

ANSWERS TO QUESTIONS: HOW DID THE PARTY DETERMINE ITS AIM?

By studying the reality of the Muslims, reflected in the disruption of the Sharia'a rules which are duly their obligation, the absence of the Baya'a of obedience to a Khalifa ruling by Islam, the divulsion of their unity into countries and peoples, the dominance of the disbelieving powers over their land and their vital issues and the dismembering of large parts of their land and placing them directly under the rule of disbelief.

From the study of this reality, the party deduced that its objective would be for the Muslims to resume the Islamic way of life, thus dealing with all the above mentioned ailments. This issue, i.e. the resumption of the Islamic way of life, would not be achieved according to the legitimate method, unless the Khilafa state for all the Muslims were established, as determined by the Holy verse "Ummatun Wahida" (one Ummah), as well as the Ahadith such as "If a Baya'a has been taken for two Khalifas." and also as the Messenger of Allah (SAW) set about building the Islamic society in Madina under the banner of the Islamic state, and the Khulafa' who came after him (SAW) and followed on his footsteps, particularly hiSahaba also did.

2- Why would the party confine the area of its activity? Why would the party not leave its activity open, engulfing all the countries, Islamic and non-Islamic alike? - As for the question why would it not include the whole world, because this would be sheer fiction; for this would mean that the party deems that the establishment of the Islamic state is a duty upon all the people, Muslims and non-Muslims alike; whereas in fact this duty is a Sharia'a duty upon the Muslims only, since the Messenger of Allah (SAW) established the state for the first time. As for the Muslims who lived in the Kufr household, they were not part of the Islamic authority in the first place to claim it back, nor were they ruled by Islam before in order to re-establish it. Besides, the elements of safety and authority are not available for them in order to establish an Islamic state. The Sahria'a address of the believers, commanding them to implement the Sharia'a rules, such as Jihad, establishing Hudud (penal code), enjoining "the" Ma'aruf and forbidding "the" Munkar and the management of people's affairs, this address is directed at the Islamic Ummah whom the Messenger of Allah (SAW) had established in Madina and upon whom the rules were revealed. The interpretation of the method of executing such rules was also determined by Sharia'a, which is to appoint a Khalifa to rule her by Islam, to account him, help him and fight under his leadership. This situation would not apply to those who remained outside the Islamic household and did not come under the authority of the state. This is reflected in the Hadith of the Messenger of Allah (SAW) reported by Sulayman Ibnu Yazid: Call them to Islam, if they responded then accept this from them....

This is the reality of the Muslims who lived outside the Islamic household, and specifically those who were living in the Kufr household and did not move to the Islamic household as explained by the mentioned Hadith. Allah (SWT) says: [8 - 72] T.M.Q. "As for those who believed but did not emigrate, they have no right to your protection until they emigrate...."

So why does the party's Majal not include all the Muslim countries, in other words why does it only confine its activity to the place from which it was launched in the Arab countries as is the case at present?

First of all, for the party to start in the Arab countries and select them as the Majal of its activities, this would be the natural thing to do for the Muslim person to start from where he happens to be, especially if the Muslims in that part are commanded by this Sharia'a obligation. Furthermore, if some Muslims living outside the Muslim countries were capable of carrying out this duty, they are commanded under the Sharia'a rule to move to the Muslim countries to execute this rule, because the point at issue is not the establishment of an Islamic state for the first time, as the Messenger of Allah (SAW) did, but the sin has fallen upon the Muslims who had ceased to live under the Islamic rule which was once established.

Secondly, why did it not include all the Muslim countries since it started or after it had started, this issue would be related to the capability of the party, or the capability of any Muslim commanded by

Allah (SWT) to accomplish a duty. The Messenger of Allah (SAW) said: If I ordered you to perform a duty, do it to the best of your ability.

The Messenger of Allah (SAW) has taught us through his work in Makkah to concentrate our efforts in the place where we happen to be, and if we realised that it were no longer valid to achieve the aim, or if we realised that the goal could be achieved elsewhere, we should move to that new place. The Messenger of Allah (SAW) worked in Makkah for 13 years, and during that period, some strong men from other tribes embraced Islam, and despite this, the Messenger of Allah (SAW) did not move, nor did his Da'awa move with those men because he knew that he needed a base capable of sustaining the launch.

