the state of Ihram, until they perform the Hajj and complete it, or they should take Ihram separately for the Hajj alone and if they wish to perform Umrah, they can perform in any month other than the month of Hajj.

6. As for those who present in Masjid Al-haram, it refers to the Muqem (مقيم Resident) and it is added to Masjid Al-haram. However, Al-Masjid Al-Haram is named to denote the entire Haram in the manner of the saying of Allah (swt), **سُبْحَانَ الَّذِي أَسْرَى بِعَبْدِهِ لَيْلًا مِنَ الْمَسْجِدِ الْحَرَامِ إِلَى الْمَسْجِدِ الْأَقْصَا الَّذِي بَرَكْنَا حَوْلَهُ** “**Exalted is He who took His Servant by night from al-Masjid al-Haram to al-Masjid al- Aqsa, whose surroundings We**

have blessed,” [Surah al-Kahf 17:1]. The Messenger of Allah (saaw) traveled from Haram and not from the Masjid itself. This is what Ibn Abbas (ra) says in his tafsir to the verse **“حَاضِرِي الْمَسْجِدِ الْحَرَامِ”** “**Those who present in Masjid Al-Haram.**” i.e. the people of Haram.

What is intended by the presence of family (in Haram) is the presence of Muhrim (مُحْرِم Person who is in a state of Ihram) and it was expressed because man is expected to live mostly where his family lives.

Hence the meaning of this is as follows: Those who can perform Tamuta’a (تمتع Combining both Umrah and Hajj) is other than the people of Haram. The people of Haram do not have Tamuta’a (تمتع Combining both Umrah and Hajj) with the meaning which we have clarified. And it is upon them to slaughter sacrificial animals and whoever does not find an animal for slaughter, then he must fast three days in Hajj and seven days when he returns to his land. Then Allah (swt) completes the verse with the command to have Taqwa by complying with every command and refraining from every prohibition, thereby achieving the pleasure of Allah and protection from His punishment. Otherwise, Allah (swt) will be severe in giving punishment. **وَاتَّقُوا اللَّهَ وَأَعْلَمُوا أَنَّ اللَّهَ شَدِيدُ الْعِقَابِ** “**And fear Allah and know that Allah is severe in penalty.**” ■

Continued from Page 1

democracy and the re-establishment of the Khilafah (Caliphate) on the Method of Prophethood. Only then will we see an era of figures who will inspire us and policies that will invigorate and strengthen us in the pursuit of the pleasure of Allah (swt). ■

Written for the Central Media Office of
Hizb ut Tahrir by
Musab Umair – Pakistan

Sohbah (صحبة Companionship) With The Pious For The Sake Of Allah (swt)

Musab Umair, Pakistan

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the absence of the ruling by all that Allah (swt) has revealed, friendship and companionship have declined in both their form and their value. All too often, relations are built upon perceived material benefit, whether it is financial, worldly privileges or worldly status, whilst spending time with each other is for as long as material benefits are realized and end when that evaporates, so does the relationship. Moreover, the time that is spent together is spent in competing in worldly gains and inciting hunger for even more. Far from preparing one for the best Aakhira, Dunya is built in such companionship as the be all and end all. Such associations are corrupt and polluting, even corrupting the pious that engage with it. Far from elevating society according to Islam, formations stemming from such companionship keep it in a lowly state.

Indeed, Companionship based on disobedience, misguidance and sin is a source of grave regret on the Day that we will all stand before Allah (swt). Allah (swt) said, **يَوْمَئِذٍ لَيْتَنِي لَمْ أَتَّخِذْ فُلَانًا خَلِيلًا - لَقَدْ أَضَلَّنِي عَنِ الذِّكْرِ بَعْدَ إِذْ جَاءَنِي وَكَانَ الشَّيْطَانُ لِلْإِنْسَانِ خَذُولًا** "Ah! Woe to me! Would that I had never taken so-and-so as an intimate friend! (29.) He indeed led me astray from the Reminder after it had come to me. And Shaytan is to man ever a

All too often, relations are built upon perceived material benefit, whether it is financial, worldly privileges or worldly status, whilst spending time with each other is for as long as material benefits are realized and end when that evaporates, so does the relationship. Moreover, the time that is spent together is spent in competing in worldly gains and inciting hunger for even more. Far from preparing one for the best Aakhira, Dunya is built in such companionship as the be all and end all.

deserter." [Surah al-Furqan 25:28-29]. This has the meaning, the one among the propagators of misguidance who diverted him from true guidance and led him to follow the path of misguidance, whether this refers to

Umayyah bin Khalaf or his brother Ubayy bin Khalaf, or to someone else. Allah (swt) also warned humankind, **الْأَخْلَاءُ يَوْمَئِذٍ بَعْضُهُمْ لِبَعْضٍ عَدُوٌّ إِلَّا الْمُتَّقِينَ**

"Friends on that Day will be foes one to another except those who have Taqwa."

[Surah Az-Zukhruf 43: 67:68].

Indeed, the Companionship of the evil and sinful has the most bitter of all fruits! Time spent with them is exposing the soul to pollution and one must be aware even, when one is spending time in order to bring them to Guidance.

The Final Nabi (saaw) was commanded by his Lord (swt) to seek the Companionship of those of piety, for the sake of Allah (swt), whilst warning him (saaw) of those who desire the pomp and glitter of the life of the world. Allah (swt) said, **(وَاصْبِرْ نَفْسَكَ مَعَ الَّذِينَ يَدْعُونَ رَبَّهُمْ بِالْعُدَاةِ وَالْعَشِيِّ يُرِيدُونَ وَجْهَهُ وَلَا تَعْدُ عَيْنَاكَ عَنْهُمْ تُرِيدُ زِينَةَ الْحَيَاةِ الدُّنْيَا وَلَا تُطِعْ مَنْ أَغْفَلْنَا قَلْبَهُ عَن ذِكْرِنَا وَاتَّبَعَ هَوَاهُ وَكَانَ أَمْرُهُ فُرْطًا** "And keep yourself (O Muhammad) patiently with those who call

on their Lord morning and afternoon, seeking His Face; and let not your eyes overlook them, desiring the pomp and glitter of the life of the world; and obey not him whose heart We have made heedless of

Our remembrance, and who follows his own lusts, and whose affair has been lost.”

[Surah al-Kahf 18:28]. So, Allah (swt) commanded RasulAllah (saaw) to sit with those who remember Allah (swt), who testified Him (swt) as the sole Lord, who praise Him (swt), glorify Him (swt), declare His (swt) greatness and call on Him (swt), morning and evening, loyal servants of Allah (swt), whether rich or poor, strong or weak. In relation to the Ayah, Imam Muslim recorded

كنا مع النبي ﷺ ستة نفر ، فقال المشركون للنبي صلى الله عليه وسلم : اطرد هؤلاء لا يجترئون علينا! . قال : وكنت أنا وابن مسعود ، ورجل من هذيل ، وبلال ورجلان نسيت اسميهما فوق في نفس رسول الله صلى الله عليه وسلم ما شاء الله أن يقع ، فحدث نفسه ، فأنزل الله عز وجل : (ولا تطرد الذين يدعون ربهم بالغداة والعشي يريدون وجهه) “There was a group of six of us with the Prophet. The idolaters said, ‘Tell these people to leave so they will not offend us.’ There was myself, Ibn Mas`ud, a man from Hudayl, Bilal and two other men whose names I have forgotten. RasulAllah (saaw) thought to himself (saaw) about whatever Allah willed he should think about, then Allah revealed, ﴿ وَلَا تَطْرُدِ الَّذِينَ يَدْعُونَ رَبَّهُمْ بِالْغَدَاةِ وَالْعَشِيِّ يُرِيدُونَ وَجْهَهُ ﴾ ‘And turn not away those who invoke their Lord, morning and afternoon.’” Thus, when the materialistic Quraysh asked RasulAllah (saaw) to turn away his weak but pious Companions (ra), such as Bilal, `Ammar, Suhayb, Khabbab and Ibn Mas`ud (ra), Allah (swt) forbade him from doing that.

Regarding, ﴿ وَلَا تَعْدُ عَيْنَاكَ عَنْهُمْ تُرِيدُ زِينَةَ الْحَيَاةِ ﴾ “and let not your eyes overlook them, desiring the pomp and glitter of the life of the world” Ibn `Abbas (ra) said that this means, ولا تجاوزهم إلى غيرهم : يعني : تطلب بدلهم

Regarding, ﴿ وَلَا تَعْدُ عَيْنَاكَ عَنْهُمْ تُرِيدُ زِينَةَ الْحَيَاةِ ﴾ “and let not your eyes overlook them, desiring the pomp and glitter of the life of the world” Ibn `Abbas (ra) said that this means, ولا تجاوزهم إلى غيرهم : يعني : تطلب بدلهم

أصحاب الشرف والثروة “do not favor others over them, meaning do not seek the people of nobility and wealth instead of them.” So the sincere within those of influence and the people of power be mindful of the corrupting amongst them. They are wary when meeting those who will draw them to the Fire through the attraction of status and wealth. They refuse to follow the ignoble example of Quraysh, who looked down on those pure who would guide them to the Truth, because of their being lesser in wealth and status, though much higher in the wealth of piety and status in Aakhirah.

Those who are truly ambitious for the good pleasure of Allah (swt) and zealous for the great bounties of Jannah, spend time with the pious, drawing near to them in Companionship. RasulAllah (saaw) said, الرَّجُلُ عَلَى دِينِ خَلِيلِهِ فَلْيَنْظُرْ أَحَدُكُمْ مَنْ يُخَالِلُ “A man follows the Deen of his friend; so each one should consider whom he makes his friend.” [Abu Daud, Tirmidhi].

Those who are truly ambitious for the good pleasure of Allah (swt) and zealous for the great bounties of Jannah, spend time with the pious, drawing near to them in Companionship. RasulAllah (saaw) said, الرَّجُلُ عَلَى دِينِ خَلِيلِهِ فَلْيَنْظُرْ أَحَدُكُمْ مَنْ يُخَالِلُ “A man follows the Deen of his friend; so each one should consider whom he makes his friend.” [Abu Daud, Tirmidhi]. In the age of isolation, they take time from their families and work engagements to spend time with those whom they love for Allah (swt) sake, knowing that this love will elevate them in rank in Jannah. Al-Bazzar narrated also with Hasan isnad from Abdullah b. Amr (ra), he (saaw)

said, The Messenger of Allah (saw) said, مَنْ أَحَبَّ رَجُلًا لِلَّهِ ، فَقَالَ إِنِّي أُحِبُّكَ لِلَّهِ ، فَدَخَلَ الْجَنَّةَ ، فَكَانَ الَّذِي أَحَبَّ أَرْفَعُ مَنْزِلَةً مِنَ الْآخَرِ ، الْحَقُّ بِالَّذِي أَحَبَّ لِلَّهِ “Whoever loved a man for the sake of Allah and said: I love you for the sake of Allah, and then they were admitted to the jannah, and the one who loved was of higher rank from the other, he would be joined with the one who loved.”

In the era of capitalist individualism, let those who desire Companionship with the Prophet (saaw), meet to remind each other of increasing their devotion of Allah (swt). Rabi'a b. Ka'b said, "I was with Allah's Messenger (saaw) one night. and I brought him water and what he required. He said to me: **سَلْ** "Ask (anything you like)." I said: **أَسْأَلُكَ مُرَافَقَتَكَ فِي الْجَنَّةِ** "I ask your company in Paradise." He (the Holy Prophet) said, **أَوْغَيْرَ** "Or anything else besides it." I said, **هُوَ**

ذَلِكَ "That is all (what I require)." He said, **أَعْتِي عَلَى** "Then help me to achieve this for you by devoting yourself often to prostration." [Muslim].

Let those who have their eyes in the Aakhira, spend time eating with the pious companion. Abu Sa'id Al-Khudri (ra) reported, **لَا تُصَاحِبُ إِلَّا مُؤْمِنًا، وَلَا يَأْكُلُ طَعَامَكَ إِلَّا تَقِيًّا** The Prophet (saaw) said, "Keep only a believer for a companion and let only a pious eat your food." [At-Tirmidhi and Abu Dawud].

In the capitalist era of meeting only for trade and business, let us excel in spending time for the best trade of all, the trade in our lives and soul for eternal bliss in Aakhira. Abdullah bin Amr narrated that the Messenger of Allah said, **خَيْرُ الْأَصْحَابِ عِنْدَ اللَّهِ خَيْرُهُمْ لِصَاحِبِهِ وَخَيْرُ الْأَجِيرَانِ عِنْدَ اللَّهِ خَيْرُهُمْ لِجَارِهِ** "The companion who is the best to Allah is the one who is best to his companion. And the neighbor that is the best to Allah is the one that is best to his neighbor." [Tirmidhi]. Let us not belittle any time or action in Companionship, with the pious, even if it were for the brief moment to shake hands. Narrated Qatada: I asked Anas, **أَكَانَتْ الْمَصَافِحَةُ** "Was it a custom of the companions of the Prophet (saaw) to shake hands with one another?" He said, "Yes."

Abu Sa'id Al-Khudri (ra) reported, **لَا تُصَاحِبُ إِلَّا مُؤْمِنًا، وَلَا يَأْكُلُ طَعَامَكَ إِلَّا تَقِيًّا** The Prophet (saaw) said, "Keep only a believer for a companion and let only a pious eat your food." [At-Tirmidhi and Abu Dawud]. In the capitalist era of meeting only for trade and business, let us excel in spending time for the best trade of all, the trade in our lives and soul for eternal bliss in Aakhira.

[Bukhari] Let us benefit fully of the time we spend in companionship, not excluding anyone from it and paying it full attention. It was narrated from Abdullah that RasulAllah (saaw) said, **إِذَا كُنْتُمْ ثَلَاثَةً فَلَا يَتَنَاجَى اثْنَانِ دُونَ** "When you are three, two should not converse (privately) to the exclusion of their companion, because that makes him sad." [Ibn Majah]. In an age, where people do not have time to meet each other and satisfy themselves with passing

messages on social media alone, let us undertake the live and lively contact in Companionship for the sake of Allah (swt).

The esteemed friendship and Companionship for the sake of Allah (swt) elevated the Companions (ra) as the best of all generations. The habits of the Companions of Prophet Muhammad (saaw) is alone worthy of deep study and close adherence, because that is the group which is certified by Allah (swt) in Quran for their faith, benchmark, patience and perseverance. Allah (swt) said, **وَالسَّبِقُونَ الْأُولُونَ مِنَ الْمُهَاجِرِينَ وَالْأَنْصَارِ وَالَّذِينَ اتَّبَعُوهُمْ بِإِحْسَانٍ رَضِيَ اللَّهُ عَنْهُمْ وَرَضُوا عَنْهُ** "And the foremost to embrace Islam which are Muhajirin and the Ansar and also those who followed them exactly (in

faith). Allah is well-pleased with them as they are well-pleased with Him. ..." [Surah at-Tawba 9: 100] Allah (swt) mentions that He is pleased foremost with the Muhajirin, Ansar and those who followed them, and that they are well-pleased with Him, for He has prepared for them the gardens of delight and eternal joy.

