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**Alhamdulillah!
At last Our Three
Members are
Released!**

Press Release

ALHAMDULLILAH! AT LAST OUR THREE MEMBERS ARE RELEASED!

At last three members of Hizb ut Tahrir / Tanzania namely Ust. Ramadhan Moshi Kakoso (45), Waziri Mkaliaganda (37) and Omar Salum Bumbo (55), who were kidnapped, falsely accused with 'terrorism' and held in detention for four and a half years were freed on Wednesday, 23rd February 2022.

The actual date of their discharge was 22nd February 2022 but from the onerous conditions that delayed by one day. During all their detention, there was neither bail nor trial of their case under the pretext of 'investigation is underway' and furthermore they were denied of their basic rights such as family visitation plus they required external supply of decent meals.

Their release came after many years in detention without trial when the DPP finally admitted that they have no cogent evidence to proceed with the alleged charges.

Hizb ut Tahrir / Tanzania, Muslims in general and all justice loving people are rejoicing over their release and return to their eagerly waiting families.

We would also like to thank all those who contributed and played a role in formal and informal campaigns to facilitate securing their freedom, including some Muslim scholars, Ustadhs, Imams of Mosques and Muslims in general for their prayers and support. Also, we are very grateful to various media outlets, activists, lawyers, politicians etc. for raising their voices, advice and consultation.

We further stress that the release of our members and failure of prosecution to adduce evidence against them after four and half years of "investigations" clearly proves our members' innocence. As we have stated all along, that they are well known peaceful and family men affiliated with Hizb ut Tahrir that holds to a fixed and clear method of changing society followed by Prophet Muhammad (pbuh) that restricts itself solely to intellectual and political activity without ever using material force or violence.

We also demand justice for other wrongfully detained persons, Muslims and non-Muslims, who should immediately be granted bail and/or set free.

In conclusion, we reiterate this travesty of justice is inherent under the capitalist colonialist ideology. Indeed it is only under the divinely revealed rules of Islam with its Khilafah (Caliphate) State upon the method of the Prophethood that true justice would prevail and shine for all people regardless of their religion, colour, class, gender, tribe and etc.

Our final word is Alhamdulillah, all praise and thanks be to Allah!

Masoud Msellem

**Media Representative of Hizb ut Tahrir
in Tanzania**

Press Release

The India Hijab Issue from an Islamic Perspective

On 15 March 2022, the Federal High Court of the Indian state of Karnataka ruled, that prescription of school uniform by college authorities (that did not allow adherence to Hijab/Khimar), did not violate personal freedom or religion, rejecting all the petitions filed by the 9 Muslim girl students studying in the Government Pre-University colleges to wear the Hijab and Khimar. The 3-member jury bench further cited that the Hijab cannot be considered as an essential part of Islam, and even quoted passages from the Quran to project the court's verdict. The nine petitioners have decided to take their case to the nation's Supreme Court.

The High Court verdict running to 129 pages has gained notoriety for various reasons. The verdict showcased the BJP state-ruled Karnataka High Court's attempt to define the limits of religion to its adherents. It is seen as misapplication of the essentiality-test defined by the country's supreme court, where it first used in 1954 to define where the state law will over-ride a religious stance. It was in total contrast to another Federal High Court ruling in the neighboring state of Kerala (with non BJP state-rule), where it ruled in 2016 on a different case that Hijab is an essential part of Islam. It is seen as yet another majoritarian move by the ruling BJP to appease the Hindu hardliners and most likely to be peddled in other institutions and states of India in the future. It saw nationwide celebration by Hindu extremists, including BJP leaders, whose stance was plain hatred for Hijab in Islam much to the dismay of Muslims in India and the world, who seek the observance of Hijab in Islam as an obligation.

But this verdict should not come as a surprise to the Muslims in India and the world. It is one of the cycles of the global conflict between Islam and Kufr. The manifestation of this conflict is not just in nations that 'showcase' different variants of Democracies, but also in the Muslim world that has its own variants of democracies, if not dictatorship. We will look at few perspectives on this matter that is of great concern to every Muslim.

