

ANSWERS TO QUESTIONS: WOULD HIZB-UT-TAHRIR BE CONSIDERED AS MUJTAHID, OR MUQALLID, AMMI OR MUTTABI'?

Question:

Would Hizb-ut-Tahrir be considered as Mujtahid, or Muqallid, Ammi or Muttabi'? And what would be its position vis-a-vis the current existing thoughts in the world, and vis-a-vis the solutions and the laws?

Answer:

Hizb-ut-Tahrir is a Takattul (gathering) based upon an ideology (Mabda') whose members have believed in, an ideology which the party aims at establishing in society, in one part of the world at first, then throughout the whole world. Therefore, it is not a Mujtahid, nor is it a Muqallid, it is in fact a Takattul based on Islam as an ideology, which it aims at establishing in society then in the world. Hizb-ut-Tahrir is a group of individuals and a group of institutions gathered on the basis of Islam as an ideology. It would be difficult, if not impossible to describe it as Mujtahid or Muqallid. It would be even wrong if not impossible for it to be Mujtahid or Muqallid. The party rather adopts a host of thoughts and Ahkam (rules) from the Islamic Sharia'a, which he calls for and works towards implementing. However, it would only take these rules and thoughts from Mujtahids, who are either members of the party, i.e. individuals within the Takattul, or from other Mujtahids, past and present alike. The party's adoption of these rules and thoughts would not be based on the interest, nor on their suitability to deal with situations. It would rather adopt them simply because they would be part of the Wahiy (Revelation) or because they are deduced from what the Revelation has brought.

Therefore, the party has adopted these rules and thoughts according to the strength of the evidence and nothing else. Hence if their evidence were strong, it would adopt them, and if it were weak, it would reject them, even if these happened to be widespread among the Muslims, or even if they would provide a solution to the problem, and even if it were in the party's interest to adopt them. This is so because the party's adoption of the thoughts and the rules would be based on the strength of the Dalil (evidence); in other words, if these were brought by the Revelation, or if they were deduced from what the Revelation has brought.

The party is based exclusively on the "Fikra" idea, i.e. on the ideology of Islam, this according to its own perception of Islam's thoughts and rules. The idea is the only thing upon which the party is based. It is the secret of its life, it is the only thing that brings it into existence and keeps it alive, even eternal. The party is not based on personalities, no matter how much knowledge, prestige and influence these people had, and does not concern itself with their high or low numbers. The party is not based on people's support, no matter how strong or weak this support were, nor is it based on what provides it with the ability to operate, no matter how appealing this ability were, in terms of facilities, promotion, progress and ascendancy. The party is not based on what brings it closer to rule or facilitates for it the seizure of power, it is rather based solely on one thing, which is the idea.

The party considers this idea to be the secret of its life, i.e. the soul by which it exists, and which if it were to lose it, it would perish. Therefore, the idea is the basis of its existence and the basis of its progress. Therefore, it would only concern itself with the idea, and it would direct its attention solely towards the idea, it would consider all its activities related to the idea, whether when it comes to the adoption, or when it comes to the diffusion or implementation, or when it comes to what is necessary to establishing the society, or what is required to establish the state, or to revive the Ummah, or what is deemed necessary to convey the Message to the world. The party would only work towards establishing the Khilafa, establishing the society, reviving the Ummah and carrying the Message of Islam to the world with the idea and for the idea; hence the idea would be everything in Hizb-ut-Tahrir.

The party means by the idea, the Islamic idea, in its quality as an intellectual Aqeeda, built upon the spiritual basis, and also in its quality as a political idea and not just a religious and spiritual idea, nor just a legislative idea, nor just an exclusively intellectual idea, but rather in its quality as a political

idea. Therefore, it is not a religious party, solely in the spiritual meaning, nor is it a political party, solely in as far as managing people's affairs is concerned, rather in its quality as an idea about the universe, the human and life, and what precede it and what is to follow, as well as what is connected to life. The party looks upon this idea in a manner that would lead it to implementing it upon people and in society, and would also lead to its conveyance throughout the world. Therefore, it is a political party with Islam as its ideology, and it would be wrong to describe it otherwise.