Indeed, it is the Islamic Companionship that built the best generation of the Ummah. The Companions of RasulAllah (saaw)

established the Islamic State in Madinah. After the returning of RasulAllah (saaw) to Allah (swt), it was the Companions (ra) of RasulAllah (saaw) who established the first Khilafah (Caliphate) on the Method of Prophethood. In their strong Companionship are great lessons for those who seek to establish the second Khilafah on the Method of Prophethood. RasulAllah صلى الله عليه وسلم said, تَكُونُ النَّبِيُّهُ فَيُكْمَمُ مَا شَاءَ اللهُ أَنْ تَكُونَ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ أَنْ يَرْفَعَهَا ثُمَّ تَكُونُ خِلَافَةً عَلَىٰ مِنْهَاجِ النَّبِيُّهُ فَتَكُونُ مَا شَاءَ اللهُ أَنْ تَكُونَ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ اللهُ أَنْ يَرْفَعَهَا ثُمَّ تَكُونُ مُلْكًا عَاصِئًا فَيَكُونُ مَا شَاءَ اللهُ أَنْ يَكُونَ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ أَنْ يَرْفَعَهَا ثُمَّ تَكُونُ مُلْكًا جَبْرِيَّةً فَتَكُونُ مَا شَاءَ اللهُ أَنْ تَكُونَ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ أَنْ يَرْفَعَهَا ثُمَّ تَكُونُ خِلَافَةً عَلَىٰ مِنْهَاجِ النَّبِيُّهُ ثُمَّ سَكَتَ "Prophethood will last with you for as long as Allah wants it to last. Then there will be Khilafah according to the Method of Prophethood, and things will be as Allah wishes them to be. Then Allah will end it when He wishes. Then there will be hereditary rule, and things will be as Allah wishes them to be. Then Allah will end it when He wishes. Then there will be an oppressive rule, and things will be as Allah wishes them to be. Then Allah will end it when He wishes. Then there will be a Khilafah according to the method of Prophethood." Then he (saaw) fell silent. [Ahmed]

In our era without the Anbiyyah (as), let us remember that those who will be acknowledged by those Anbiyah on the Day of Judgment will be those who made friendship with each other for the sake of Allah (swt) Narrated al-Haakim reported the following hadith on the authority of Ibn 'Umar in his al-Mustadrak and said the narration is sound though it has not been narrated by al-Bukhari and Muslim that the Messenger of Allah (saw) said, إِنَّ لِلَّهِ عِبَادًا لَيْسُوا بِأَنْبِيَاءَ وَلَا شُهَدَاءَ يَغْبِطُهُمُ الشُّهَدَاءُ وَالنَّبِيُّونَ يَوْمَ الْقِيَامَةِ لِقُرْبِهِمْ مِنَ اللَّهِ تَعَالَىٰ وَمَجْلِسُهُمْ مِنْهُ، فَجِئْنَا أَعْرَابِيًّا عَلَىٰ رَكْبَتَيْهِ فَقَالَ يَا رَسُولَ اللَّهِ صَفْهُمْ لَنَا وَحَلِّمْ لَنَا قَالَ: قَوْمٌ مِنْ أَفْنَاءِ النَّاسِ مِنْ نَزَاعِ الْقَبَائِلِ، تَصَادَقُوا فِي اللَّهِ وَتَحَابَبُوا فِيهِ،

يُضَعُ اللَّهُ عِزَّ وَجَلَّ لَهُمْ يَوْمَ الْقِيَامَةِ مَنَابِرَ مِنْ نُورٍ، يَخَافُ النَّاسُ وَلَا يَخَافُونَ، هُمْ أَوْلِيَاءُ اللَّهِ عِزَّ وَجَلَّ الَّذِينَ لَا خَوْفَ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ "Allah has servants who are neither Prophets nor martyrs, yet the martyrs and Prophets acknowledge their ranks and their nearness to Allah on the day of Judgment. Then a Bedouin bent on his knees and said: "O Messenger of Allah! Describe them and explain them for us." He said: "They are of different peoples that do not belong to their tribes. They befriended each other and loved each other for the sake of Allah. On the Day of Judgment, Allah will make for them platforms of Light on which they will sit. People will fear, but they will not fear. They are Allah's friends (awliyyaa') azza wa jall, on whom there is no fear, nor shall they grieve." It is stated in Lisan al-'Arab: أفناء أي أخلط الواحد فئو the word afnaa means mixed people.

Let us through Companionship for the sake of Allah (swt) build a generation of leaders that can follow in the footsteps of the Companions (ra). In our era, the influential and the people of power are exposed to great corruption and worldly temptations. So, let us all ensure that we make time to spend with the righteous and learned in Deen. Let us make sure that rather than inciting rivalry in worldly gains, our Companionship leads us to compete for the high rank in the Aakhirah, through better knowledge of Islam and an abundance of good actions, seeking the pleasure of Allah (swt). And may we soon see that the Ummah's affairs are finally taken care of by a leadership whose eyes are fixed on the rewards of the Aakhirah, adhering to all that Allah (swt) has revealed in ruling and being sincere guardians for our great Deen. ■

Western Civilization In Crisis

Engineer Moez, Pakistan

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Capitalism is in crisis the world over. Developmental models based on free market principles linked with political liberalization programs for the third world were always contested in terms of their viability in actually helping developing countries improve political, social and economic lives of their citizens. However this time the legitimacy of capitalism is under question from within the Western World, where large sections of Western populations and a significant number of Western intellectuals are questioning some fundamental aspects of Western economic and political thinking and structures. This challenge is unlike the one presented by Marxist-Leninism. Inspired by the radicalism of the French revolution, Marxism presented a critique of capitalism, which captured the political emotion of the nineteenth century, where the European masses were fed up with an elite which sought its legitimacy through historical institutions of monarchy and as protectors of various Christian Churches.

Napoleon's stunning rise and conquest of Europe, although reversed, initiated a set of disruptive revolutionary fervor which gripped Europe for decades to come. This was compounded by the radical social upheaval which industrialization brought to European societies. Marx captured the revolutionary

mood of Europe and attempted to present an intellectual justification for it. History he argued, progresses, not based on ideas rather based on a perpetual elite versus non-elite conflict. The elite structures he argued are rooted in the control of economic means of production, if the economic means of production were collectively owned or socialized, this will permanently dismantle the elite, non-elite divide and lead towards an equal society. Marx's political radicalism never appealed to the European elite which saw it as a threat to its existence. Europe had emerged from a fierce struggle between the Church and anti-religious forces. This was an animated debate which tore Europe apart which eventually led to the birth of secular liberalism as an ideology. European elite were thus quick to reject Marx's theory of historical progression. How could liberal Europe accept that ideas and human agency have no role in progression of human societies when it recently went through a fierce ideological struggle, the wounds of which were still fresh in European psyche? Marx's economic ideas, however, had an impact on European elite which gave rise to the social democratic politics of the twentieth century in many of the Western countries. If anything Marxism

helped unite the capitalist world.

With the help of Marxism, capitalism was clearly able to define itself as what it stood for and what it did not stand for, what

Developmental models based on free market principles linked with political liberalization programs for the third world were always contested in terms of their viability in actually helping developing countries improve political, social and economic lives of their citizens. However this time the legitimacy of capitalism is under question from within the Western World, where large sections of Western populations and a significant number of Western intellectuals are questioning some fundamental aspects of Western economic and political thinking and structures.

its foundational principles were and what its absence would entail, a Marxist experiment with devastating social, political and economic consequences. It was this obsessive rivalry and how each ideology contrasted itself against the other which led to the triumphalist declaration by Francis Fukuyama, when he famously asked the question whether history has ended with the fall of communism and whether liberal democracy and capitalism is the ultimate model for human governance.

The crisis which capitalism and liberal democracy faces today is a crisis of legitimacy, which has created a crisis of confidence within the Western elites. Some of the foundational ideas which form the basis of the Western civilization are being questioned today by the elites and a significant portion of Western societies. The twenty years between the fall of the Berlin Wall and the financial crisis of 2008 saw the massive expansion of economic globalization manifested through institutional arrangements like the World Trade Organization, the European Union and Euro Zone which aimed to ensure free movement of goods, services, people and capital. It was argued that this will usher in an era of global prosperity for all. However the financial crash of 2008 and the following meltdown of the global financial system strongly challenged the faith in the principle of free markets efficiently allocating resources in the economy. The massive government bailouts of private sector principal actors of the free market economy raised questions about the relationship between the economy and the State which still remain unanswered. Moreover the wealth generated during this era of economic globalization since the fall of the Berlin Wall has disproportionately flowed to capital owning elites creating vast amounts of wealth inequality in Western societies.

At the heart of capitalist economic thinking is the idea of unlimited needs chasing scarce resources. This thinking placed wealth generation, economic growth and increasing

the resources and the size of the pie as the driving force for managing the economy. A good economy, capitalism argues, is the one which is efficient because this reduces the wastage of resources. Productivity growth has thus been seen as a virtuous progression of an economy which is able to generate wealth with minimum resources. With advancements in technology and the advent of big-tech companies the last three decades saw capitalism give birth to huge corporations which relied on minimum resources to generate massive amount of wealth in the economy. This further contributed to inequality and has since given rise to another problem. The highly productive tech economy highlighted the inhumane nature of capitalist economic management. Is an economy which is highly productive, with minimum labor participation, a better economy or an economy which is less productive but with more labor participation? Should an economy be built to be productive to generate massive wealth, which flows to a handful of individuals or is a less efficient economy but with more labor participation which includes a much broader pool of the society a better way of running the economy? Is productivity the goal of an economy or full employment? Is productivity an end unto itself? Capitalism's obsession with growth and wealth creation, as the central organizing idea of the economy, has damaged the ecological system of the planet. This insane drive at wealth generation through perpetual growth is unnatural and unsustainable and it has adversely affected the regenerative resources of the planet's ecological system. This in turn has led to fears about permanent damage to the planet's climate and its adverse impact on human societies. Why would an economy which is managed purely through materialistic motivations and individual incentives for profit be considerate towards the human race? Will it ever be? Can economic principles which do not recognize humanitarian, spiritual

or moral values generate an economy which protects these vital aspects of human society?

The rise of identity politics in the West has challenged the self-image of Western elites as torch bearers of a universal civilization. Are the Western communities so fragile that they cannot tolerate different cultures, which the immigrants bring with them to these societies? If the Western societies need to close themselves to immigrants from different backgrounds in general, particularly the Islamic background, what does it say about the universality of Western ideals? What about the claims of liberal, pluralistic societies being the ultimate human governance models? Does the rise of white nationalism and right wing populism represent a much deeper and emotional assertion of the Christian tradition and aspect of Western civilization which effectively renders this civilization as primarily a civilization of Christian nations living across the Atlantic? French President Emmanuel Macron's veto of North Macedonia's accession to the European Union and Trump's America first foreign policy is openly putting geographical limits to the Western civilization exposing its claims of universality as a farce.

The rise of identity politics has also challenged the fundamental conception of Western thinkers about their view of human motivations and how they shape the society. Western elites primarily view human beings as motivated by materialistic concerns. Rationality is thus often described or interpreted by different faculties in the West

as human beings acting in their economic or self-interest. The rise of identity politics in the West has however laid bare a much deeper struggle taking place in Western societies, namely, a search for meaning in life. After centuries of relegating religion to the private domain, the hollowness of a materialistic civilization, which denied spirituality and religion its proper place in the public domain, has given way to a populist political current which exhibits a desire to search for meaning in collective life, through a culture centered politics, which aims to define what the West is. This powerful political current which has swept Western societies has forced Western thinkers in to questioning whether their earlier viewpoint about human motivations was correct. What if human beings are not motivated by materialistic concerns alone, what if spiritual, humanitarian or moral concerns sometimes trump materialistic concerns, in a manner which may seem totally irrational to a thinker who defines irrationality as acting against material concerns.

Are the Western communities so fragile that they cannot tolerate different cultures, which the immigrants bring with them to these societies? If the Western societies need to close themselves to immigrants from different backgrounds in general, particularly the Islamic background, what does it say about the universality of Western ideals? What about the claims of liberal, pluralistic societies being the ultimate

These and some other concerns about fundamental ideas underpinning the Western civilization have created a sense of crisis in the West, because these ideas form the basis of Western civilization. The loss of confidence of Western societies in these ideas has serious consequences for the survival of Western civilization, as the dominant civilization of the globe. As the West grapples with its internal struggles, the Muslim World is undergoing a transformational change. Since the destruction of the Ottoman Caliphate in 1924, the Islamic Ummah has been going through an existential

intellectual and political struggle, a struggle which colonialism imposed upon it. Does it stick to its historic roots, as the torch bearer of the great Islamic civilization, and hence return to its original status as a single Ummah organized under a single State governed by Islamic law, led by a Khaleefah, who manages her affairs? Or does the Muslim World embrace the Western civilization and its culture and accept the division of Muslim people into new nation states, organized by secular laws and constitutions and ruled by governance principles derived from the Western civilization?

This struggle has defined the internal politics and intellectual trajectory of the Muslim World, since the destruction of the Ottoman Caliphate. And it's a struggle which is now culminating in an Islamic revival, which is disputed only by the most unaware. This has been a painful struggle for the Muslim World for during this period the Ummah lost agency over its affairs and was subjected to direct and indirect colonial rule. However, this period gave the Muslim people an advantage over other nations, because the Muslim World was able to measure intellectually the difference between the Islamic civilization which they loved and admired but had weakened in connection to and understanding of, and a Western civilization which was imposed upon them by Western colonialists. This process refined the Ummah's own understanding of Islamic as well as Western civilization and, through a very deep and intense ideological struggle, the Ummah rejected the Western civilization and has returned to its conviction of adopting the Islamic civilization as the only source of organizing its affairs. This puts the Islamic Ummah in the unique position of providing an alternative to the Western civilization, which is in serious crisis not just in the Western World but around the globe, as the Islamic Ummah has consciously walked the path of choosing between the better of the two civilizations.

The Ummah now struggles for and awaits the return of its state, the Khilafah on the method of the Prophethood (saw). The return of the Islamic State will bring the Islamic civilization back to life, thus providing the world an alternative to the declining Western civilization which is increasingly losing confidence back home and around the globe.

يَا أَهْلَ الْكِتَابِ قَدْ جَاءَكُمْ رَسُولُنَا يُبَيِّنُ لَكُمْ كَثِيرًا مِمَّا كُنْتُمْ تُخْفُونَ مِنَ الْكِتَابِ وَيَعْفُو عَنْ كَثِيرٍ قَدْ جَاءَكُمْ مِنَ اللَّهِ نُورٌ وَكِتَابٌ مُبِينٌ (15) يَهْدِي بِهِ اللَّهُ مَنِ اتَّبَعَ رِضْوَانَهُ سُبُلَ السَّلَامِ وَيُخْرِجُهُم مِنَ الظُّلُمَاتِ إِلَى النُّورِ بِإِذْنِهِ وَيَهْدِيهِمْ إِلَى صِرَاطٍ مُسْتَقِيمٍ

“O People of the Scripture, there has come to you Our Messenger making clear to you much of what you used to conceal of the Scripture and overlooking much. There has come to you from Allah a light and a clear Book. By which Allah guides those who pursue His pleasure to the ways of peace and brings them out from darkneses into the light, by His permission, and guides them to a straight path.”

[Surah al-Maida 5:15-16]. ■

Continued from Page 21

other religion or ideology. Islam considers morality to be the commandments given by Allah, so different moral attributes need to be adopted because they are Allah's commandments, not because one may benefit from them or that these attributes are a purpose in themselves. Therefore, merely by building the system on the basis of Allah swt's rules and by nurturing the fear of Allah swt in the society, these moral qualities are automatically shaped in the society. Comprehensive implementation of Islam on a society is the ultimate guarantee for the existence of the finest moral values. ■

Reality And Intellectual Foundations Of Western Morals

Usman Aadil

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

One of the favourite topics of discussion for some key media personalities and a very small but influential secular circle in Pakistan, is Western Morals. These individuals are bent on proving somehow that west is far ahead of us as far as the ideas and values of humanity and civilization are concerned. According to them, we lie in the abyss of humiliation and moral decline, whereas west is far superior than us, not just economically, but also morally. It is ironic that our society is depicted as being void of morals, despite being a deeply rooted religious and conservative one, whereas the western society is depicted as morally our superior despite its blatant rejection of God.

On the other hand, the Islamic ideologues of Pakistan consider the west as an animalistic society, where women are objectified and considered little more than a commodity to market stuff, where incestuous relationships are common and where homosexuality is allowed and in many instances “coming out of the closet” is even encouraged. According to these Islamic ideologues, the western nations don't feel any shame in colonizing and usurping the resources of less developed nations, all the while leaving their people to die of hunger! So these Islamic ideologues consider the west as being deprived and declined of morals instead.

Is the west morally better or worse than Muslim societies? What are the foundations of western morals? What is the background and history of ideas related to western morals? This article gives an insight on this topic.

Firstly, how do western nations explain morals? In western view, the most

fundamental moral value is in valuing life itself. Therefore, a man giving value to his life is considered as a benchmark for all his moral activities and values. This is due to the reason that everything that a man has, is his life and there is nothing else like it. Therefore, it becomes his utmost priority to spend a happy and fulfilling life. This and only this is to be his first priority, and the lesser important things in life come late, for example his wife, children and assets etc. To live a happy and meaningful life, one needs to acquire some traits. One must be independent, self-minded and confident of one's decisions. Anything which stops a man from free and independent thinking is seen as a demoralizing agent, because it is against the basic attributes of man. He has to be honest, in which the most important is the honesty with idea and thought. Living a dishonest life is destructive for one's own self and his loved ones. Therefore, lying and deceitfulness and belief in them is harmful. He must be fair with others, which means that others must be dealt with what they deserve. If someone is virtuous towards you, then you need to be good to that person in return, and if someone treats you badly then that person needs to be removed from your life. This results in appreciation of good behaviours and discourages a person from treating anyone poorly. Having pride in one's own self is appreciated, and one can, and should be proud of one's self. These efforts are seen to encourage removal of immoral habits from within one's self. Following these moral values is the only way to make the world a much better place. This is a short snapshot of western morals.

Reviewing this depiction of morals reveals that western morals are deeply rooted in ideas emanating from secular belief, rather than religion. These are termed liberal ethics or

liberal morals. According to this idea of liberalism, one does not need religion for higher moral values, as this can be done through the human mind as well. Man doesn't require religion as per se' to be a better person. However, if one feels that a religious moral value is correct, then it can be adopted, but only based on the checks of one's mind. This is based on what was discussed earlier, that idea and thought are the greater values, and all other values are secondary to them.

According to western philosophers, using a religious benchmark for right and wrong (Halal and Haram according to Muslims) is incorrect, because religion itself, according to them, is subjective, not objective. However, principles like human life and human values are objective, because nobody disagrees with human life being valuable. Therefore, these should be the deciding factors for human morals.

Firstly, as far as the background and evolution of western moral values is concerned, many European countries are actually relics of the old Roman Empire. The Roman Empire was a Christian state, and before Christianity, there people were polytheists and their concepts about life and its systems were Hellenistic.