1. The Hijab and Khimar are Fardh (obligation) for the believing women (after puberty), established in the Quran and Sunnah, hence failure to adhere to it is a disobedience to the command of Allah Almighty. It must be defended as a command of Allah (swt) for the women, and indeed it is the right defense. The inclination to defend it as an 'expression of freedom' is wrong and must be avoided, despite the intentions and intended outcomes. Muslims should note that the observation of this obligation is not affected by any court ruling for indeed it has no credibility in the eyes of Allah (swt); rather, Muslims must strictly adhere to this obligation.
2. Muslims should realize the false claims of Democracies of the world. Democracy by virtue of 'Secularism' claims to protect religion. However, the supposed values of secularism violently clash when the demand to implement the Shariah of Allah (swt) on public life such as prohibiting alcohol, gambling, Zina, Riba and the like – even if the demand is in Muslim lands. Democracy demands that the prescription and proscription of laws for people, be decided in the elected legislative body with no regards to the command of Allah (swt). People of Non-Muslim lands continuously lose confidence in Democracy for the rampant abuse and corruption they witness and erosion of their rights and livelihood. Muslims should realize that the implementation of the Shariah of Allah (swt) coupled with a high sense of accountability and sincerity will deliver peace and prosperity for the world.
3. Muslims should realize that Democracies, Republics, Dictators, Monarchs deduce laws that are arbitrary in nature, that change with time, that appeases a vote bank majority as a reward for being elected, that rewards the lobbyists that funded their elected power, that appeases their own desires. Further, the supposed independent judiciary can arbitrarily and selectively provide different verdicts for the same circumstances. For example, clauses within the Indian Constitution Article 370 related to the special privileges of Kashmir was used by the judiciary to

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uphold them during the Congress party era, but suspend them during the BJP party era. Not to mention the abuse and corruption arising from the indifference to accountability on the Day of Judgment by Allah, Most High, where the ruler of the people have the highest accountability. Whereas in Islam the Shariah of Allah (swt) provided by the detailed evidences in Quran and Sunnah forms the basis of the law, has principles of fiqh (jurisprudence) to derive the application specifics of those laws is valid for every time and place, viewed as an immense trust over people and cautioned by a high degree of accountability on the Day of Judgment to abstain from abuse and corruption.

4. Muslims should realize that many laws and court rulings taking place in different parts of the world, such as India, Palestine, Tunisia, Jordan, UK, France, America (and more) is in line with UN's CEDAW directives that looks with disdain at the application of the Shariah of Allah (swt) for humankind, whilst at the same time encouraging rules that are prohibited by Allah (swt). Such is the situation with regards to inheritance, marriage, divorce, hijab and more. The adverse stance demonstrated by governments throughout the world is a plain representation of the Western (or Capitalist) domination of the world that places 'liberalism' (of all forms) above the Shariah of Allah (swt) in the disguise of 'Secularism'. Not only affecting Islam and its practice but is a threat to all religions, worth its essence.

5. Muslims should realize that since the destruction of the Khilafah (Caliphate), on 28 Rajab 1342 AH (101 Hijri years ago), the world lost the ruling (hukm) of Allah (swt) on earth, the Muslim Ummah lost its shield. Further, the Khilafah ruling system guarantees the observation of religious beliefs by the Dhimmi (non-Muslims in the Khilafah state) as a matter stipulated within the Shariah. And should the Shariah of Allah (swt) be threatened by the fools among humankind, the Khilafah State is expected to spare no expenses, armies and weapons to eliminate those threats.

Hizb ut Tahrir advises and cautions the rulers of India and the world. Be prudent in your actions concerning the affairs of the Muslims. The return of the Khilafah ruling system is imminent as confirmed by the hadith of the Prophet (saw). We confirm our commitment to account every violation of the Shariah of Allah (swt). As for accountability on the Day of Judgment by Allah (swt), it is a matter of firm conviction as clear as the daylight sun.

(وَسَيَعْلَمُ الَّذِينَ ظَلَمُوا أَيَّ مُنْقَلَبٍ يَنْقَلِبُونَ)

“And those who have wronged are going to know to what [kind of] return they will be returned” [Al-Shura: 226]

The Central Media Office of Hizb ut Tahrir

NEWS & COMMENTS

Russia-Ukraine War an Opportunity for the Return of the True Global Guardian and Shield, the Khilafah

News:

On Thursday, 24 February 2022, Russia officially invaded Ukraine and currently is engaged in a fierce war. The latest fighting is an escalation of the Russia-Ukraine conflict that started in 2014 as a result of change of leadership in Kiev. Initial the leadership was pro-Russia and was later toppled and replaced by a pro-Western (US and NATO) leadership.