Since this idea, i.e. the Islamic idea were exclusively the secret of its life, the party would therefore adopt it on a definite and conclusive basis. Therefore, whoever aims at joining the party must be absolutely certain that the party is effectively based on Islam, and that its members believe in its ideology, which is Islam, and that they are determined to establish it, i.e. Islam in society. In other words, no person would join the party unless they decisively and conclusively believe in this party. As for those who support the party, they should support it with the least amount of doubt, on the basis that it is generally on the right path, regardless of the details. Therefore, membership of the party depends on the decisive belief, and its Hokm would be the same as that of the Islamic belief, and the condition for its support would be the condition of taking the Sharia'a Hokm, i.e. with the least amount of doubt that this party is based on Islam, and that it works for Islam, and its Hokm would be the same as those related to dealing with the Ahkam of Islam.

Hizb-ut-Tahrir has laid down a basis for adopting the thoughts and rules. Regarding the thoughts related to Aqa'id (doctrines), the party would not adopt them unless the definite and conclusive evidence about their soundness and truthfulness has been established. The evidence would either be derived from the Revelation, or a rational evidence, according to the party's perception of rationale. As for the Ahkam, their authenticity need not be definite and conclusive, the least amount of doubt would be sufficient to establish their authenticity and their soundness. The party would not confine itself to the study of the texts, nor to the understanding of the texts, but besides this it makes it a condition for the rules to fit the situation which the texts had brought. Therefore, the party would study the reality a study of Ijtihad, and would study the text a study of Ijtihad, and it would Bismillahi AlRahman AlRaheem

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study the reality a study of Ijtihad, and would study the text a study of Ijtihad, and then it would apply the rule which it had deduced from the text upon the situation which it had studied, and if it were applicable the party would take it, if it were not applicable, it would leave it and search for the rule that applies to the situation until it finds it. If then it were applicable, it would adopt it and if it were not applicable and it did not know of a rule that applies to that situation, the would party would either not adopt it, or it would adopt that it is not part of the Islamic rules.

Since the idea were the secret of the party's life, and since the party works with the idea and for the idea, therefore, its seizure of power would be the method to implement the idea and not a method for the idea. Hence the method of adopting the idea would be by taking it from the Mujtahid, according to the conditions laid down by the party, then by adopting it and then

committing every Shab in the party to adopting it. The method of spreading the idea would be the method which the Messenger of Allah (SAW) has brought, reflected in both his actions and sayings (SAW). The method of teaching the idea would be the Islamic method of teaching. The party aims at establishing the idea in society. Hence one of its main activities would be to seize power in order to implement the idea and in addition to this, it would work towards spreading the idea and culture the individuals in order to spread it. Hence, it would be the idea alone which keeps it alive.