According to Greek philosophy, the ultimate goal for a human is happiness, since happiness is complete in itself and does not require anything else for its completion. For example, acquiring wealth can be a goal for a man but this is itself a deficient goal, as wealth can only be beneficiary if it is used to buy something of use. So wealth in itself is not a complete goal. Whereas, acquiring happiness is an independent goal. Mind and thought are important because they provide a means to acquire happiness and a meaningful life.

In Christianity, it is a known fact that Eesa (as) was sent as a prophet to Bani Israel for the guidance of Jews, who had the Torah with them. The basic concept of the Torah was to

follow the commandments of Allah (swt), whether related to morals or transactions, and that the obedience of rules of Allah (swt) was the objective of human life. Eesa (as) also talked about obedience to the rules of Allah (swt) which is also known to us from the Quran. Harsh treatment of Christians continued after Eesa (as), but eventually the Roman Emperor, Constantine, embraced Christianity and it spread across the lands of Rome.

The ideas of Greek and Roman philosophers were prevalent in Rome during that era. Christian scholars of that time confronted them with their ideas which were aligned with Christian ideas of that time. Notable among them was St. Augustine, who was a Rabi and a philosopher in the 4th century CE. According to the Greek and Roman philosophical ideas, the source of wisdom and happiness was philosophical reasoning. In contrast, St. Augustine said that happiness is in union of the soul with God after death. That is, the physical pleasures are inferior, whereas in the life of the Hereafter, a human's spiritual presence is superior. And as far as wisdom is concerned, it comes from the religious faith and the love of God.

Over time, the Christian thought, whether right or wrong, became influenced by Greek philosophy, including Christianity's concept of morality. Some Christian thinkers even tried to harmonize Greek philosophy with Christianity. Similar to what happened with Ibn Rushd, Bo Ali Sina, and Farabi much later, who tried to make Islam compatible with Greek philosophy, and instead ended up with Greek philosophy becoming the basis of their thought. In this respect, the name of Thomas Aquinas (1225-74) is prominent, who was a thirteenth-century Christian monk and thinker, greatly influenced by Aristotle's thinking. Aquinas's concern for morality can be summed up in his phrase: "God is not offended by us except by what we do against our own good". This essentially means that

the method for recognizing the good or the evil within an action is to make the humans judge for themselves which action is good for him and which is bad. The purpose of religion is also for the good of human beings, and religion and humanity aren't opposed to each other. However, as Muslims continued to practice Islam as a standard, despite being influenced by Greek thought and philosophy in their approach in deducing the rules of Islam, the European society also practiced Christianity, and it was primarily a religious society from its basis, even though the thinkers of Christianity assumed that the society should follow laws ordained by God, because they are for the society's benefit and well-being.

The Church's Reformation movement was born in reaction to the widespread deterioration in Christianity. This is widely known as the protestant reformation movement. It began in the late 16th century. The names of Martin Luther (1483–1546) and John Calvin (1509–64) are prominent in this movement. These people were disgusted with the ideas of Aristotle and other philosophers. Martin Luther proclaimed that the measure of right and wrong can only be ordained by God and that God's commands cannot be judged on any other independent measure of good or evil, nor do the divine commandments aim to fulfill human desires, as in Christianity, human desires are corruptible. The basis of salvation cannot be achieved in carrying out any virtuous duty, but through faith in Eesa (as) and in seeking the mercy of God. By examining the various aspects of the Protestant movement it seems that these ideas were influenced by Islam and some Muslim historians have actually stated this as well, that the Church's Reformation movement was influenced by Islam.

However, while the movement was underway, another thought was born in Europe whose pioneers were the atheist philosophers, who were opposed to Christianity and denied

religion from its basis. The details of these thinkers and the church's conflict are not the subject of our discussion, but the thought that emerged in society as a result of this conflict was that humans are not bound by religious law, and can create their own laws, and dictate their own will in organizing life's affairs. The human beings should have complete freedom, they can live their lives the way they want, except that his freedom shouldn't interfere with anyone else's freedoms. These concepts are collectively termed "liberalism", and this era is called enlightenment in the history of the West. Liberal thinkers have also made ethics a topic of discussion because the debate about morality or immorality of a process is linked to the discussion of whether something is good or bad, and whether it is right or wrong. This results in the discussion of what is the basis on which what is good for a person or society and what is bad, what is right and what is wrong. As stated above, these thinkers were firmly entrenched in the idea that man would decide with his own intellect what is to be deemed good and bad, what is right and wrong. Therefore, the same basis was used for morality as well. Obviously, if the purpose is not God's will, then it is human will, which cannot be achieved according to these thinkers except fulfilling the physical desires and wants. Hence, to achieve maximum happiness, man has to fulfil his desires to the utmost. The same holds true for the community as well, that this is what will bring happiness to more and more people. And this is a measure of something good or bad in society and this is also a measure of morality. This is termed as the theory of Utilitarianism. The renowned economist Adam Smith, who is considered the founder of capitalist economy, wrote the theory of moral philosophy before his famous book "The Wealth of the Nations". It was this thinking behind his moral philosophy, that was the basis of his thinking for political economy, according to which God created this world so that it can provide maximum happiness to humans.

As the thinkers were deliberating and writing about morality, they were also discussing other aspects of life. As a result of this, the implementation of the secular ideology that emerged, greatly influenced the relations, attitudes and moralities of human beings in the Western society. It was a direct result of the implementation of this ideology, that the desire of material development and the desire to accumulate more and more wealth became the object of the society, and the system became the watchdog of this desire. This in turn caused the human behavior to become impure, and kinships and relationships began to organize according to material benefits. Greed and selfishness became a norm. Things have come to a point that now a person will not care for another person when he is ill because religion commands him and it is obligatory on him or because he is related to the other, but because it is in his own interest, and it will work for him in trouble, and create business opportunities for him. In the Western society, being focused on self-interest comes first and foremost, with everything else relegated to a secondary status, and this is something everyone can feel easily. There is a race for the pursuit of the world's luxuries, in which each individual is running desperately, relegating everything else to the side to an extent, or just simply lagging behind.

The people of Pakistan who do not deeply understand the reality of the western society and the philosophy behind it, are indeed impressed by the sophisticated and well-mannered style of the people of the West, and are impressed with some of their habits, which are a byproduct of a productive educational system and a specific state structure, under which they're living since centuries. So the Muslims of Pakistan are affected by the impressive communication skills of the humble and well-mannered western people, even though they are selfish, greedy and self-centered in their personal lives.

For those who look towards the West as having high moral standards, to them, only a couple of issues may be termed as moral issues, like being honest in business, and not lying, and speaking softly to others, and being patient. Herein, the question arises, whether ethics are limited to trading honestly and refraining from deception in business? Does it not also apply on a wife who cheats on her husband in marital relations or men in the West cheating on their wives? Showing off, arrogance, disrespecting parents and elders, using abusive language, not caring about neighbors, humiliating others; Are these not the moral evils that are common among Westerners? Does the Western media not create false propaganda, and does the prevalence of false news on social media not exist in Western countries, which they talk about tackling through fresh legislations?

A deeper look at the western ethics makes it clear that their integrity is mostly related to refraining from deception in business transactions and abstaining from lying, which is why western companies usually maintain product standards, don't mix harmful chemicals in their products, and are fair in their dealings. One of the reasons for this is that capitalist ideology grants special emphasis on the economic system, as maximizing the acquisition of material wealth for the people is the basis of the capitalist system. Being a revived society, the west carries an enlightened view towards business, and the state also holds a very clear understanding, that business transparency and lack of fairness are detrimental to the overall economic activity and to the economy of the state. This is the reason we observe that the people of the west are fair in business transactions and in their employments, but in personal life, they are as lost as any other society.

The point of the matter here is that ethics are applied to every business, irrespective of the type of business. For example, buying or

selling liquor honestly, running a gambling or prostitution honestly, selling liquor honestly, distributing the gambling profits honestly; Should any work be justified simply because it is being run in an honest manner, or that it is done truthfully and faithfully?

In fact, trying to compare between the Pakistani society and the Western ones is just plain wrong. Comparisons should be made about how feelings of empathy, sympathy, sharing of happiness with each other, caring for neighbors, respect for parents and importance of relationships were important in the Western society before the implementation of the liberal ideology, and to what extent they used to be pure and on what level are they felt now? Has the implementation of the liberal ideology upon the western society brought some improvement to it or has it been counterproductive with respect to these attitudes? According to a Gallup survey conducted in 145 countries between 2006 and 2008, the followers of all religions of the world, who perform religious worship, were found to be more generous, spent money on others, with a higher rate for voluntary help to others and strangers, compared to those who did not perform religious worship.

Here it can be claimed that these findings actually support the basis of the secular theory, that religion itself is not a problem for the society, but perhaps it is better to adopt religion on an individual level. And if religion makes people honest, truthful and fair, then ultimately, this is beneficial for the state's system and economy as well. However, it is not appropriate to adopt religious teachings at the state level and to implement it as a system and to carry out legislations in order to meet the needs of the people from a religious perspective. So in its true essence, the religion should only play an active role in uplifting the morality of the people, but the needs of the people should only be fulfilled through man-made laws based on human intellect! But the question

remains, that whether the capitalist ideology that promotes materialism and states that happiness and contentment are the name of satisfying material needs, has been able to provide happiness and satisfaction through this rational balance between religion and systems of life? According to the data from the US National Institute of Mental Health, a glimpse of happiness and satisfaction in the Western society can be observed. The data shows that in 2017, 17.1 million people in the United States over 18 years of age have had a severe depression attack, which accounts for 7.1% of the US population, meaning that one out of every 14 people actually suffers from severe depression. According to a 2016 report by Business Insider, the United States ranks first in the top 12 countries across the globe in the use of anti-depressant, followed by Iceland, Australia, Canada, Denmark, Sweden, Portugal, United Kingdom, Finland, Belgium, all of which are developed Western nations, and the next five countries also belong to the West, namely Spain, Norway, Luxembourg, Slovenia, Germany, France. Yet, there is not a single Muslim country on the list of the first 24 countries. One might say that the complete statistics of Muslim societies might not be fully available. However, regardless of the Muslim societies, it is clear that the West is unable to guarantee happiness to all of its people despite sucking the resources of the whole world into itself. It is evident that those who pace ahead in the race of the worldly desires and who have few problems in life, are happy, while those who fail to acquire wealth status or family life for some reason in the Western society, suffer from nervous breakdowns. In this case, the liberal ideological thought is unable to give them peace of mind, and actually aggravates the issues instead, as in the West, happiness is merely the fulfillment of human desires, if desires are not fulfilled then life becomes little more than a punishment. Compared to this, the thought of Islam strongly guarantees happiness, according to which, happiness is in the will of Allah (swt). This is why despite

facing a poor life, inadequacy of basic services, oppression, injustice and exploitation, Muslim societies are protected from the high rate of depression that Western societies suffer from. You can very well imagine how the American people would turn out, if the same situation was faced by them. Just imagine what the graph for depression and suicide rates would be. It is very likely the whole society may suffer from a nervous breakdown.

Moral comparisons between Western societies and the Pakistani society are also wrong because the Western society is an ideological society and Pakistan's society is lacking any ideology thereof. This is reflected by the prevailing practices of people, correct or incorrect religious ideas, regional traditions, corrupt ideas supported by the system, lawlessness and a weakened justice system. Despite the hostility of capitalist ideas and the imposition of a corrupt system on the society, the feeling of empathy for others present among the people shows that if a righteous system is implemented in the same society, then the picture of the society would change drastically. An unadulterated implementation of Islam would re-enact the social statistics of the earliest ages, where the crime rate used to be negligible and people lived a peaceful, meaningful and content life. A society possessing such noble traits is certainly unfathomable by a modern-day human.

This debate does not mean that morality and human empathy are not inherent in the people of the West, but rather the point is that capitalist ideology has failed to promote morality in the West and to provide a lasting basis for its creation. The existing reason for the morality and human empathy of the people of the West, is the Christian influence that has existed to some extent within the Western societies, and also the fact that the species instinct in human beings encourages them to treat others humans well, and like other instincts, it requires satisfaction. So we also

find examples of charity in the West, people helping the afflicted and dedicating themselves to the poor.

As far as the examples of people of Pakistan lying in business and deception are concerned, the ones that happen are most often not because of religion, but because of the lack of it, in the society and its systems. There is a grave misconception that businesses in Pakistan cannot be run without fraud, and that manipulation that is acceptable to the customer, is deemed legitimate. It is the lawlessness and ineffective judicial system that has, for decades, supported in the corruption of the business environment. It is wrong to expect business integrity in an atmosphere of constant lawlessness. It is also important that when the people of Pakistan witness the corruption and plunder of their state's resources by their leaders and the elite, it has a direct impact upon the people. On the other hand, the Pakistani state has made it very difficult to earn livelihood in a straightforward and respectable manner. Lowering wages of government employees, coupled with gaping holes in the security net, further foster a corrupt and ruthless environment. It is also worth mentioning that corruption and moral turmoil are greater within the elites as well as the poorest. These classes are also the most distant from Islam. Therefore, the cause of corruption in Pakistan is not religion, but the distance of the people and their governing system from religion.

No other religion or ideology is able to exemplify the nuances of what Islam describes in terms of personality construction and moral behavior. Where lying is forbidden and where it is legitimate, where it is to be dealt with compassion and where to act strictly, where, it is forbidden to be angry, and in which case is becomes a duty, who is better to be forgiven, and where it is wise to take revenge, what is deception; Islam gives us guidance in all such situations. These details are not evident in any

[Continued on Page 15](#)

The Naya (New) Pakistan Experiment Has Proved Democracy Is Unfixable. Is It Not Now The Turn Of The Khilafah (Caliphate) On The Method Of Prophethood?

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

How has the latest experiment to fix the corrupt and rotten ruling system in Pakistan performed so far, well over a year later after it began? What of the promises of the experiment of Naya (New) Pakistan, to end corruption and alleviate poverty? Should we now give Democracy even more time, or is it already clear that it is now the turn of the Khilafah (Caliphate) on the Method of the Prophethood?

As for corruption, the corrupt continue to retain a firm grip of their vast financial empires, whilst the regime's promise of recovering hundreds of billions of rupees lies discarded, torn to pieces. Some of the corrupt of previous regimes have jumped into the rows of the current regime, whilst we protest that the regime's "team" is flawed. And yet others from the corrupt are clamouring for their chance to enter the current system again, as they know Democracy will secure their personal fortunes, as it has done for decades. The judiciary of Democracy secures the oppressors, as can be seen in the cases of Musharraf, the Sahiwal incident and Raymond Davis, whilst the oppressed are dragged through courts for decades, with no justice in sight. Indeed, the Naya Pakistan

Indeed, the Naya Pakistan experiment has proved that the current system cannot be fixed because Democracy is a factory for corruption and injustice, which is witnessed the world over. To truly end corruption we must look outside of Democracy, to our great Deen, Islam, and our ruling system, the Khilafah.

experiment has proved that the current system cannot be fixed because Democracy is a factory for corruption and injustice, which is witnessed the world over.

To truly end corruption we must look outside of Democracy, to our great Deen, Islam, and our ruling system, the Khilafah.

«مَنْ اسْتَعْمَلَنَا عَلَى عَمَلٍ فَرَزَقْنَاهُ رِزْقًا فَمَا أَخَذَ «Whomever we appointed in his job and we provided him (some funds), so whatever he took unduly would be ghalool (misappropriation).” (Abu Daud). Any excessive increase in the personal wealth of the rulers during ruling is simply taken by the judiciary of the Khilafah and put in the state treasury, swiftly and easily. Islam thus firmly closes the doors to corruption shut, as the state's laws are not made according to the whims and desires of assemblies filled with the corrupt, but must be in strict accordance to the Kitaab of Allah (swt) and the Sunnah of RasulAllah (saaw). Allah (swt) said, وَلَا تَتَّبِعْ أَهْوَاءَهُمْ وَأَخَذَرَهُمْ أَنْ يَفْتِنُوكَ عَنْ بَعْضِ مَا أَنْزَلَ اللَّهُ

«And judge between them by what Allah has revealed, and do not follow their desires, and beware (O Muhammad) that they might seduce you from some of what Allah has sent down to you.” [Surah Al-Maaida 5:49]

As for poverty, Democracy is the open door for oppressive IMF policies that forces us into ever worsening hardship. Hundreds of thousands fell below the poverty line within a year of the current regime, with hundreds of thousands more expected to fall below it before the next year. Tens of thousands lost their jobs as businesses collapsed or teetered at the edge of collapse within the first year, with tens of thousands more expected to lose their jobs within the next year. Huge taxation is being imposed upon those who are already drowning in poverty and hardship, whilst the corrupt ruling elite are given tax amnesties and colonialist companies are granted tax exemptions. Democracy is drowning the country in even more interest based loans, such that over half of all taxation revenues are now being used to pay just the interest on loans, let alone the principal amount.