Comment:

This latest conflict is another exposé of the duplicitous nature of the so-called dominant global power, America in its relationship to other nations. The US under the Obama regime used Russia's killing machine to quell the sincere revolution in Syria. Trump's administration threatened European nations (NATO) to double up their financial contributions for their protection against Russia's threats. Consequently, the Biden regime has instigated war in Europe by inciting and pushing Russia to invade Ukraine militarily and in turn threaten the security of the whole of Europe. In addition, he has declared sanctions to Russia.

Russia suffers from superiority complex due to its old history as the global dominant player when it was the head of the Union of the Soviet Socialist Republics (USSR) before its collapse in 1991 via the same hands of the US's proxy-war. Hence, it is easily swayed by America's tactics and finds itself making political blunders that cause its catastrophic damages. Both Russia and Ukraine are being used as political pawns by the American regime to shakeup its foreign policy in readiness to counter the emergence of Chinese competition to US's economy and any other player who supports China.

It is clear, based on the above, that America thrives in deceitful political maneuvers. Furthermore, all secular capitalist nations are founded upon the same principle of measuring actions based on benefit and interests. So, it is unsurprising to witness Russia invading Ukraine, America invading Iraq etc. each using whatever pretext that suits them as long as the end justify the means. Certainly, the hands of the US regime are dripping with Ukrainians' blood, since it is the master plotter in the whole conflict! Hence, it is a partner in crime together with the Russian regime.

As for the global hullabaloo, it is just another confirmation that indeed secular capitalist ideology has

failed miserably to take care of humanity. Therefore, we are witnessing the immeasurable catastrophes as a result of inconceivable war provocations by the same alleged guardian of peace across the world. Perpetual conflicts are ravaging Somalia, Kashmir, Syria, Libya, Xinjiang, Uzbekistan, Afghanistan etc. These calls are for an alternative genuine guardian and shield against fallacious wars that are NOT for the sake of pleasing Allah (swt). Now is an opportunity to reestablish the Khilafah on the method of Prophethood, an auspicious opening to liberate humanity from the shackles of Kufr to the light of Islam.

The Khilafah (Caliphate) will not only be a true guarantor of peace, but will also strive to restore order and prosperity that is currently missing under this era of secular capitalist ideology, an era where the gap of inequality keeps growing at an alarming rate. In the Khilafah, the policy of haves and have-nots is deeply entrenched and being exploited by a few elites at the apex of power like what is being witnessed today in Kenya and globally at large. The suffering of the people is a business opportunity to economic vultures disguised as entrepreneurs as exposed by the Covid-19! The Khilafah moment is here with us after 101 years (Hijri) of its absence. This is a golden opportunity for any one who works hard for its return, hopes and pray for a better, peaceful, secure and prosperous world. Its return is the only rescuer from these repetitive upheavals. The time to respond to the call of Allah (swt) is now:

يَا أَيُّهَا الَّذِينَ آمَنُوا اسْتَجِيبُوا لِلَّهِ وَلِلرَّسُولِ إِذَا دَعَاكُمْ لِمَا يُحْيِيكُمْ

“O you who have believed, respond to Allah and to the Messenger when he calls you to that which gives you life.” [Al-Anfal 8: 24].

أقيموا_الخلافة#

#ReturnTheKhilafah

الخلافة_101#

#YenidenHilafet

**Written for the Central Media Office of Hizb ut Tahrir
by**

Ali Nassoro Ali

Member of the Central Media Office of Hizb ut Tahrir

The Islamic Ummah and All Humanity are in Dire Need of the Dawning of the Khilafah State



Praise be to Allah (swt) who said:

إِنَّا لَنَنْصُرُ رُسُلَنَا وَالَّذِينَ آمَنُوا فِي الْحَيَاةِ الدُّنْيَا وَيَوْمَ يَقُومُ الْأَشْهَادُ

“Indeed, We will support Our messengers and those who believe during the life of this world and on the Day when the witnesses will stand” [Ghafir: 51].