Since the idea has been exposed to the various elements of blurring, and since it has been due to the cultural and political invasions, subjected to all kinds of perversions, and since this idea were the soul of the party, it has become imperative for the party to adopt from the thoughts and rules what it believed that it alone was right, as far as the Aqa'id (doctrines) were concerned, and what it alone deemed, with the least amount of doubt, to be correct as far as the Ahkam were concerned. The party was also obliged to adopt the rules and the thoughts which would enable it to carry out its task of establishing the state, establishing the society, reviving the Ummah and carrying the Message of Islam to the world. Therefore, due to the party's pressing need for a great deal of thoughts and rules, it has adopted a number of thoughts and rules which it published in ten books, which it has committed itself to studying them and culturing itself with them. It has also published a number of other books, questions and answers, in order to facilitate the study of Islam, the study of how to carry it to the people. Although the party did not adopt these other books, it has however taken into consideration what it would normally take into consideration when adopting any rule or any thought or any book. Despite the fact that the idea, according to the party's perception, is the secret of the party's life and the object of its existence, it is however not a Math'hab (school of thought) nor is it a "Tariqa" (order), nor is it a personality. It is rather a political party with Islam as its ideology. In other words, it is a Takattul based on an idea whose member have believed in, and which it aims at establishing in society and carry it to the whole world. Although the party has a special method of perception, it is however not Mujtahid, nor is it a Math'hab, the method is merely used for the purpose of adoption, not for the purpose of Ijtihad, and also for the preserving of this adoption not for the purpose of committing people to it, nor to get them to understand according to it. Besides, although it has adopted a specific method of perception, the party has not adopted all the thoughts which would be necessary for the Muslim. It has rather adopted what is necessary for it to resume its work. In the Aqa'id, it has only adopted what was necessary for it to adopt on. It has also not adopted in the Ibadat (rituals) except what was necessary to spread the thoughts, such as the rules of Jihad. Likewise, it has not adopted in the Tashri'i (legislative rules) except what was necessary to seizing power. Although the party has adopted in the ruling system, it has however not adopted in the Mu'amalat (transactions) and the Uqubat (penal code). Therefore, it is not a Math'hab, nor is it a Tariqa, nor a Mujtahid. Although the party's whole concern were the thought, and its whole work were the thought, it could however be described as an intellectual school. Likewise, although Hizb-ut-Tahrir is not a Messenger, nor does it possess anything from the matters related to the Message and those related to the Messenger, it does however follow the Messenger (SAW) the prophet "Al-Ummiy", and it does progress according to his guidance (SAW). The party is a group of Muslims who have gathered on the basis of the Islamic ideology, in order to establish it in society, and carry it

to the world. It is based upon the Islamic ideology, and follows the prophet and the Messenger of Islam (SAW), and progresses according to his guidance, it emulates none but him (SAW). It does not lend any importance to any other human being but him (SAW). It is part of the Ummah and just like any of the Muslim individuals, it does not distinguish itself in anything from the smallest of Muslims, except that it is the one carrying the heaviest of loads, and it is the most eager to gain the pleasure of Allah (SWT). It is the Islamic Ummah, whom the party is an inseparable part of her, and who reflects the strength of the party, who in fact represents Islam, and it is her who is considered the Jama'a of the Muslims, not the party, nor any other gathering. However, the party, which is the custodian of the society, and which considers the idea as being the secret of its life, it considers the Islamic Aqeeda as being the basis of the Islamic Ummah, and the basis of the party. Therefore, if the Ummah consented upon abandoning the Islamic Aqeeda, the party should strive towards preventing her even single handed from doing so, until it succeeds to bring her back to Islam. However, if the Ummah consented on other than this, the party would not resist her, and it would continue to progress as part of her, even though it would stick to its own understanding of thoughts and rules.

As for the party's position vis-a-vis the current existing solutions and the laws, this is the same as the position of Islam, i.e. it does consider these to be Kufr, and it would be forbidden to adopt them and implement them. Because it would be forbidden to adopt or implement any rule apart from those derived from the Revelation. As for the thoughts which do not represent a solution, such as the fact that life is a matter, and that the human being is created by a Creator, the party would adopt those which agree with Islam, and would reject all those who contradict Islam. In any case, the Islamic Aqeeda would be the basis of the rules and thoughts, i.e. all the rules and all the thoughts would be derived from the Aqeeda. What the party has adopted in terms of rules and thoughts is confined to the Islamic Aqeeda, hence the party is guided by the Aqeeda and its position would be that of the Aqeeda. This is because the Islamic Aqeeda is the secret of the party's life, it is the Aqeeda which drives the steers the party in every position and in every action, even the party's adoption of the idea is based upon the Islamic Aqeeda and nothing else.

Hizb ut-Tahrir

29th Rabi'i Al-Awwal 1394a.h.

21st April 1974