To end poverty, we must also look outside of Democracy, to our great Deen, Islam, and our ruling system, the Khilafah. Our Deen would ensure plentiful revenues for the state treasury from large scale state enterprises, energy and minerals. The Khilafah will ensure the state's dominance of the capital intensive industries, such as large scale manufacturing, transport, construction and telecommunications, for the Sunnah of RasulAllah (saaw) established the 'Inaan, Abdaan and Mudarabah company structures that naturally limit the scale of capital available to private companies. The Khilafah will also ensure that the revenue generated

from the energy sector and minerals is spent upon the entire public, rather than benefiting a few through privatization, for the Sunnah of RasulAllah (saaw) establishes that they are public property. RasulAllah (saw) said, «الْمُسْلِمُونَ شُرَكَاءُ فِي ثَلَاثِ الْمَاءِ وَالْكَلْبِ وَالنَّارِ» "The Muslims are partners in three things, waters, feeding pastures and fire (energy)." (Ahmad). In our great Deen, revenues are generated from the one who is financially capable, such as Zakah from the one who owns trading merchandise and Kharaj from the one who owns agricultural land, whilst revenues are distributed to the ones who are impoverished, indebted and in hardship.

O Muslims of Pakistan, the Pure, the Good!

Democracy has proven over decades, all over the Muslim World, that it cannot be fixed and must now simply be discarded. The Ummah is impoverished even though it has the lion's share of the world's resources under its feet. The Ummah is attacked, persecuted for its Deen and suffers brutal occupation of its lands, by enemies who can be easily defeated, in Occupied

Kashmir and Palestine, despite the fact that the Ummah collectively has well over three million willing and able troops. Indeed, Democracy is the hole from which the Ummah is stung repeatedly and it must never be approached ever again. RasulAllah (saaw) warned, «لَا يُلْدَغُ الْمُؤْمِنُ مِنْ جُحْرٍ وَاحِدٍ مَرَّتَيْنِ» "The believer is not stung from the same hole twice." [Bukhari, Muslim]

[Continued on Page 31](#)

What Is Jihad?

Mohammad Imran

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

The understanding of the Islamic tenant of Jihad has been confused intentionally. The Colonialist powers and their agent rulers have been on the forefront in this conspiracy. The so-called intellectuals and scholars were also utilized through the media to disseminate false ideas about jihad, and its rulings, such that the Ummah became confused about this rule. Therefore, it is a dire need of the time to explain this important Islamic rule in the guidance of Quran & Sunnah.

Although the word jihad literally means “to exert effort”, but under Islamic jurisprudence, the term jihad means “the fighting or killing, i.e. violence carried out in order to raise and uphold the word of Allah”. Similar to the meaning of Shaheed being “witness” if taken literally in linguistics, but the same term holds an altogether different meaning of “martyr” under Islamic jurisprudence. Same is the case for the term “Hudood”, which linguistically means limits, but in Islamic Jurisprudence, it refers to a set of punishments for seven specific crimes. Similarly, jihad is also an Islamic legal term which correctly needs to be taken in its legal meanings, rather than its linguistic meaning. The legalistic meaning of Jihad in the way of Allah, is what which Muhammad (saw) mentioned in the following hadith. It was asked from the Prophet (saw); What is killing in the way of Allah? The Prophet (saw) replied,

(من قاتل لتكون كلمة الله هي العليا، فهو في سبيل الله)

“Whoever killed to raise the word of Allah, that is in the way of Allah”. (Bukhari & Muslim)

Definition of Jihad:

Famous scholar Ibn Abideen says, (الجهد هو بذل (الوسع في القتال في سبيل الله) Exerting possible efforts of fighting in the way of Allah (swt) is Jihad”. Imam Ibn abi Zaid Al-qairwani defines it as, ((وهو قتال الكفار لعلامة الله)) ” This (jihad) is killing (war) against non-muslims to raise the word of Allah (swt)”. Therefore, according to Islamic Sharia, Jihad is striving and exerting effort in carrying out fighting in order to raise the word of Allah, whether this Jihad is direct (i.e. physical fighting) or through wealth (i.e. funding to carrying out fighting) or through speech (i.e. encouraging people to fight physically or to fund it). Therefore, it is Jihad if it carried out through physical effort, wealth and speech, and if this effort is not directly against fighting the non-muslims, then according to Sharia it can't be categorized as Jihad, irrespective of the difficulties faced in doing so. Similar is the case for speech and writing i.e. they have to be directly linked to Jihad. Merely stating what is moral or raising word of truth in front of rulers is not termed as Jihad under the Shariah. Therefore, inspiring armies and the ummah for jihad, encouraging them, mentioning the rewards of attacking the enemy in front of them etc. is considered Jihad by speech. The political struggle carried out for the sake of the deen, and the accountability of rulers are indeed very rewarding actions and the ummah benefits from them greatly, however they don't fall within the definition of Jihad according to the Shariah. Moreover, this clarification is also necessary here, because we observe efforts against cancer, polio and pollution all being labelled as jihad, which are certainly not so. Also, attributing the term jihad with them is not only forbidden but also dangerous, because doing so weakens the correct understanding and legal terminology of jihad in the society. Similarly, jihad against self

Mohammad Imran: What Is Jihad?

(nafs) or sticking to the truth in the current difficult era is also not jihad, although these are all rewarding actions indeed. According to a hadith by sayyeda Ayesha (ra), the mother of the believers, this reality is explained quite clearly, when she (ra) asked Prophet (saw) that is jihad also for women? He (saw) said: (نعم عليهن جهاد لا قتال فيه، الحج والعمرة) “Yes! Jihad is also for them but it does not include fighting, (it is) Hajj and Umrah” (ibn Majah). A similar hadith is also reported by Bukhari. Therefore, it is established that “Jihad” consists of actual fighting. The sole exclusion was for women, as mentioned by Prophet (saw), that their jihad does not include fighting, rather women can get reward equal to jihad through Hajj and umrah.

The Obligation of Jihad:

Jihad is an obligation based on explicit evidences of the Quran and Sunnah. Allah (swt) mentioned in Quran:

كُتِبَ عَلَيْكُمُ الْقِتَالُ

“And fighting is enjoined upon you...”
(Al-baqra 216)

وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةً وَيَكُونَ الدِّينُ لِلَّهِ

“Fight them until there is no fitnah remaining and (only) the deen of Allah remains” (Al-baqra 193)

قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ وَلَا يَدِينُونَ دِينَ الْحَقِّ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ حَتَّى يُعْطُوا الْجِزْيَةَ عَنْ يَدٍ وَهُمْ صَاغِرُونَ

“Fight those people of the book who do not believe in Allah, and not in the last day and do not take as unlawful what Allah and His messenger has made unlawful and do not profess the faith of Truth, (fight them) until they pay Jizya with their own hands while they are subdued.” (Al-Taubah 29)

إِلَّا تَنْفَرُوا يُعَذِّبْكُمْ عَذَابًا أَلِيمًا

“If you do not march forth (in the way of Allah), He will punish you with a painful punishment” (Al-Taubah 39)

يَا أَيُّهَا الَّذِينَ ءَامَنُوا قَاتِلُوا الَّذِينَ يَلُونَكُمْ مِنَ الْكُفَّارِ وَلْيَجِدُوا فِيكُمْ غِلْظَةً

“O you who believe! Fight those disbelievers how are near you and let them find severity in you” (Al-Taubah 123)

Al-Nisai has narrated from Anas (ra), Messenger of Allah (saw) said,

جَاهِدُوا الْمُشْرِكِينَ بِأَمْوَالِكُمْ وَأَنْفُسِكُمْ وَالسِّنْتِكُمْ

“Fight the polytheists with your wealth, lives and tongues”.

The Prophet (saw) also said,

((الجهاد ماضٍ الى يوم القيامة))

“Jihad will continue till the day of Judgment”.

Bukhari narrates from Anas (ra) that Messenger of Allah (saw) said, “Fighting in the way of Allah (i.e. Jihad) for one day or night is better than this world and everything in it”. Bukhari and Muslim has narrated this Hadith that Prophet (saw) said,

(امرت ان اقاتل الناس حتى يشهدوا ان لا اله الا الله، فاذا فعلوا ذلك عصمو منى دماء هم و اموالهم الا بحقهم)

“I have been ordered to fight all humans until they proclaim that there is no God but Allah (swt) and Muhammad (saw) is His messenger, and establish Salah and give Zakah. If they do so, they would secure their life and wealth from me, except what is right under Shariah”.

In another hadith narrated from Abu Hurairah, he (saw) said,

"مَنْ مَاتَ وَلَمْ يَغْزُ وَلَمْ يُحَدِّثْ بِهِ نَفْسَهُ مَاتَ عَلَى شُعْبَةٍ مِنْ نِفَاقٍ"

Mohammad Imran: What Is Jihad?

“Anyone who dies such that he neither participated in Jihad nor wished for it, he died in hypocrisy” (Sahih Muslim).

Abu Dawood narrated from Imam Hussain (ra) that messenger of Allah (saw) said,

(لا تزال طائفة من امتي يقاتلون على الحق، ظاهرين على من ناوهم حتى يقاتل آخرهم المسيح الدجال)

“A group will always remain in my Ummah who will fight for truth and will overpower those who will go against them. Last of them will fight Masih Dajjal”.

And in another hadith narrated by Imam Ahmed bin Hanbal, Prophet (saw) said, “I am a Prophet and I have ten names.

أنا محمدٌ وأحمدُ والمُقبِّي والحاشِرُ ونبيُّ الرَّحمةِ ونبيُّ الملحمةِ

I am Muhammad, I am Ahmed, I am Muqfa, I am Haashir, I am the Prophet of Mercy and I am the Prophet of Jihad”.

Various situations of Jihad:

Offensive Jihad is a collective obligation (Fard Kifaya) upon the Ummah. This means that Jihad will be initiated by us against the adversary, even if the adversary has not carried out any aggression against us, in order to make that land part of the Islamic state, Islam is implemented upon the people of that land and hence Islam is offered to them in its practical form. The evidence of collective obligation is this Ayah.

لَا يَسْتَوِي الْقَاعِدُونَ مِنَ الْمُؤْمِنِينَ غَيْرُ أُولِي الضَّرَرِ وَالْمُجَاهِدُونَ فِي سَبِيلِ اللَّهِ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فَضَّلَ اللَّهُ الْمُجَاهِدِينَ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ عَلَى الْقَاعِدِينَ دَرَجَةً وَكُلًّا وَعَدَّ اللَّهُ الْحَسَنَىٰ وَفَضَّلَ اللَّهُ الْمُجَاهِدِينَ عَلَى الْقَاعِدِينَ أَجْرًا عَظِيمًا

“Those among the believers who sit back, except the handicapped, are not equal to those who fight in the way of Allah (swt) with their wealth and their lives. Allah (swt) has raised the ranks of those who fight with their

wealth and lives, over those who sit, and to each, Allah (swt) has promised good.” (Al-Nisa 95)

In this ayah, Allah (swt) has not admonished those who do not carry out Jihad, rather they also “promised good”. If such type of Jihad had been individual obligation, the people who didn’t go would have been promised punishment. Similarly, another ayah also proves the combined obligation of Jihad.

وَمَا كَانَ الْمُؤْمِنُونَ لِيَنْفِرُوا كَافَّةً فَلَوْلَا نَفَرَ مِنْ كُلِّ فِرْقَةٍ مِنْهُمْ طَائِفَةٌ لِيَتَفَقَّهُوا فِي الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ إِذَا رَجَعُوا إِلَيْهِمْ لَعَلَّهُمْ يَحْذَرُونَ

“It is not (necessary) for all believers to go forth. So why should it not be, that a group from every section of them goes forth, so that they may acquire flawless understanding of the Deen, and so that they may warn their people when they return to them, so that they may take due care (of Sharia rules).” (Al-Tauba 122)

This ayah informs that all Muslims need not go for offensive Jihad. As it is not an individual obligation, hence the reason why all Muslims aren’t ordered to go for it. However, if Muslims are not engaged in offensive jihad against any nation or country at any point in time, then all the Muslims are considered sinful, but if this obligation is being fulfilled through the participation of a few Muslims, then it is taken as the collective obligation being fulfilled from the remaining Muslims as well.

Although the rules of Jihad are absolute and not conditional to anything else, but as offensive jihad is carried out in order to expand the boundaries of an Islamic Land (Dar ul Islam), therefore the existence of an Islamic Land is a prerequisite for jihad. That is why only an Islamic authority can carry out offensive jihad in an effective manner.

As far as defensive jihad is concerned, it is an individual obligation upon the Muslims

Mohammad Imran: What Is Jihad?

of any region under attacked by the adversary. For the remaining Muslims, it becomes a collective obligation. This obligation will remain until the enemy is expelled and Islamic land is cleansed of the presence of Non-Muslims. This obligation also starts from nearest Muslims first and then expands to eventually encompass all Muslims of the world. Therefore, to eject the US from Afghanistan and Iraq, it is first obligatory upon the Afghani and Iraqi Muslims, then it becomes obligatory upon the nearest Muslims, for example, the Muslims of Pakistan, Iran and Saudi Arab, and especially their armies. They need to physically participate in jihad, and his effort needs to be exerted until they have the ability to eject the US completely from the land. The defensive jihad does not require Muslims to seek permission from a leader, a ruler or even the Khalifah, so much so, that even a slave does not require the permission of his master, neither a wife require the permission of her husband (if she has the ability to fight), nor a son require the permission of his parents.

In the event of an attack on a Muslim land, some points need to be clarified:

1. When a Muslim land comes under attack of an enemy, its armies are first to defend it. If they are able to halt the enemy's attack and defend the land, it still remains obligatory upon others to support them. Imam Al-Mawardi said, "Since this is defensive jihad, therefore this obligation will remain on each and every able bodies Muslim in the region". For example, in the 1965 war, citizens were supporting armies through all possible means on the Lahore front.

2. The fact that this is individual obligation upon all Muslims in the region, means that it is an individual obligation upon

capable Muslims like their armies or other armed groups, and upon individuals or tribes who possess military capabilities. This is because the existence of capability is, by default, a requirement for the application of any Sharai rule. Because Allah (swt) said,

لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا

"Allah does not burden someone beyond one's capability" (Al-Baqra 286)

This applies on all matters. Therefore, it is not correct to say, that by altering the definition, jihad is only individually obligatory upon armies, organized fighting groups and strong tribes, because the word Muslim is general and it is clear in its meaning that this is obligatory on those Muslims who are capable and those who carry the capacity and capability to perform jihad as required by Sharia. Today, practically the armies of all Muslim countries are being utilized as cheap mercenaries for the colonial interests by the agent rulers. Hence, this responsibility falls upon the sincere people in the Ummah, that they carry out a political struggle to liberate the armies from this slavery, so that they can be used for jihad once again by eliminating the colonial political influence. This objective can only be achieved by establishing the Khilafah state on the method of prophethood. It is only the shield of the Khilafah which can organize jihad and can practically liberate all occupied Muslim lands. The Messenger of Allah (saw) said,

(أَنَّمَا الْإِمَامُ جُنَّةٌ يُقَاتِلُ مِنْ وَرَائِهِ وَيَنْتَقِي بِهِ)

"Khalifah is a shield, behind whom the Muslims fight and seek protection" (Muslim)

3. Jihad has a specific objective and this war is not for the purpose of war, and neither for killing Non-Muslims. Allah (swt) says in Quran,

وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ
تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ

“Prepare against them whatever force you can, and the trained horses whereby you frighten Allah’s enemy and your own enemy” (Al-Anfal 60)

يَا أَيُّهَا النَّبِيُّ حَرِّضِ الْمُؤْمِنِينَ عَلَى الْقِتَالِ إِنْ يَكُنْ مِنْكُمْ عِشْرُونَ صَابِرُونَ يَغْلِبُوا مِائَتِينَ وَإِنْ يَكُنْ مِنْكُمْ مِائَةٌ يَغْلِبُوا أَلْفًا مِنَ الَّذِينَ كَفَرُوا بِأَنَّهُمْ قَوْمٌ لَا يَفْقَهُونَ (٦٥)
الَّذِينَ خَفَّتْ اللَّهُ عَنْكُمْ وَعَلِمَ أَنَّ فِيكُمْ ضَعْفًا فَإِنْ يَكُنْ مِنْكُمْ مِائَةٌ صَابِرَةٌ يَغْلِبُوا مِائَتِينَ وَإِنْ يَكُنْ مِنْكُمْ أَلْفٌ يَغْلِبُوا أَلْفِينَ بِإِذْنِ اللَّهِ وَاللَّهُ مَعَ الصَّابِرِينَ (٦٦)

“O Prophet! Rouse the believers to fighting. If there are twenty among you, who are patient, they will overcome two hundred, and if there are one hundred among you, they will overcome one thousand of those who disbelieve, because they are a people who do not understand. Now Allah has lightened your burden, and He knows that there is weakness within your ranks. So, if there are one hundred among you, who are patient, they will overcome two hundred, and if there are one thousand among you, they will overcome two thousand by the will of Allah and Allah is with the patient.” (Al-Anfal 65-66)

In the first ayah, the objective of preparation is to strike fear in enemy which is necessary for defeating the enemy. Similarly, in second and third ayah, Allah (swt) is informing us of the numbers required for overcoming the enemy. Hence, jihad is carried on for an objective, not merely for fighting. Similarly, it is narrated in Sahih Muslim from Suleman bin Bareed from his father that whenever Messenger of Allah (saw) appointed an Ameer of an army or a unit, he specially advised him to fear Allah and treat fellow Muslims well. He (saw) used to say, “...don’t do corruption in booty, do not break promises, do not mutilate the dead, do not beat the children, when you face the Non-Muslim enemy, invite them to three things, if they agree to any, then you should also commit to it, and do not harm them. Invite them to

accept Islam, if they accept it, then you also accept this from them and refrain from fighting... If they do not accept Islam then invite them to pay Jizya. If they accept it then you also accept this and refrain from fighting...” (Sahih Muslim 4294). This hadith is another evidence of the objective of Jihad. Hence jihad has some objectives, like the objective of offensive jihad is to convert an area into Islamic Land by removing system of Kufr and establishing the system of Islam. Therefore if achieving that objective is not possible, then this war is not started rather preparation is made to acquire the required capability so that the objective can be achieved. Similarly the objective of defensive jihad is to liberate the Muslim land from foreign occupation. Hence if only guerilla warfare is not enough to achieve this objective, then it is necessary to come up with ways to achieve this objective. Muslims have been witnessing since decades that they have been sacrificing their lives for this deen, for the oppressed Muslims and against foreign occupation, however all these sacrifices are in vain due to the treachery of the agent rulers of Muslims. They stab them in their backs, similar to what was done to the resistance in Kashmir or what was done to the Taliban or what is being planned against the current Afghan resistance. That is why it is necessary that Muslims remove these treacherous rulers and establish the Khilafah State, otherwise (God forbid) the objective of Jihad will never be realized, in spite of the Muslims continuing to give sacrifices!!!