And peace and blessings be on the one whom Allah has sent in the Isra' journey from the Masjid Al-Haram to the blessed Al-Aqsa:

O Muslims... O our people in the surrounds of Al-Aqsa Mosque and the Blessed Land... O our beloved Ummah in all parts of the world:

We stand before you today in the Masra of your Noble Prophet, on the 101st anniversary of the demolition of the Islamic Khilafah (Caliphate) State. We stand once again while everyone is experiencing the catastrophe that befell the Islamic Ummah because of the destruction of the Khilafah... a catastrophe experienced by the people of Palestine in particular while they are still turning over hot coals from the effects of the Caliph's loss, the shield behind whom Muslims' fight, and are protected by. They were expelled from their land after it was usurped. We watch them being killing morning and evening on the screens, intimidated by the settlers in the neighbourhoods and towns, who desecrate Al-Aqsa Mosque to perform their rituals there. The people of Gaza are still suffering under the harsh unjust siege, all of this with the complicity of Muslim rulers, who are racing towards coordination, normalization and betrayal

in a flagrant manner without fearing Allah or being ashamed from His servants.

O Muslims: The entire Ummah is living through the catastrophe of the destruction of the Khilafah... It is living it in Ash-Sham, whose children and women were killed before its men, its cities were crushed and its people displaced. The people of Iraq and Afghanistan are living it, they are suffering from the consequences of the wars waged against them by the colonialists, who burnt everything and destroyed urban areas in a declared crusade against the Islamic Ummah. The effects of the demolition of the Khilafah affected Muslim children who were displaced across the globe as a result of oppression and repression. Muslim children are kidnapped from their families in Sweden and elsewhere to be placed with Christian families that will disassociate them from their religion!

The cow-worshippers attacked us, and they ripped off the veil from the heads of our women, who are helpless and without support and no one to denounce this! China continues to kill the Uyghur Muslims, oppresses them and prevents them from worshiping, as does Myanmar.

O Muslims: The puppet regimes that the colonizer created in our country after the destruction of our Khilafah and the division of our Land are the spearhead in its war on the Islamic Ummah. They oppress the people, drop barrel bombs on people's heads, throw sincere scholars into prisons, and present the country's wealth on a silver platter to Western colonizers. They wage war on the Ummah's Deen, culture, and beliefs

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in the media and educational curricula, removing what remains of the fragrance of Islam in the curricula and sign international agreements such as the damned CEDAW to implement them on Muslims to further disassociate them from their Deen.

This is your situation after a hundred and one years after the destruction of the Khilafah like orphans at the banquets of the wicked, your blood, your honour, your wealth and your sanctities are permissible to be violated.

O People: We stand today in Al-Aqsa Mosque and the whole world is suffering because of the absence of Islam. Because of the absence of the Khilafah as a global power, people were colonized and the wealth of weak countries were plundered, and the whole world has become hostage to the criminal decisions of America and Russia. Because of the absence of the Khilafah as a global power, the world witnessed two devastating world wars, and now they are on the brink of a third world war, and if the Islamic Ummah does not take the initiative to save humanity, this world will remain governed by the whims of foolish presidents and destructive international conflicts.

O People: From Al-Aqsa Mosque, we address the Islamic Ummah in particular and the people of the world in general, and we say to Muslims: You are the ones who are able to save the world and humanity from the tyranny of capitalists and their criminality. You are the bearers of the message of mercy and guidance. You are Allah's witnesses to the people, so will you shake off the dust from your shoulders and rise with the glory of Islam?

We say to the Muslim armies: You are the power and protection of the Muslims, and by your hands the conquests and victories take place. Until when will you remain hostages to these puppet regimes, that killed in you the drive for Jihad in the way of Allah (swt)? When will you become furious for the sake of Allah (swt) and overthrow these traitors to Allah and His Messenger (saw)? Is it not time for your hearts to submit to the remembrance of Allah and what has been revealed of the truth, and to support Allah and His Messenger and give Nusra (material support) to Hizb ut Tahrir and its Ameer, and pledge allegiance to him like the pledge of allegiance of the Ansar, by which you establish the Deen and carry it as a message of goodness and guidance to the worlds?