4. If the enemy establishes its rule on an area such that they are able to practically dominate the Muslims, then Muslims are like war prisoners in this situation although they are not prisoners of war in real terms and jihad does not remain an individual obligation upon them, because they do not have the capability to liberate that area. This is the situation

Mohammad Imran: What Is Jihad?

currently in Gaza and in Kashmir, and was as such on the majority of Indian subcontinent after the 1857 War of Independence. In this scenario, this obligation is shifted to the surrounding Muslims that they wage jihad in order to liberate these Muslims from Non-Muslim occupation. Allah (swt) says in Quran,

وَمَا لَكُمْ لَا تُقَاتِلُونَ فِي سَبِيلِ اللَّهِ وَالْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ الَّذِينَ يَقُولُونَ رَبَّنَا أَخْرِجْنَا مِنْ هَذِهِ الْقَرْيَةِ الظَّالِمِ أَهْلُهَا وَاجْعَل لَنَا مِنْ لَدُنْكَ وَلِيًّا وَاجْعَل لَنَا مِنْ لَدُنْكَ نَصِيرًا

“What has happened to you that you do not fight in the way of Allah, and for the oppressed among men, women and children who say, Our Lord! Take us out from this town whose people are cruel and make for us a supporter from Your own and make for us a helper from Your own” (Al-Nisa 75)

Whenever the ruler, Imam or Khalifah of muslims announces Jihad, it becomes individual obligation on all except those exempted by himself. This rule is for both offensive and defensive Jihad, because Allah (swt) said,

يَا أَيُّهَا الَّذِينَ ءَامَنُوا مَا لَكُمْ إِذَا قِيلَ لَكُمْ أَنْفِرُوا فِي سَبِيلِ اللَّهِ أَنْتُمْ إِلَى الْأَرْضِ أَرْضِيكُمْ بِالْحَيَاةِ الدُّنْيَا مِنَ الْآخِرَةِ فَمَا مَتَّعَ الْحَيَاةِ الدُّنْيَا فِي الْآخِرَةِ إِلَّا قَلِيلًا

“O you who believe! What is wrong with you that when it is said to you, Come out in the way of Allah, you turn heavy (and cling) to the ground. Have you become happy with the worldly life instead of Hereafter? So (remember that) the enjoyment of the worldly life is but trivial in (comparison with) the Hereafter” (Al-Tauba 38)

انْفِرُوا خِفَافًا وَثِقَالًا وَجَاهِدُوا بِأَمْرِ اللَّهِ وَأَنْفُسِكُمْ فِي سَبِيلِ اللَّهِ ذَلِكَ خَيْرٌ لَكُمْ إِنْ كُنْتُمْ تَعْلَمُونَ

“March forth (in the way of Allah) no matter whether you are light or heavy, and

carryout Jihad in the way of Allah with your wealth and lives. That is good for you, if you were to realize” (Al-Tauba 41)

And according to Sheikain, Messenger of Allah (saw) said,

(و إذا استنفرتم فانفرو)

“When it is asked of you to move forward, then move forward”

This place is suitable to mention this important point that the Sharai cause of the rule of Jihad is the existence of such non-muslims who rejected this dawah. Similarly the Sharai cause to stop jihad is the payment of Jizya from non-muslims after been overcome. Therefore, till the existence of non-muslims in this world, who rejected the dawah of Islam presented to them, offensive jihad will remain a collective obligation on muslims and muslims will be answerable to Allah (swt) for this obligation in all times. Allah (swt) says in Quran,

وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينَ لِلَّهِ

“Fight them until there is no fitnah anymore and deen remains for Allah” (Al-baqra 193)

قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ وَلَا يَدِينُونَ دِينَ الْحَقِّ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ حَتَّى يُعْطُوا الْجِزْيَةَ عَنْ يَدٍ وَهُمْ صَاغِرُونَ

“Fight those people of the book whose do not believe in Allah, not in the last day and do not take as unlawful what Allah and His messenger has made unlawful and do not profess the faith of Truth, (fight them) until they pay Jizya with their own hands while they are subdued.” (Al-Taubah 29)

إِلَّا تَنْفِرُوا يُعَذِّبْكُمْ عَذَابًا أَلِيمًا

“If you do not march forth (in the way of Allah), He will punish you with a painful punishment” (Al-Taubah 39)

Mohammad Imran: What Is Jihad?

يَا أَيُّهَا الَّذِينَ ءَامَنُوا قَاتِلُوا الَّذِينَ يَلُونَكُمْ مِّنَ الْكُفَّارِ
وَلْيَجِدُوا فِيكُمْ غِلْظَةً

“O you who believe! Fight those disbelievers how are near you and let them find severity in you” (Al-Taubah 123)

Bukhari and Muslim have narrated this hadith,

(امرت ان اقاتل الناس حتى يشهدوا ان لا اله الا الله،
فاذا فعلوا ذلك عصمو منى دماء هم و اموالهم الا بحقهم)

“I have been ordered to fight all humans until they proclaim that there is no God but Allah and Muhammad is His messenger, and establish Salah and give Zakah. If they do so, they would secure their life and wealth from me, except Sharai right”.

These ayaat and hadith clarifies that Sharai cause of jihad is the existence of non-muslims who rejected Islam, however the Sharai cause of stopping jihad is their paying Jizya while humiliated and accepting authority of Islam.

Jihad is not only defensive:

This is another conspiracy of the secular west and its machinery in order to limit jihad to defense only. This is why every Muslim country has a Ministry of Defence, but none have ministries of war or Jihad. Although west also named their ministries as defense but in reality, their ministries are of war, not defense.

Quran, Hadith, life of Messenger of Allah (saw) and the consensus of companions, define offensive and defensive jihad in a definite manner. Allah (swt) says in Quran,

وَقَاتِلُوهُمْ حَتَّىٰ لَا تَكُونَ فِتْنَةً وَيَكُونَ لِلَّهِ

“Fight them until there is no fitnah anymore and deen remains for Allah” (Al-baqra 193)

قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا
يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ وَلَا يَدِينُونَ دِينَ الْحَقِّ مِنَ الَّذِينَ
أُوتُوا الْكِتَابَ حَتَّىٰ يُعْطُوا الْجِزْيَةَ عَن يَدٍ وَهُمْ صَاغِرُونَ

“Fight those people of the book whose do not believe in Allah, not in the last day and do not take as unlawful what Allah and His messenger has made unlawful and do not profess the faith of Truth, (fight them) until they pay Jizya with their own hands while they are subdued.” (Al-Taubah 29)

يَا أَيُّهَا الَّذِينَ ءَامَنُوا قَاتِلُوا الَّذِينَ يَلُونَكُمْ مِّنَ الْكُفَّارِ
وَلْيَجِدُوا فِيكُمْ غِلْظَةً

“O you who believe! Fight those disbelievers how are near you and let them find severity in you” (Al-Taubah 123)

These are absolute rules and no Ayah has abrogated or restricted them, meaning these ayahs do not specify fighting to an attack on Muslims or Non-Muslims waging on Muslims, rather these Ayahs oblige the Muslims to fight “till there is no fitnah remaining”. Moreover, they are commanding Muslims to continue waging jihad till the Non-Muslims submit to the authority of Muslims and the Islamic rules by paying jizya. Bukhari and Muslim have narrated this hadith,

(امرت ان اقاتل الناس حتى يشهدوا ان لا اله الا الله،
فاذا فعلوا ذلك عصمو منى دماء هم و اموالهم الا بحقهم)

“I have been ordered to fight all humans until they proclaim that there is no God but Allah and Muhammad is His messenger, and establish Salah and give Zakah. If they do so, they would secure their life and wealth from me, except what is a right under Sharai”.

This hadith has been narrated by Ibn Umer, Abu Huraira, Jabir bin Abdullah, Aus bin abu Aus, Abn Abbas, Sehl bin Saad, Noman ibn Bashir, Tariq ibn Asheem, Abu Bakrah, Muaz ibn Jabl, Samrah bin jundub. Hence this hadith is Mutawatir, which is the highest category of hadith. In this hadith also, he (saw) did not condition jihad with the

Mohammad Imran: What Is Jihad?

aggression of Non-Muslims. The actions of Messenger of Allah (saw) and Righteous Khulafah also verifies offensive jihad. The wars of Badr, Hunain, Mota and Tabook were all initiated by Messenger of Allah (saw), and similar is seen in the era of Righteous Khulafah, which is consented upon by all companions. ■

Continued from Page 23

It is upon us all to work with Hizb ut Tahrir now in its struggle to restore Islam as a way of life, for it is the only sincere and aware leadership that calls for the abolition of Democracy and the re-establishment of the Khilafah. Only then will we see the end of the rule of force and tyranny and the return of the ruling by all that Allah (swt) has revealed. Ahmed narrated that RasulAllah (saw) said, **تَكُونُ مُلْكًا جَبْرِيَّةً فَتَكُونُ مَا شَاءَ اللَّهُ أَنْ تَكُونَ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ أَنْ يَرْفَعَهَا ثُمَّ تَكُونُ خِلَافَةً عَلَىٰ مِنْهَاجِ النَّبُوءَةِ ثُمَّ سَكَتَ** “Then there will be rule of force, and it will remain as long as Allah will it to remain. Then Allah will end it when He wills. Then there will be a Khilafah (Caliphate) on the Method of Prophetood.” Then he fell silent. [Ahmed]

O Lions of Pakistan’s Armed Forces!

Democracy, the guardian of corruption and oppression, continues today only because traitors in your leadership have only ever used your strength in support of man-made law. How do you accept such abuse of your strength, O you who have taken oath before Allah (swt) to protect the country and its people?! RasulAllah (saw) established the Islamic State in Madinah by securing Nussrah (Material Support) from your predecessors in war, fire and steel, the fighting men of the Ansaar. So it is upon you now to grant your Nussrah to Hizb ut Tahrir for the immediate restoration of the Khilafah (Caliphate) on the Method of Prophetood, seizing the corrupt at

the height of their oppression, earning the pleasure of Allah (swt) and averting His punishment upon you. RasulAllah (saw) said, **«إِنَّ النَّاسَ إِذَا رَأَوْا الظَّالِمَ فَلَمْ يَأْخُذُوا عَلَىٰ يَدَيْهِ أَوْشَكَ أَنْ يَعْمَهُمُ اللَّهُ بِعِقَابٍ»** “If the people witness an oppressor and they do not take him by his hands (to prevent him) then they are close to Allah covering them all with punishment.” [Abu Dawud, Tirmidhi, ibn Majah]. ■

Hizb ut Tahrir

Wilayah Pakistan

11 Rabi ul Awwal 1441 AH

8 November 2019 CE

Babri Masjid In India - The Case & Islamic Viewpoint

Riadh Ibn Ibrahim

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

The Supreme Court of India gave its final verdict on 09 Nov 2019 on the lawsuit, commonly known as the Babri Masjid Issue or Ayodhya case. The suit, that ran for decades, was for the ultimate possession of 2.77 acres where once a 450 year old masjid stood. The dispute was the claim by Hindus that Babri Masjid was built on the very place, in Ayodhya (known Oudh in history), where the Hindu deity Ram was born (some 900,000 years ago). The 5 judge Supreme Court bench unanimously ruled that Hindus are to be given full possession of 2.77 acres to construct a Ram Temple and Muslims will be compensated with a 5 acre vacant land nearby for the construction of a masjid.

The Babri Masjid is known to have been built by commander Mir Baqi in 1528 AD under the orders of Sultan Mahmud Babur. Nearly 350 years later, Mahant Raghbir Das moved the Faizabad court in 1885 to construct a temple in the vicinity of Babri Masjid, which was denied. It is the first known legal judgement in this dispute that would last over a century and that saw a multitude of lawsuits & political moves,

The Babri Masjid is known to have been built by commander Mir Baqi in 1528 AD under the orders of Sultan Mahmud Babur. Nearly 350 years later, Mahant Raghbir Das moved the Faizabad court in 1885 to construct a temple in the vicinity of Babri Masjid, which was denied. It is the first known legal judgement in this dispute that would last over a century and that saw a multitude of lawsuits & political moves, that eventually secured the interests in favour of Ram Mandir (Hindus), and eventually the razing of the Babri Masjid (Muslims) that led to the communal riots.

that eventually secured the interests in favour of Ram Mandir (Hindus), and eventually the razing of the Babri Masjid (Muslims) that led to the communal riots.

The Muslims were gradually ousted from the 1500 Sq yards of the mosque through acts of vandalism during communal riots in 1934, desecration of the masjid's sanctity in the nights of Dec 22,23, 1949 and finally the demolition of the masjid in Dec 6, 1992 at the hands of 'Kar Sevaks' (Hand Servants) triggering nationwide communal riots over the next few years resulting in the death of over 2000 people.

It is known that Muslims did not (or were unable to) object to the Hindu devotee worship of Ram idols in the courtyard of the masjid in a structure called Ram Chabutra sometime prior to 1949. However in the intervening night of Dec 1949, these idols were moved by miscreants inside the inner masjid that triggered conflicts. The UP state government intervened to restrain both parties followed by a court order in 1950, that did not allow the idols to be removed. The status-quo meant that neither party was allowed to enter the masjid. In 1959, a suit was filed

by the Nirmohi Akhara (Ascetic guards of Ram worshippers) claiming title to the disputed structure. This suit changed the nature of the issue from one that involved Law &

Riadh Ibn Ibrahim: Babri Masjid In India - The Case & Islamic Viewpoint

Order and Place of worship to that of claim of title. On Dec 1961, the UP Central Sunni Wakf Board filed suit to take possession of the masjid and for the removal of the idols in a counterclaim to the title. In Feb 1986, the Faizabad court ordered the locks of the masjid to be opened and allowed Hindus to offer prayers from behind a railing away from the inner masjid. In Jul 1989, another lawsuit was filed to claim that the disputed place had Ram Lalla Virajman (Deity Baby Ram), Ram Janmasthan (Sacred Place) with it, which was represented by another claimant Triloki Nath Pandey (representing Hindus).

Commitment to build Ram Temple at Ayodhya and turning India into a Hindu Rashtra had been the emotional rallying call of the Bharatiya Janata Party (BJP) that rules over India today, with an absolute majority of over 270 MP seats in the elections of 2014 and 2019, in comparison to 2 MP seats in the 1980s. On Sep 1990, the Rath Yatra (Chariot Ride) to Ayodhya led by BJP Leader L.K.Advani all over India radicalized the Hindu masses. Even as the Places of Worship Special Act passed in 1991, which included an exception for the Babri Masjid in Ayodhya, the BJP's UP state election win in 1991 had set the scene thoroughly with thousands of Kar Sevaks assembling in the areas surrounding the masjid to receive the Rath Yatra. Despite assurances by the State government (ruled by BJP Kalya Singh as Chief Minister) to the Centre (Congress Party led by P V Narasimha Rao) and Courts, the radicalized and frenzied rioters of Kar Sevak razed the 450 year old Masjid to the ground. It was deemed a criminal offence and the case is still pending in the Supreme Court of India as of today. After dismissing the BJP state government, Acquisition of Certain Area at Ayodhya Act, 1993 (ACAA) was passed in Jan 1993 wherein nearly 65 acres of land,

surrounding the 2.77 acres were Babri Masjid once stood, was acquired by the Central government. In the years after 1993, these lands vacated by the Muslims & Hindus witnessed much activity leading towards the build up of Ram temple with the 2.77 acres dispute yet to be settled. Although challenged by Dr Ismail Faruqui, the Supreme Court verdict in 1994 vindicated the Central Government's acquisition of 65 acres as a cautionary measure.

The Nov 2019 Supreme Court Verdict awarded the entire 67.73 acres including the 2.77 acres to the 3rd Hindu party (case filed in 1989) comprising Ram Lalla (Baby Ram) & Ram Janmasthan (Sacred Land) with Government set to form a Trust towards the construction of the Ram Temple and Muslims (UP Wakf Board) be given a suitable 5 acre vacant plot nearby. The Supreme Court's verdict hinged on some key points - listed below.

1. The verbal and literary anecdote by Hindus of references to existence of Ram Temple in Ayodhya with some specifying it as exact location of the Babri Masjid.
2. The persistent claim of Hindus since 1885 to worship Ram, the idol in the disputed 2.77 acres.
3. The inability of Muslims to demonstrate continued, undisputed and exclusionary possession of the disputed site.
4. The Archaeological Survey of India's (ASI) report that cites that there was a structure beneath the foundations of Babri Masjid though it is not ascertained whether it was a temple.

Now with the facts laid bare, we want to state how Muslims should view these events from an Islamic viewpoint. It is important to note

that these observations are fully relevant even if the verdict may have gone in favor of Muslims.

1. The Judiciary gives pronouncement of the rule that then becomes binding. It settles the disputes between the people and prevents that which harms the community's rights, or it eliminates the disputes arising between people and members of the ruling system – both rulers and civil servants – from the Head of State downwards. The origin of the judiciary and its legitimacy is the Book and the Sunnah. As for the Book, the words of Allah (swt)

“And judge, [O Muhammad], between them by what Allah has revealed.” (TMQ 5:45),

2. The Islamic Judicial system has very specific criteria to accept claims & witnesses in a Judicial case. The verdict is deposed in favor of a valid claim supported by evidence. Anecdotal references and emotions do not stand in favor of a case. In the case of Babri Masjid, a thoroughly existing building of Wakf was given away for a character personified in Puranas (Stories). We understand this from the following evidences.

The Messenger of Allah commanded that the two litigants sit in front of the judge (between his hands) .” (reported by Ahmad and Abu Dawud with the wording from Abu Dawud).

The onus of proof is upon the claimant (plaintiff)” (reported by Al-Bayhaqi with an authentic chain as Ibn Hajar said), and this attribute would not be given except in the court session.

3. The Islamic Judicial system applies the judgement given by one judge only, and does not recognize Judgement by a bench nor Jury. This is established by the daleel,

The Messenger did not appoint two judges to a single case, but rather he would appoint a single judge for the single case, which indicates the impermissibility of having a multiplicity of judges in a single case. One or more persons can accompany the sitting judge to give consultation & opinion however that is not binding on the sitting judge.

The Islamic Judicial system has very specific criteria to accept claims & witnesses in a Judicial case. The verdict is deposed in favor of a valid claim supported by evidence. Anecdotal references and emotions do not stand in favor of a case. In the case of Babri Masjid, a thoroughly existing building of Wakf was given away for a character personified in Puranas (Stories). We understand this from the following evidences.

4. The Islamic Judicial system does not allow a non-person entity such as Ram Lalla (Deity Baby Ram) representation in a case. In the case of Babri Masjid, we see a case of a Deity Baby Ram and Sacred Land being represented by a Human entity as another claimant. The Akham Shariah stipulate the rules and limits in the actions of people. They do allow representation by proxy only when delegated by the person, as confirmed by the below daleel.

The issue of proxy in disputes is confirmed by the Ijma' of the companions, since Ali (ra) gave a proxy to Uqayl before Abu

Bakr (ra) and said, “Whatever is ruled for him is for me, and whatever is ruled upon him is upon me”

5. A masjid that existed for hundreds of years could be torn down and legally upheld by the Supreme Court of the Largest democracy in the world. For any with reason it is apparent that the mere delay in the

judicial process allowed the political & legal manipulation to eventually home into the desired verdict. According to data in 2025, the number of cases pending in all courts including the Supreme Court of India stood at 3.93 million! The average time for a decision through the subordinate courts through to Supreme court is 6 years with exception to this being the rich and powerful. The Islamic Khilafah system upholds justice process without delay. Also, there is no layered court system, and this is established by the Ijma of the companions.

The people of Najran came to ‘Ali (ra) and said, “O leader of the believers, the judgement is in your hands and your pardon is with your own tongue”. He said: “Woe to you, Umar was rightly guided, and I will not reverse a judgement pronounced by Umar.”

6. The Islamic Judicial system ensures that the rights of people, regardless of Majority or Minority, is upheld within the framework of Shariah. No tinkering, in order to favor any group is allowed. In the case of Babri Masjid, it is apparent that Congress and BJP had indeed manipulated the Laws and Acts for political gains at various times in the last many decades. We do see a reality in the so-called democracies where emotional whip-ups and revolutions are engineered to obtain parliamentary majority to achieve their end results and then tremendous displacements and turmoil are forced upon the people in the process. The ruling system of the Khilafah strives to implement justice and fairness within the bounds of Allah’s Shariah and does not require a majority for support. The ruling system of the Khilafah does not suffer expediency, as sought by various political parties in democracies, in order to favor their vote banks. We can see today from America to Europe to Asia, political leaders playing the emotions of the masses to win their votes.

This is the reason we’re witnessing Ultra Nationalism in many parts of Europe, and which has eventually led to the anti-immigrant stance or in India where it has given rise to Ultra- Religious Nationalism.

Conclusion.

The status of the Masjid is like the land ruled by Islam, i.e it does not allow for a reversal in its status. The deafening silence of rulers of the muslim world is simply outrageous. Muslims must realize that no man-made constitution will be able to uphold the limits of Allah (swt) including matters of Judiciary. It is upon the Muslims to take charge in this situation wherein they re-establish the Khilafah and demonstrate to the world the blessings of Allah (swt) by appointing the Khaleefah of the Messenger of Allah (saw) who will apply the Shariah of Allah (swt) on the people – Muslims as well as others. Bi iznillah. ■

References:

<https://www.bbc.com/news/world-asia-india-50355775>

<https://www.rt.com/news/473015-ayodhya-dispute-supreme-court/>

https://en.wikipedia.org/wiki/2019_Supreme_Court_verdict_on_Ayodhya_dispute

<https://indiankanoon.org/doc/37494799/>

<https://frontline.thehindu.com/static/html/fl1904/19040180.htm>

The Nation-State, A Primitive Idea, Has Destructive Effects On Humanity

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the late 19th century, the call for the idea of the nation-state by the pseudo-intelligentsia of that time, which was itself mesmerized by the western civilization, had a devastating effect on the political institution of the Caliphate. The concept of nation state was behind the formulation of the Ottoman constitution of 1876. This constitution led to the adoption of the Ottoman bond as a foundation of this new bond which, despite various nationalities and linguistic differences, bonded all citizens and public on the fact that they all were Ottoman nationals, without any exception. This constitution enabled the racial bonds to manifest, which led to the surfacing of Turanian and Arab nationalism by late 19th century and early 20th century. This itself wasn't surprising because the self-proclaimed reformers fascinated by western thought were aptly described by the Austrian thinker "Bischoff" as attempting to "marry fire with water". They claimed that they wanted to elevate and strengthen Ottoman State through western civilization, but their sole achievement was that they transformed the Khilafah from a state which implemented Islam upon its people into a state very similar to the Roman Empire. They lacked the fundamental

In the late 19th century, the call for the idea of the nation-state by the pseudo-intelligentsia of that time, which was itself mesmerized by the western civilization, had a devastating effect on the political institution of the Caliphate. The concept of nation state was behind the formulation of the Ottoman constitution of 1876. This constitution enabled the racial bonds to manifest, which led to the surfacing of Turanian and Arab nationalism by late 19th century and early 20th century.

understanding of the concept that the Islamic State was for all of mankind, in which no race is superior nor better than another, nor is the state associated with any specific nation or race, which they attempted to achieve through the 1876 constitution. According to this promulgated law, all state citizens were to be referred as Ottomans, the state religion was to be Islam and state language, Turkish. All this was done while blindly imitating the notion of the western "nation-state".

Although Sultan Abdul Hamid II overturned the said constitution early in his rule, but the bond established between the people of Islamic State during its last times influenced his thinking as well. To protect the Ottoman State from it, Sultan Abdul Hamid II intended to replace the Ottoman bond with an Islamic League or an Islamic Bond as basis, but this itself shows the extent of influence of western thought upon him. This was because the Islamic State never organized or felt the need to stand on such bonds. The Muslims never needed to be concerned of the survival of their "State" at any time, because Islam was observed as a way of life and state was essentially a part of it and Islam was not implemented

except by the existence of a just ruler. It is due to these concepts and beliefs that Muslims ensured protection of their state and remained faithful to it. The concepts like Islamic League

were a byproduct of the seeping influence of western ideas into the thinking of Muslims.

Initially, the attempt to invent Ottoman bond was simply but a patchwork, an effort to reconcile the irreconcilable concepts of Islamic and Nation-state, which was at that time, at its peak in Western Europe. The same idea was also gaining traction in eastern Europe, including the Balkans which were considered vassals of the Ottoman State. Moreover, this was a blatant attempt to overturn the Sharia rules pertaining to regulating the relationships between the State and its citizens. Patriotism was legislated based on a bond, which was itself sourced from a Social Contract outlining political relations organized in a state. The promotion of Ottoman nationalism in the Ottoman State while imitating the nation-state resulted in reformists leading the Islamic State to the brink of decline. It was because then, the existence of Islamic State was no longer linked to the Islamic concepts which necessitate the existence of a state to implement Islam and carry this message globally. Now the state was justifying its existence on patriotism and patriotic grounds where the Sultan or the ruler was justified being representative of people or the Ummah, similar to how it was practiced in the nation-states of the west. This innovation paved the way for the patriotic and nationalistic movements to raise their patriotic and nationalistic slogans. Furthermore, this encouraged apartheid as well, because the

Ottoman bond, which had no basis in reality, could not manifest itself without instigating the creation of racial bonds, aggravating the decline of the Muslim Ummah. The 1876 constitution, in acknowledging the Ottoman bond, though unintentionally, made families and tribes a basis for its political organization within the framework of executive body of the State.

After the demise of Ottoman Khilafah, patriotic and nationalistic slogans aggravated the destructive impacts of the idea of the nation-state within Muslims, because all those small insignificant states which the colonial non-Muslims allowed to be built upon the debris of Khilafah, declared the idea of nationalism and patriotism as a basis for their Reason d'etat, as well as the basis of their public law. Therefore, it was easy for the Non-Muslim colonialists to benefit from the dominant majority factions within these states in order to interfere in the state matters, primarily due to their resultant weaknesses, which in turn generated instability in these states.

After the demise of Ottoman Khilafah, patriotic and nationalistic slogans aggravated the destructive impacts of the idea of the nation-state within Muslims, because all those small insignificant states which the colonial non-Muslims allowed to be built upon the debris of Khilafah, declared the idea of nationalism and patriotism as a basis for their Reason d'etat, as well as the basis of their public law. Therefore, it was easy for the Non-Muslim colonialists to benefit from the dominant majority factions within these states in order to interfere in the state matters, primarily due to their resultant weaknesses, which in turn generated instability in these states.

An excerpt from a lecture "Iraq between 1920 and 1930" by a British research scholar Roger Ovine, who presented it in 1993 in a conference titled "Nationalism: Its nurturing, views, objections and problems" arranged by an Iraqi cultural platform, said: "When Briton announced a modern state after 1st world war, the problem of majority and minority surfaced. Similarly differences on definition of communities and estimates of their new

identity appeared". He said: "Iraq was formally accepted after 1930 and the identity problem appeared again".

Nation-state has been defined as, "Political organization of a specific nation in the framework of a state". Western legal experts and specialists of political systems agree that a state must comprise of three elements: people, land and general authority over both of them. And a nation state is established by the combination of three elements:

1. It is established inside geographical political boundaries, which enables it to justify the ownership of all material forces, organize relationships and acquire the authority to resolve disputes.
2. Existence of history or cultural or civilizational factor of a nation.
3. Right to defend, necessary education and receive general tax.

Historically, the first ever nation state was established in England in 17th century, then in France in late 18th century and in Germany and Italy in 19th century. However, the groundwork for the nation-state was laid well before in 1648 in the conference of Westphalia when the idea of international balance of power was readily adopted. According to this, if a state endangers the existence of other states through expansionist designs, then all other states are bound to defend against, and would do their utmost to resist it, so that international balance could be maintained which itself was a guarantee against wars and in turn, promoted peace.

As far as Marxism is concerned, a nation state is a consequence of public revolting against the tyranny of capitalism which provides a platform for the national Bourgeoisies of capitalism governments. In this stage of national liberation, it is important for the proletariat under the communist leadership that they join forces with the majority, because of them being the most

powerful group. According to their teachings, capitalist nation state inclines towards colonialism externally and oppression internally. This is why real national liberation and abolishment of the boundaries between nation states is possible only through a labor group (proletariats) acquiring the ruling. This also explains the actions of socialist states in backing the national freedom movements of other nations.

The rational study of a reality leads to an accurate conclusion, i.e. it is a study which takes thinking as the basis for the sensation of a reality and the linking of previous information with it, rather than matter, like communists do. Similarly, the reality of nation state should also be evaluated on this basis. It does not take much to fathom that the idea of the nation state is a primitive one which has pushed mankind towards national and tribal relations, and no matter how much we try to obtuse the fact, towards Fascism and Nazism.

There is no doubt that the idea of nation state itself carries the seeds of its destruction along with it. This is visible through all those difficulties which surface while attempting to implement this idea in reality. The humans have developed the idea of a structured state in order to organize human relations, but with the implementation of the idea of nation state, whether with or without contemplation upon the rights of minorities, a diverse set of problems appeared. This is because it is almost impossible for country to be free of any national disparities. The word nationalism is rooted from Latin word "Natio", which means a nation or relating to a nation. Based on this, as per the European definition mentioned above, a nation state is the state of a nation where no other nation is respected inside the geographical boundary of that nation state, and that permanent boundary is the first of all factors whose accomplishment is necessary for the state to become a nation state.

To realize other factors like civilizational and cultural, which include language and

history, it is necessary that nation states perform racial cleansing of minorities or eliminates them or convert them, be they minorities originally residing in the country historically, even well before the creation of the nation state, e.g. German minorities in eastern Europe, gypsies or Jews residing in Europe etc., or those who migrated to nation states in fairly recently, e.g. Muslims residing in the western world today.

The majority enjoys dominance and supremacy in any nation state. The security of their civilization, culture, history and language included, which results in the coerced assimilation and amalgamation of the minorities. Moreover, the term social contract within a nation state also emanates from western thought and is a foundational pillar of all the relationships between the ruler and the people themselves, among many of the democracies within the framework of capitalist system. According to this social contract, individuals have the right to have free and autonomous relations with each other. It was Rousseau who termed this framework as a Social Contract. Based on the contract between the state and individual, loyalty to the state is established upon a relationship between both the parties. However, this relationship i.e. patriotism, contradicts with the idea of a nation state, which represents a racial or national bond. This is one of the reasons that we see that during the French revolution, it was attempted to change the definition of nationalism altogether. For this, the thinkers of the revolution attempted to reconcile the concept of the nation state with the idea of the social contract. Therefore, the French revolution was seen as founding a modern nation, not linked to a biological source, rather the free decision of fellow countrymen, who only wished to live their collective lives under their own laws without hindrance. This is what is now known as sovereignty of the people in western political thought. Based on this idea, the French national revolution promoted the nationality of an ideological society, a

nationality having unbound authority, a nationality of fellow countrymen, which was not a nationality linked to a specific race, and neither a nationality of old people. This is how the French revolution included the French Jews as French People or French nationals, by modifying the definition of French nationalism.

This does not mean that other problems which appeared through the implementation of nation state vanished through this modification of the definition of nationalism, which in itself is contradictory to the reality of tribalism or racial nationalism. As even after this, especially in a state like France, the issue of security of civilization and culture for the French nation lingered on. This forms the basis of the policies of Europeans, especially the French, for the Muslims also. They sought implementation of French rules over them according to French constitution, and they also encouraged the formation of patriotic bond between them and the French state as a contract. But the stark reality is that we see a push by the government and media to assimilate the Muslims with the larger French society and to coerce the adoption of French nationalism as per their interpretation. For this purpose, the French state changed the rules of game altogether. The state believed that the Muslims should culturally be amalgamated with French society through the enforcement of laws, and hence new conditions were formulated to ensure patriotism or loyalty. Two options are given to the Muslims in France, either they obey the patriotism inducing laws or they step back from patriotism, and with that, relinquish their citizenship. On one hand it is claimed that that sovereignty rests with the people, as they are the lawmakers; Then how is it possible that the new brand of inclusive nationalism that they came up with after the French revolution, would be sidelined in such a way, that a major segment of society opposed to it, would then be marginalized by it so brutally? This was only possible because the dominant French race wanted to maintain the society according

to their civilization and culture. As this was the only condition which ensured the dominance of their indigenous French culture. This actually shows that the agreement on the modern definition of nationalism to amalgamate the nation state and social contract did not solve this essential problem. This simply shows that the idea of nation state is irrational and false, not only in its foundation but also in its implementation.

The nation state is itself a primitive idea, which differentiates people based on races and tribes and brings with it, troubles and calamities for the people in the land. It nurtures national pride, inculcates nationalistic and patriotic emotions in fellow countrymen, and for those in authority and engages them in wars for the sake of the benefits of the powerful capitalist colonialists. This in turn produces problems like racial cleansing and forced cultural amalgamations. Hence, the idea of nation state is that of exploitation, domination and occupation, and this also becomes the basis of relationships between nations.