As for the people of the world, we say to them: Capitalism has blinded your parties and presidents, and one of their greatest crimes is fuelling hostility towards Islam, even though it is the mercy that will save you, and because of their arrogance and selfishness, your fate has become threatened with extinction. What is happening in Ukraine today is the warning that threatens you if you do not put an end to these criminals. The capitalists and the leaders of the major countries do not give weight except to their interests, and they are an evil that afflicts

humanity. And if you do not rush to mend your affairs, you will be affected with more than what happened to you in the two world wars.

O People: The entire world needs a new global power to overthrow this criminal system, it needs Islam and the Khilafah State, to save it from the crimes of the major countries - America, Russia, Britain, France and China - for their crimes against humanity are shameful. The Khilafah State is the saviour of humanity and it will change international relations and rebuild it again, it is the haven for the weak in the whole world.

It is a State on the method of the Prophethood, it governs by the law of the Most Merciful, in which justice is established and good spreads, the oppressed are treated with justice, the oppressor is held accountable, and is driven upon the truth.

It is the Khilafah on the method of the Prophethood to which all people flock to, because it is their salvation, their fortress, their shield. We ask Allah (swt) to make its dawning near, it is time for our Deen to dominate and for the banner of our Rasool to be raised. This is our call to you, in it is your life and salvation.

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

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

Oh Allah, we ask you a Khilafah Rashidah (rightly-guided Caliphate) on the method of the Prophethood with which we please our Lord and restore our glory and honour, with it we liberate our land and the path of our Prophet.

Oh Allah, open the hearts of the people of power and protection so that they may support your Deen and establish it as a Khilafah Rashidah on the method of the Prophethood.

Oh Allah, raise the banner of Islam to flutter over the walls of Bayt Al-Maqdis, and make the chants of Takbeers of the Khilafah's armies resound in its corners with Your Mercy, Your Grace, and Your Magnificent Benevolence. And peace and blessings be on the one sent as a mercy to humankind, and praise be to the Lord of the worlds.

**H. 1 Sha'aban 1443
M. : Friday, 04 March 2022**

**Hizb-ut-Tahrir
The Blessed Land Palestine**

NEWS & COMMENTS

The Russian Attacks on Women and Children Reflect the Animalistic Rules of Secular Laws



News:

On Thursday, 17th of March 2022, Russian air forces bombed a theatre in the town of Mariupol. The international community initiated global condemnation of the act as it was reported that the Russian word for “children” was clearly marked outside of the building. At the time of the bombing, hundreds of civilians were said to have been sheltering in the building, many of them families with children.

Petro Andriushchenko, an adviser to the city's mayor, earlier said emergency workers were struggling to reach the building due to constant shelling.

Comment:

The indiscriminate brutality of governments targeting women and children in combat situations is nothing new in western politics. The Ummah still have the very real memories of the “shock and awe” carpet bombings that were delivered to the innocent children of Iraq under the ordinance of United States instructions. Russian fighters are seasoned practitioners of child murder with their armies having extensive practice in Syria. The pure, defenseless blood of the new born babies was a favourite target as maternity units were ravaged by the full force of Putin's hatred for non-Russians.

War cannot be considered a safe place for any human, however Islamic laws acknowledge that the rules of engagement never cross the sacred boundaries of harming non-combatants, namely women, children and animals. Allah (swt) says clearly in the verse of Quran Surah Al-Maida verse 32;

مِنْ أَجْلِ ذَلِكَ كَتَبْنَا عَلَىٰ بَنِي إِسْرَائِيلَ أَنَّهُ مَن قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا وَلَقَدْ جَاءَتْهُمْ رُسُلُنَا بِالْبَيِّنَاتِ ثُمَّ إِنَّ كَثِيرًا مِنْهُمْ بَعْدَ ذَلِكَ فِي الْأَرْضِ لَمُسْرِفُونَ

“On that account: We ordained for the Children of

Israel that if any one slew a person - unless it be for murder or for spreading mischief in the land - it would be as if he slew the whole people: and if any one saved a life, it would be as if he saved the life of the whole people. Then although there came to them Our messengers with clear signs, yet, even after that, many of them continued to commit excesses in the land.”