Islam views the objective of nations and tribes as to introduce or identify them. Allah (swt) says in Quran,

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ
شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتَقْوَمُ إِنَّ اللَّهَ
عَلِيمٌ خَبِيرٌ

“O mankind! We have created you from a male and a female, and made you into races and tribes, so that you may identify one another. Surely the noblest of you, in Allah’s sight, is the one who is most pious of you.” (Al-Hujraat - 13)

Similarly, nationalism played a vital role in demise of the Islamic Khilafah State. Within the newly emerged nation states, which were brought up by colonial. Non-Muslims on the debris of the Islamic State, a new problem of minorities emerged in the Muslim world. This problem of minorities opened doors for colonial Non-Muslims to interfere in those states. The objective of this interference was to divide them further into

pieces and ensure the existence of their occupation in the Muslim world.

In stark contrast to the primitive nation state, the rules of Islam consider all humans as equal from the perspective of the state. No race is superior to another, nor any nation better than other. No Arab is superior to a Non-Arab, except due to his taqwa and fear of Allah (swt). In the Khilafah state, the Non-Muslims are treated same as Muslims. It is not allowed for the state to discriminate between its people in matters of ruling, judiciary or welfare, rather it is obligatory to treat them alike without any consideration to nationality, religion, race or color.

Since the Islamic state “Khilafah” is a human state for all humans, it is neither a religious state nor a national one under western connotations. Therefore, it will be a guarantor of peace, harbinger of justice and deliverer of rights for all, from the very first day it will be established, by the will of Allah (swt). The people will embrace the Deen of Allah (swt) in groups and crowds, as a consequence of the authentic implementation of Islam and the spread of justice and tranquility on the land. We pray to Allah Almighty to hasten the light of this day. Aameen. ■

Oh our Lord! Please accept, and our last prayer is that praise be to Allah, Lord of both worlds.

General Bajwa's Dilemma

Khalid Salahudin, Pakistan

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

The unilateral Indian action to revoke article 370 and 35A, abrogating Kashmir's special position in India has presented a problem for Pakistan, its ruling elite and specifically the Chief of Army Staff, General Bajwa. There is a unique parallel between this and the crisis faced by Musharraf, for both crises are reflected in the implementation of a strategic US plan.

Musharraf was required to establish a US military footprint and a satellite government in Afghanistan that was not under any direct influence of Pakistan. Bajwa is required to enable Indian success in the revoking of article 370 and 35A, and beyond that, to enable the Indian army to quell any rebellion within the Kashmiris against the constitutional change. Hence, one removed our ties to Afghanistan, and the other will remove our influence in Kashmir and through that, on India. Hence, the challenge both Musharraf and Bajwa faced is the need to deceive the Ummah into thinking that they are saving the country.

There was a deep dislike of the decision of Musharraf to provide the US unstinted support, both within the armed forces and in the Ummah. However, the regime pushed the idea of Pakistan First to deceive the Muslims, maintaining that a confrontation with the US would have not been possible. Regardless,

there were principled officers like General Muzaffar Usmani and General Mahmood who severely criticized Musharraf and bore the consequences, indicating that a variant course was perfectly possible. Hence, Musharraf clothed his treachery in the robes of survival, and was successful in the implementing the US plan for Afghanistan. In his speech, Musharraf justified joining the US led coalition based on "...our sovereignty, second our economy, third our strategic assets (nuclear and missiles), and forth our Kashmir cause". The lie surrounding those four conditions are clear for all to see.

The crisis facing Bajwa is far more serious, as he is required to confront the Indian aggression in Kashmir, something that not only the Pakistani Army has been brought up on, but all the Muslims of Pakistan. Hence, the dilemma for Bajwa is how to clothe his treachery in arguments and narratives that not only achieve the US plan, but also survive. The dilemma he faces is much more severe, in that there are no inherent feelings against Jihad against India. From this perspective, Bajwa and Imran Khan have had to craft a very careful strategy to deceive the Ummah.

The crisis facing Bajwa is far more serious, as he is required to confront the Indian aggression in Kashmir, something that not only the Pakistani Army has been brought up on, but all the Muslims of Pakistan. Hence, the dilemma for Bajwa is how to clothe his treachery in arguments and narratives that not only achieve the US plan, but also survive. The dilemma he faces is much more severe, in that there are no inherent feelings against Jihad against India. From this perspective, Bajwa and Imran Khan have had to craft a very careful strategy to deceive the Ummah.

on 370.

The revoking of article 370 and 35A was part of the BJP manifesto and a principle component of BJP's campaign. Hence, the action should have been expected by the civil

and military leaderships, but not necessarily the timing. It was reported that¹ "In February 16th 2019, two days after the Pulwama attack (14th February), India's National Security Adviser Ajit Doval had phoned his US counterpart John Bolton of plans to do away with the special status."

Hence, the US was aware of India's plans. After the Balakot incident and the downing of two Indian planes, the Pakistani urgency to return the captured pilot, Abhinandhan, was to prevent the issue from becoming volatile and uncontrollable in both Pakistan and Occupied Kashmir. If the Pakistani establishment had prolonged the affair, then emotions would have been high here as well as IOK, and the Ummah would have potentially forced military action. In an article published in the Times of India² on April 8th 2019, Peoples Democratic Party (PDP) president Mehbooba Mufti "...warned that abrogating Article 370 would lead to freedom for the state from India."

Hence it was open to all that the BJP were preparing to revoke article 370. Even the National Conference (NC) party president Farooq Abdullah both warned Prime Minister Narendra Modi not to tinker with article 370. So whilst the US is reliably, an unreliable ally, Bajwa has to contend with the criticism of what were the Indian Desks of the foreign office and the ISI doing when these Indian activities were ongoing. This has parallels with the fiasco surrounding the US unilateral violation of Pakistani sovereignty to (supposedly) kill Osama bin Laden in Abbotabad. This is not lapse, but complicity.

Prime Minister Imran Khan departed on Saturday 20th July 2019 to the United States, accompanied by the Chief of Army Staff Qamar Javed Bajwa, Director General Inter-Services Intelligence (ISI)

Lieutenant-General Faiz Hameed, Advisor to PM on Finance Hafeez Shaikh, and the Advisor to PM on Commerce, Abdul Razak Dawood, whilst Foreign Minister Shah Mahmood Qureshi was already in Washington. The July 22nd 2019 meetings between Bajwa, Imran Khan and US President Trump seemed to focus primarily on the Pakistani economy, Afghanistan and the need to curb Jihadi groups and activities. The post meeting briefings as reported by a senior State Department official³ revealed that, "Pakistan has undertaken obligations to the international community under the Financial Action Task Force, and has agreed to a series of steps that intend to implement counter terrorism financing, to ensure the arrest and prosecution of individuals implicated in terrorist and extremist activities, a senior State Department official said here yesterday...There is an action plan, it's discreet, it's tangible, it's measurable...and underscored that FATF obligations were part of the prime minister's 'Naya Pakistan' vision and what he had laid out for his government. The official further stated that...the suspension of military assistance, reduction in civilian assistance, the tenor of our diplomatic engagement over the past two years has reflected the priority this administration attaches - which is very much a shared objective of India, of the region, of the international community."

The presence of ISI chief, as well as Abdul Hafeez Shaikh is telling. Trump's lack of subtlety is indicated by his offer of mediation on Kashmir during the talks. He stated⁴: "I was with Prime Minister Modi two weeks ago and we talked about this subject and he actually said 'Would you like to be a mediator or arbitrator', I said 'Where', He said 'Kashmir'. Because this has been going on for many, many years."

¹ <https://tribune.com.pk/story/2029616/9-us-knew-india-rob-occupied-kashmir-special-status/>

² <https://timesofindia.indiatimes.com/elections/lok-sabha-elections-2019/jammu-and-kashmir/news/dont-play-with-fire-mehbooba-mufti-warns-bjp-on-article-370/articleshow/68782343.cms>

³ <https://www.thenews.com.pk/print/506917-improved-pak-us-ties-linked-to-irreversible-action-against-terrorists>

⁴ <https://www.thehindu.com/news/international/trump-offers-to-mediate-between-india-and-pakistan-on-kashmir/article28660299.ece>

Significantly, the first reported Indian troop reinforcements in Jammu and Kashmir occurred post 26th July 2019, 3 days after the Imran Khan-Trump meeting in Washington. Over the course of the next week or so, almost 100,000 Indian troops were transferred to Jammu and Kashmir. On the same day that the Indian government revoked article 370 and 35A on 5th August 2019, the US FATF experts' team was flying into Islamabad, overtly to ensure that the Pakistani submitted a report on the 13th of August. On the 6th of August, International Monetary Fund Resident Representative Teresa Daban stated at a press conference that: "Failure to exit from the FATF grey list is a risk to the recently approved \$6 billion IMF deal," further stating... "The IMF is responsible for the financial system stability and the FATF-related issues hamper taxation and undermine banking system."

The timing (a day after the August 5th Indian action) was not to ensure that the Army did not consider employing Jihadi assets post 5th August. Bajwa's compliance was already there, but rather, the intensity provided Bajwa with a fig leaf for the defensive posture taken. This was to support the disinformation strategy within the influential circles, that our economy is not in a position to sustain any aggressive activity, to the point that even the IMF loan is dependent on this. So the evidences quoted above indicate a continuum of pressure from the US. And the evidence that India had informed the US of its plans to revoke article 370 and 35A, two days after the Pulwama attack⁵, lends support to the criticism that the US and Bajwa were working hand in hand. The defensive posture taken by both civilian and military leaderships have countered significant opposition within the Ummah. To rebut this, the potential escalation to nuclear war narrative has been used. Whilst history has no evidences of conventional war

leading to nuclear war between two nuclear powers, history is replete with nuclear powers resorting and limiting themselves to conventional war. The potential for nuclear war raises more questions than answers. How can one argue that a conventional war, whilst in possession of nuclear weapons, will automatically lead to nuclear war, and on that pretext not consider conventional war. So Pakistan developed nuclear weapons, at the cost of millions of dollars, to counter Indian conventional superiority only to then argue that we cannot engage in conventional war as this will lead to nuclear war. It opens the military leadership to accusations that whilst they can engage in war, they don't actually want to. For what principle will the army engage in war? If we look across the border, the simple Taliban have understood precisely what to fight for and the sacrifices required. Have they not humbled the US? Why can we not humble India? The strength in the Mujahedeen lies in their commitment to abide by Jihad, the hukm of Allah. Through the conviction in this law the Mujahedeen look for the way to implement the Hukm of Jihad, extending to not just mere skirmish fighting, but beyond to full asymmetric military war. It is the same attitude that led the Muslims victory at Badr, Uhud, Ahzab, Qadisiyya and so on. It is the absence of this mentality that is the cause of our weakness. It is upon the Muslims to work for the re-establishment of the Khilafah (Caliphate) on the Method of Prophethood, so that the Muslims have a leadership that leads us from one victory to another. Allah (swt) said, **﴿فَلَا تَهِنُوا وَتَدْعُوا إِلَى﴾** **«Be not weary and faint-hearted, crying for peace, when you are the uppermost: for Allah is with you, and will never put you in loss for your (good) deeds.»** [Surah Muhammad 47:35]. And RasuAllah (saw) said, **«مَا تَرَكَ قَوْمَ الْجِهَادِ إِلَّا ذُلًّا»** **“No people abandon Jihad except that they are humiliated.”** [Ahmad] ■

⁵ <https://theprint.in/diplomacy/modi-govt-had-told-us-about-plans-to-scrap-article-370-twice-last-week-and-in-february/272652/>

Q&A: The Meaning of "Competence" In The Conditions For Becoming The Khaleefah

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Question:

Bismillah ar-Rahman ar-Raheem, Assalamu Alaikum wa Rahmatullahi wa Barakatuh,

I have a question: it is regarding what was mentioned in the book The Islamic Personality - Volume II, page 20 (page 33 Arabic edition), the competence under Item VII of the conditions of the Khaleefah. Here, the competence was explained and elaborated until it reached the following statement:

"Also, it is not a contractual condition in the Khilafah, that the Khaleefah be brave, or be a person possessing a deep vision in order to manage the affairs of the community and to conduct its interests".

My question here is that: Shouldn't the traits of bravery and possessing deep vision, be considered the conditions of competence for being a Khaleefah?

Answer

Wa Alaikum Assalam wa Rahmatullahi wa Barakatuh,

The text contained in the book is: "Also, it is not a contractual condition in the Khilafah, that the Khaleefah be brave, or be a person possessing deep vision in order to manage the affairs of the community and to conduct its interests"; This is so, because there is no sound Hadith reported as evidence concerning this issue, and it does not come under a Hukum Shari' that makes it a contractual

condition. Although it is preferable that the Khaleefah be brave and possesses deep insight and vision". As you may very well know, that being a contractual condition, essentially means that if a Khaleefah is elected by the Ummah, and the Khalif does not fulfil the conditions of the contract, then the Khilafah itself becomes invalid. Now, reflecting on those two traits that you have mentioned, it is evident that these are not the essential conditions of contract. In the sense that if the Ummah elects a Khaleefah who does not fulfill these two traits, then it does not invalidate his Khilafah. This is because the Shari' evidences do not indicate this. However, these two traits are certainly preferred, which essentially means that it is preferred for the Ummah to take into account these two conditions when electing the Khaleefah. The Ummah needs to be attentive in electing an individual who fulfils not only the necessary conditions of the contract, but also most of the conditions of preference, and herein lies betterment and strength.

As far as competence is concerned, it is a contractual condition, which means that the Khaleefah must be competent in order to undertake the duties of the Khilafah, without specifying the competence unequivocally. So whichever matter adversely affects the ability of the Khaleefah to perform the duties of the Khilafah, it is considered an infringement of the condition of competence. This is because the singular responsibility of the Khaleefah is the application of the Ahkam (rules) of the Shariah, and this necessitates the ability of the

Khaleefah to undertake the said deeds himself, or the ability to follow-up the deeds, in case he assigns these to others. Accordingly, if he is unable to carry out the said deeds, then he cannot fulfill the contract of the Khilafah that he is appointed for, in order to apply the Ahkam of the Shariah.

This, in itself, is sufficient enough to meet the conditions of contract including the one regarding competence, in whose absence, the Khilafah contract will no longer remain valid. For example, if the Khaleefah suffers from amnesia owing to a disease, or enters into a long duration of recovery from a disease, or suffers from such a disease, wherein it persists for a duration that affects the integrity of governance in the State, so much so, that the Khaleefah owing to the disease cannot perform the said deeds himself, or follow-up the deeds in case he has assigned them to others; In all such and similar cases, the Court of Madhalim will conduct the procedures in order to prove the incompetence and thenceforth bring about the decision necessary to declare the post of the Khaleefah vacant.

As far as regarding the failure to fulfil the conditions of preference, this does not invalidate the Khilafah contract.

Thus to be brave, mastering the finest methods for fighting, or to be the one possessing deep insights and vision, having been graduated from top universities; None of these form a condition of the contract, therefore these do not invalidate the Khilafah contract, as there is no Shari' evidence for it, and because such conditions do not affect performing the deeds of the Khilafah. In case a matter requires bravery, such as war, the Khaleefah can employ the bravest of individuals for that matter, and if a matter requires opinions from holders of high degrees, the Khaleefah can refer to such people from his subject. However, as we stated earlier, the priority for the Ummah is to elect a Khaleefah, who possesses both the conditions of contract and the conditions of preference. But if the Ummah chooses an individual who possesses the conditions of contract but does not possess all the conditions of preference then his Khilafah is deemed valid, as long as it fulfils the conditions of the contract, as the sound Shari' evidences indicate as such. ■

In case a matter requires bravery, such as war, the Khaleefah can employ the bravest of individuals for that matter, and if a matter requires opinions from holders of high degrees, the Khaleefah can refer to such people from his subject. However, as we stated earlier, the priority for the Ummah is to elect a Khaleefah, who possesses both the conditions of contract and the conditions of preference. But if the Ummah chooses an individual who possesses the conditions of contract but does not possess all the conditions of preference then his Khilafah is deemed valid, as long as it fulfils the conditions of the contract, as the sound Shari' evidences indicate as such.

Your brother,
Ata Bin Khalil Abu Al-Rashtah
27 Muharram 1436
2014/11/20

Q&A: Extraction of Gold & Silver

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Question:

1. With reference to what was mentioned in the booklet, The Economic Crises, a clarification is needed regarding the policy of issuance of currency by the state. For example, in such a case, that large deposits of silver or gold are discovered in the mines under the state's control, then is it binding upon the state to extract the gold and silver fully and to issue it as currency? Alternatively, can the state choose to not extract the gold and silver because it does not wish to destabilize the exchange rate?

2. How will the Khilafah practically regulate the standard of gold and silver? For example, if gold and silver are scarce, how will the state manage this? Will a new currency backed by gold and silver be issued, in addition to the current paper currency? Or will the paper currency be backed with other existing assets with the aim of discovering enough gold and silver, in order to transfer the backing of the currency with gold and silver later?

Answer:

1. The extraction of gold and silver must be handled by the state, not just because the legal currency is based on it, but also because the underground metals are categorized as public property. The state will extract gold according to its currency and consumption needs under the Sharia rules in order to create a balance, based to the following factors:

The currency is solely gold and silver. Pricing-fixing is strictly forbidden. If the price for certain commodities increases in a state's province, then the state must return it to its equilibrium state by transporting the commodity from other provinces and restoring

its supply in the markets. It is considered as caring after the affairs of the Ummah. Hoarding is strictly forbidden, and it is necessary for the state to develop sustained manufacturing capabilities, etc.

All these factors shape the gold and silver extraction processes automatically. Hence, there is no inflation, because the bimetallic gold and silver monetary system makes the marginal increase in prices so small that the inflation remains negligible. In our book, The Economic Crises, we state that: "And this system achieved stability and steadied the unit value on both the internal level and external level, and the proof is that the record for pricing with gold in the year 1910 was almost the same level that it was in 1890." *End of quote*

2. The assumption that the state will be established in a land scarce in gold and silver is unrealistic, as all the Islamic lands in which the state is expected to be established, contain large existing deposits of gold and silver, and also contain huge deposits of commodities that are required by other states, such as oil and gas. The Khilafah state will not offer them to the world, except in exchange for gold and silver, or for goods. We can maintain paper assets in the banks of those foreign countries, and we will exchange them for goods. Also, our lands are self-sufficient in basic goods, so even if they employ sanctions, then they will not affect us in any way. Instead, the effect of our sanctions will be more severe and tougher against them. Likewise, in our banks we have tangible currencies, and furthermore, it was revealed to us that Allah (swt) has blessed several Muslim lands with ample resources. So do not despair and be reassured, and pray for Allah Almighty to hasten the Nussrah, and He is the Strong, the Aziz. ■

02 Rabi' I 1434
2013/01/14

Q&A: The Punishment of Muhsan Zani [the married adulterer] in Islam

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Question

Assalamualaikum Warahmatullahi
Wabarakatuhu.

Our Sheikh and Amir, I would like to ask a question, hopefully I'll be able to get a satisfactory answer In Sha Allah.

The question is regarding the death penalty for Muhsan, whether it is categorized as Qat'i (conclusive) in Islamic Fiqh, or not. There are some scholars such as Sheikh Abu Zahrah, who do not even categorize it as a Hudud punishment, and it is even supported by Sheikh Mustafa Zarqa, who states that it is categorized as a Ta'zeer. I would like to humbly request your opinion on this matter.

Jazaakumullah khairun.

Answer:

Wa Alaikum Assalam wa Rahmatullahi wa Barakatuh,

You have asked whether the punishment of the Muhsan Zani (Married Adulterer) is categorized as conclusive (Qat'i) in Islamic jurisprudence? And is it from the Hudood (Determined Punishments), or from the Ta'zeer (Discretionary Punishments), as stated by some contemporary scholars?

The answer to your question is as follows:

1- The punishment of the Muhsan Zani (Married Adulterer) by stoning to death is from the Shariah Rulings (Ahkam Shari'ah) and not from the Aqa'id (beliefs). It is like all other Shariah rulings; whose adoption doesn't

require the evidence to be decisive. However, the evidence needs to be sufficient in order for the ruling to become the most likely probability (Ghalabat Al-Dhann), as it is known in the principles of jurisprudence. So, in adopting any ruling regarding punishment, the evidence being conclusive or inconclusive, is irrelevant, but what is important, is that there should be proven Shari' evidence for it, and there have been many valid evidences in the Shariah that indicate, without doubt, that the punishment of the Muhsan Zani, is stoning to death as mentioned below.

2- It is noted that some contemporary scholars are not following the correct way in extracting the Islamic rulings from evidences. They're keen in seeking Islamic rulings to keep astride with the current times and they reach opinions that conform with the prevailed rulings and opinions in the world that were imposed by Western civilization upon the people in the name of international laws and human rights conventions and others. This is not correct, because what is required is the rule of Allah, and not any other rule, and nor a rule that is consistent with the provisions, laws, charters and opinions that currently prevail in the world. The duty of the scholars is to adopt the Shari' rule, as it is from its evidences, and make it the subject of application and implementation and to call for it and promote it in the whole world. It is the valid rule for all humankind, because it is from the Creator of humankind the Knowing of their conditions,

“أَلَا يَعْلَمُ مَنْ خَلَقَ وَهُوَ اللَّطِيفُ الْخَبِيرُ)“Does He who created not know, while He is the Subtle, the Acquainted?” [Al-Mulk: 14].

“أَلَا لَهُ الْخَلْقُ وَالْأَمْرُ تَبَارَكَ اللَّهُ رَبُّ الْعَالَمِينَ)“Unquestionably, His is the creation and the

command; blessed is Allah, Lord of the worlds” [Al- A’raf: 54].

Therefore, we should not heed the words of those who are keen in their deductions in order to keep pace with the prevalent times and conform with the Western civilization, whether they do so under the pressure of the reality, or to please the Western Kuffar.

3 - The punishment of Zina for the Muhsan (Married) is stoning until he dies, and for the non-Muhsan is 100 lashes. It is a punishment in Islam under the Hudood. We have provided a detailed and adequate clarification of the provisions of the Hadd of Zina in the Punishment System book, and I cite for you from the Punishment System book some of what is stated in the section "The Hadd of Zina":

[Some say that the hadd of the zani is 100 lashes in both cases, i.e. for the Muhsan (Married) and for the Non-Muhsan equally, as there is no difference between them due to Allah Subhaana wa Ta’ala’s saying in the Qur’an,

(الزانية والزاني فاجلدوا كل واحد منهما مائة جلدة ولا تأخذكم بهما رأفة في دين الله)

“The female zani and male zani, lash each one of the two, one hundred lashes, and let not pity for the two, seize you in the Deen of Allah” [An-Nur:2]

They said, it is not permitted to abandon the Book of Allah via the way of Conclusiveness (Qat’) and Certainty (Yaqeen) for single individual Reports (Akhbar al-Ahad), wherein falsehood is possible, and because this leads to abrogating the Book by the Sunnah which is not permitted.

Most of the people who are knowledgeable of the Sahabah, Tabi’in and those after them, of the scholars of (different) cities in all periods,

say that the Non-Muhsan is given 100 lashes and the Muhsan is stoned until he dies. This is because the Messenger (saw), “Stoned Ma’iz”, and due to what was narrated from Jabir bin Abdullah, “that a man committed zina with a woman, so the Prophet (saw) commanded regarding him, so he was lashed. Then he was told he was a Muhsan, so he commanded regarding him, and he was stoned.”

The one who examines the evidences sees that Allah Subhana wa Ta’ala says,

(الزانية والزاني فاجلدوا كل واحد منهما مائة جلدة ولا تأخذكم بهما رأفة في دين الله)

“The female Zani and male Zani, lash each one of them one hundred lashes” [An-Nur:2], is general. This is because the word ‘Zani’ (Male) and ‘Zaniya’ (Female) is of the words of generality, so it includes the Muhsan and Non-Muhsan. When the hadith came which is his (saw) saying, "واغد يا أنيس إلى امرأة هذا فإن اعترفت فارجمها" "O Unays, go tomorrow to this woman. If she confesses, stone her”, and it is proven that the Messenger of Allah (saw) stoned Ma’iz after he asked about his Ihsan, and he stoned Al-Ghamidiyyah beside other sahih ahadith. So, the hadith specified the ayah. Thus, these ahadith specified this general meaning of the ayah in other than the Muhsan and excluded the Muhsan from it. Accordingly, the ahadith specified this general meaning, and did not abrogate the Qur’an. The specification of the Qur’an by the Sunnah is permissible and it has happened in numerous ayah, which were general in nature, and the ahadith specified them.

The hukm shar’I, which the Shar’i evidences i.e. the Book and the Sunnah indicate, is that the punishment of Zina is giving the Non-Muhsan 100 lashes according to the Book of Allah (swt), and banishment one year acting according to the Sunnah of the Messenger of Allah (saw).

However, the banishment is permissible and not obligatory, and it is left to the Imam, so if he wills, he lashes the convict and banishes him one year; and if he wills, he lashes him but does not banish him. However, it is not permitted to expel him without lashing him, because the punishment is lashing. As for the punishment of the Muhsan, it is stoning until he dies, acting according to the Sunnah of the Messenger of Allah (saw), which came as specifying of the Book of Allah. It is permitted regarding the Muhsan, to combine the lashing and stoning on him so he is lashed first then stoned. It is also permitted to stone him only, without lashing. However, it is not permitted to solely lash him, because the obligatory punishment is the stoning.

As for the evidence for the punishment of the Muhsan, there are numerous ahadith. It is narrated from Abu Hurayrah and Zayd bin Khalid who said that a man of the Bedouins came to the Messenger of Allah (saw) and said, "O Messenger of Allah, I adjure you by Allah that you do not judge except by the Book of Allah", and the other litigant who was more knowledgeable than him said, "Yes, judge between us by the Book of Allah." The Messenger of Allah (saw) said, "Speak." He said, "My son was an employee for this one and he committed Zina with his wife. I was told that there was stoning upon my son, so I ransomed him from it with one hundred sheep and newborn ones. Then I asked the people of knowledge and they informed me that upon my son is one hundred lashes and one year's banishment, and upon this one's woman is stoning." The Messenger of Allah (saw) replied,

"والذي نفسي بيده لأفضين بينكما بكتاب الله، الوليدة والغنم ردّ، وعلى ابنك جلد مائة، وتغريب عام، واغذُ يا أنيس - لرجل من أسلم - إلى امرأة هذا فإن اعترفت فارجمها، قال: فغدا عليها فاعترفت فأمر بها رسول الله ﷺ فرجمت"

'By the One in whose hand is my soul, verily I will judge between you by the Book of Allah. The newborn sheep and the sheep have to be returned back, and upon your son is one hundred lashes, and one year's banishment. O Unays', he (saw) said to a man from the tribe of Aslam, 'go tomorrow to this one's wife and if she confesses, stone her.' He went to her and she confessed, so the Messenger of Allah (saw) gave his order regarding her, and she was stoned." So, the Messenger commanded with the stoning of the Muhsan and did not lash him. It is narrated from Ash-Sh'abi 'that when Ali (ra) stoned the woman, he lashed her on Thursday and stoned her on Friday, and said, I lashed her according to the Book of Allah and stoned her according to the Sunnah of the Messenger of Allah (saw).' It is narrated from Ubadah bin As-Samit who said, that the Messenger of Allah (saw) said,

"خذوا عني، خذوا عني، قد جعل الله لهن سبيلاً البكر بالبكر جلد مائة ونفي سنة، والثيب بالثيب جلد مائة والرجم"

"Take from me, take from me. Verily Allah has ordained a way for them. For the virgin with the virgin, one hundred lashes and expulsion for a year. And for the married (Thayyib) with the married, one hundred lashes and stoning." So, the Messenger (saw) said, the punishment of the Muhsan is lashing and stoning, and Ali (ra) lashed the Muhsan and stoned her. It is narrated from Jabir bin Samara that the Messenger of Allah (saw) stoned Ma'iz bin Malik and did not mention lashing. Al-Bukhari narrated from Sulaiman bin Buraydah that the Prophet (saw) stoned Al-Ghamidiyyah and did not mention lashing. Muslim reported that the Prophet (saw) had commanded regarding a woman from Juhaina, so her clothes were fastened around her, then she was stoned, and lashing was not mentioned. This indicated that the Messenger (saw) stoned the Muhsan and did not lash him, and he said,

"الثيب بالثيب جلد مائة والرجم"

"The Muhsan/Married (Thayyib) with the Muhsan/Married (Thayyib), one hundred lashes and stoning." This indicated that stoning is obligatory, whereas lashing is permissible, and it is left for the opinion of the Khaleefah. The hadd of the Muhsan is made lashing with stoning, by combining between the ahadith. No one should say regarding the hadith of Samara, that he (saw) did not lash Ma'iz, but rather restricted himself to stoning him, so this acts is an abrogator of the hadith of Ubadah bin As-Samit which says, "الثيب بالثيب جلد مائة والرجم" "The Muhsan (thayyib) with the Muhsan (thayyib), one hundred lashes and stoning."

One should not say that, because nothing is proved to indicate that the hadith of Ma'iz came after the hadith of Ubadah. Without such proof regarding the two hadiths, the non-mentioning of lashing does not mean its abandonment, nor the abrogation of its ruling. The absence of the proof regarding which of them came after the other, negates the abrogation, and there is no outweighing factor (Murajjih) for one of them over the other. What came in the hadith of an increase (Ziyada) over stoning, is considered a permissible matter not an obligation, since the stoning is obligatory and what increases over that is optional for the Imam, due to the combining of the ahadith]. *End quote from the Punishment System book.*

Summary:

The punishment of the Muhsan Zani (married adulterer) is stoning to death as evidenced by the valid evidences from the Sunnah of the Messenger of Allah (saw) in the two Sahihs and in other books of Hadith, it is a punishment from the Hudood and not a matter of Ta'zir.

And Allah Ta'ala knows best and He is All-Wise. ■

Your brother,

Ata Bin Khalil Abu Al-Rashtah

12th Muharram 1441AH

11/09/2019 CE

Continued from Page 51

this region. Therefore, the only way to recover our honor in the face of this humiliation is to remove the treacherous Hasina regime- which is not only subservient in the face of Indian hegemony, and but also is protecting and aiding Mushrik India in its war against Muslims to serve the geopolitical interests of the Imperialists. It is the need of the hour that you work hard with HizbutTahrir for the reestablishment of the Khilafah. The imminent Khilafah State will unify the Muslim lands and dispatch her powerful military to conquer India. Then, you will see the defeat and humiliation of this enemy Hindu State and will witness the glad tidings of RasulAllah (SAW) regarding the "Conquest of Hind" (Ghazwa e Hind), insh'Allah. Abu Hurayrah (ra.) said: 'The Messenger of Allah (SAW) said: "An army of yours will invade India and Allah will grant its conquest to them, until they bring their kings in chains, and Allah will forgive them their sins.'" [Kitab Al-Fitan]. ■

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

Protesting the Indian Hindutva Aggression in building the “Ram Temple” replacing the Babri Mosque and the Submissiveness of the Hasina Regime in the Face of this Aggression

Press Release

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Today (Friday, 11/15/2019) after Jummah, HizbutTahrir / Wilayah Bangladesh organized demonstrations and marches at various mosques in Dhaka and Chittagong protesting the Indian Hindutvaaggression in replacing the Babri Mosque with “Ram Temple” and the submissiveness of the Hasinaregime in the face of thisaggression. The demonstrations started in front of the mosques and ended after marching at various roads of the cities. The mosque-goers expressed support for the demonstrations and chanted slogans expressing anger and fury against the Indian Hindutvaaggression and submissiveness of the Hasina Regime in the face of this aggression. At the demonstrations,the speakers said: Under the pretext of Hindutva ideology, the Western agent India is moving towards her sinister geopolitical ambition, with full support from America to create and strengthen her nefarious agent in this region in the same way that she strengthens the illegal Jewish entity in the Middle East. In the same way that the Imperialist West has portrayed the weak illegal Jewish entity as ‘invincible’ with the help of the treacherous Muslim rulers, a similar strategy is also being employed to portray cowardly India as a mighty figure in this region with the help of these traitorous accomplices of the West - the Muslim rulers – so that the Ummah submits to this status quo and gives up any hope of the return of the second Khilafah Rashidah(righteous

Caliphate).Thus, India carries out one after another of her belligerent projects against the Muslims unchallenged, while the spineless Muslim rulers are treacherously giving legitimacy to those actions.We saw the outrageous action of the traitorous UAE ruler to give the highest civilian medal to the butcher Modimerely days after India totally annexed Kashmir. We also saw how the mighty armed forces of Pakistan have been kept idle against Indian aggression by another traitor Imran Khan while he was busy diverting the Ummah’s attention away from agitation through useless lip service and tweeting. And, instead of uttering any single word in support of the Ummah who have become restless about the BabriMosque verdict, the deceitful Hasina government has labeled it as India’s internal matter and threatened that it would not tolerate any agitation here regarding the verdict! Strongly criticizing the role of the Hasina regime and calling to the Muslims to reestablish the KhilafahRashidah, the speakers said: More than 2000 Muslims had sacrificed their lives for this Babri Mosque, whereas building a temple in the place of this mosque is an internal matter of India in the eyes of the Hasina regime! To this subservient agent of UK-US-India, the blood, honor and worship place of Muslims are so cheap compared to pleasing Mushrik India. They want us to accept the fictitious Indian supremacy and stay quiet against the Hindutva hegemony in

[Continued on Page 50](#)



IMPORTANT NOTICE

**FOR THE URDU-SPEAKING
MUSLIM WORLD**

**Hizb-Ut-Tahrir Central Media Office
Has an Urdu-Text Based Website**

**The Urdu Website Is An Essential Media Source
For Hundreds Of Millions In This Ummah Of
Muhammad (saw), Who Use Urdu In Their
Daily Lives.**

www.hizb-ut-tahrir.info/info/urdu.php

CONTENTS INCLUDE

**Press Releases And Leaflets Issued By The Various
Wilayat Of Hizb-Ut-Tahrir , from Indonesia To Morocco,
Multimedia Coverage About The Vigorous Struggle Of
Hizb-ut-tahrir
For The Return Of The Khilafah To The Muslim World.**