In the noble example of the Caliph Abu-Bakr (ra), it was forbidden act randomly in was, his famous statement offered the following commands;

“When you meet your enemies in the fight, behave yourself as befits good Muslims.... If Allah gives you victory, do not abuse your advantages and beware not to stain your swords with the blood of one who yields, neither you touch the children, the women, nor the infirm, also men, whom you may find among your enemies.”

Also, “In your march through the enemy territory, do not cut down the palm, or other fruit-trees, destroy not the products of the earth, ravage no fields, burn no houses... Let no destruction be made without necessity.”

He reportedly went so far as to say that when Muslim armies ran out of food, they should only take food from civilians in enemy territory enough for one meal.

From these evidences we can see that the brutality of secular law is the real matter of concern for world politics and not the return of the justice and security of the Khilafah (Caliphate).

Written for the Central Media Office of Hizb ut Tahrir
by

Imrana Mohammad

ANSWER

2

QUESTION

Any Matter that is not Fully Implemented Prohibits Leaving What is Easy from it

Question:

O honorable Ameer, Assalam Alaikum wa Rahmatullahi wa Barakatuh,

May Allah protect you and open all goodness through your hands

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

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

Answer:

Wa Alaikum wa Rahmatu Allahi wa Barakatuh,

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

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

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

1. This saying has several forms circulating in the books of the scholars, and they are similar: "Any matter that is not fully implemented, prohibits leaving all of it", "Any matter that is not fully implemented prohibits leaving most of it", "Any matter that is not fully implemented prohibits leaving small portions of it", "Any matter that is not fully implemented prohibits leaving what is less than it", "Any matter that is not fully implemented prohibits leaving parts of it". In addition to the form that came in your question: "Any matter that is not fully implemented prohibits leaving what is was easy from it" ... and some call it a proverb or a saying while others describe it as a Sharia principle... In fact, it is as if it was on the tongues of some people as if it was a hadith from the Prophet, peace be upon him, which made the muhaddith of Al-Sham during his days Ismael bin Muhammad bin Abd al-Hadi al-Jarrah al-Ajluni al-Dimashqi, Abu al-Fida, who

died in 1162 AH, mentioned it in his book: "Revealing invisibility and removing ambiguity from the hadiths that are well-known on the people's tongues" and he says about them: [Any matter that is not fully implemented, prohibits leaving all of it, is in the meaning of the verse: (فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ) **"So, observe taqwa (total obedience to Allah in awe of Him) as far as you can,"** [TMQ At-Taghabun:16] and the hadith: «اتَّقِ اللَّهَ مَا اسْتَطَعْتَ» **"Fear Allah as much as you can."** The wording of the translation is a principle, not a hadith.]

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

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

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

3. The scholars have inferred for the principle (the easy part of any matter is not cancelled due to its difficult side) or its other equivalent (any matter that is not fully implemented, prohibits leaving all of it) or to the subject of (the portion that one is able to do, is it obligatory). They cited that from Allah, the Most High saying: (فَاتَّقُوا

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

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

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

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

4. From a study of what the scholars have represented for the principle, "The easy part of any matter is not cancelled due to its difficult side" and its counterparts, it becomes clear that they connote by the principle that the specific ruling that is commanded by Sharia is that if the person is unable to perform some of the matter because of one's inability to do so, i.e. because of its difficulty, then his performance of the rest of the commanded action does not fall from him, but rather he must perform what he can do from the action he is commanded because the one who is obligated is legally required to perform from the commanded what he is able according to the texts of the Qur'an and Sunnah...

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

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

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

does not know from Al-Fatihah)...

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

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

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

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

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

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can.

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

The third: is that which is not absolutely obligatory, like if he found in the arranged atonement a partial amount of freeing a slave, then it is absolutely not obligatory because the Shariah intends him to complete freeing a slave as much as possible; ... then he moves to the substitute...

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

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

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

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

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

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

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

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

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

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

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

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

(وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ)

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

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ

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

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

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

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

Your brother,

Ata Bin Khalil Abu Al-Rashtah

05 Rabii’ Al-Akhir 1443 AH
10/11/2021 CE

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

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

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

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

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

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

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

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