Al-Tufayl Ibnu Amr Al-Doosi embraced Islam, and many people from Doos embraced Islam. Abu Tharr Al-Ghafari embraced Islam, and many people from his tribe embraced Islam as well. The Christian delegation of Najran (twenty) embraced Islam. From among the Sahaba of the Messenger of Allah (SAW) some emigrants went to Abyssinia, and they reached about 300. And despite all this, the Messenger of Allah (SAW) continued to campaign Makkah.

When he (SAW) thought of seeking the "Nusra" (protection), he only sought it from the tribes who fulfilled all the conditions of powers and protection once they embraced Islam. He sought the Nusra from Thaqeef in Al-Taif, from Bany Amer and Bany Shayban. Even the group from the Khazraj who embraced Islam at their first meeting with the Messenger of Allah (SAW), they numbered six, but he (SAW) never thought about joining them. However, after the first pledge of Al-Aqaba, he (SAW) asked them about this, so they asked him to wait until the following year. The fact that the Messenger thought about joining them was based on understanding that Madina and its people were capable of being a base for the state. Therefore, the choice of Majal would be in fact a study of the reality i.e. the Manat.

3- On whom does the responsibility of establishing a group or a Kutla rest? As determined by the Holy verse [3 -104] T.M.Q. "Let there arise out of you a band of people, calling to the Goodness, enjoining what is good and forbidding what is evil, and those are the ones who will attain felicity. This Aya and the verses that preceded it started with the address of [3-102, 103] T.M.Q."O you who believe fear Allah the way He should be feared and do not die but in a state of Islam..." "And hold tight to the rope of Allah and do not be divided, and remember the bounty of Allah upon you..... "Let there arise out of you a band of people....."

This verse is addressed to the Jama'a of the Muslims i.e. to the Muslim Ummah. This verse was revealed to the Messenger of Allah (SAW) in Madina. Despite the fact that the Messenger of Allah (SAW) was prior to this carrying the Da'awa in Makkah, calling people to Islam. Many persons embraced Islam and accompanied him and learned from him (SAW) what was revealed to him. He (SAW) used to teach them and culture them until they became one single Kutla, despite this he was the only one commanded to carry the Da'awa. The Sahaba who carried the Da'awa did so on an individual basis, and some of them did not carry the burden of the Da'awa in Makkah, in addition to the fact that he (SAW) gave permission to whoever opted to leave Makkah to do so.

Therefore, the verse is directed at the Muslim Ummah, once it has been established, (see the document of the Madina), to establish this Jama'a, which is a duty of sufficiency (Fardhu Kifaya) upon her, which means she had to establish even one single Jama'a capable to perform what the Holy verse determined in terms of the duties of Da'awa to Islam, enjoining Ma'aruf and forbidding Munkar. The duty afterwards would become individual upon every Muslim to join this Jama'a until it executes the orders of Allah (SWT). Any other group to be established afterwards would be Mandub and not Fard, unless the first group fails to fulfil the duties imposed upon it by Allah (SWT), according to its idea which it has perceived from Islam and its method which it has deduced, such as for instance for the group to preoccupy itself solely with charitable work, which is good, or if it confined the enjoining of Ma'aruf to one of the acts of worship or individual matters and deliberately avoided commanding the rulers and those in authority or people in general save for individual

matters, or if it confined the forbidding of Munkar to individuals or to morals or anything similar, or if it adopted the method of seeking the help of the disbelievers to implement Islam, or if it used the material force in order to establish the authority or anything similar to this.

It would be therefore wrong to claim that the address of establishing a Jama'a is directed at the Muslims who live in the Kufr household, under a Kufr authority, in a disbelieving country that was never ruled by Islam.

The Muslims who lived outside the authority of the Islamic State, and who nowadays live outside the Muslim countries are commanded by what the Bedouin Arabs had been commanded, so was those who remained in Makkah after the Hijra to Madina, and those who remained in Abyssinia after the establishment of the Islamic state. All of those Muslims and their likes would be commanded to move to the Islamic household, as the Hadith mentioned, and as the verse in Surah Al-Nissa' [4 -97] T.M.Q. "Those whom the angels had taken their souls and died in sin....." They would not be excused unless they were prevented from emigrating, and unless they were able to perform all the individual Sharia'a duties and they were not coerced into committing what Allah has forbidden upon them, in which case they would be permitted to remain there.

The party has outlined in the ruling system and the Khilafa that the appointment of a Khalifa would be carried out by a group of people whose appointment of a Khalifa would be acceptable to the Muslims. As for the question of to whom this address applies, the party says: They are those who live in the land that falls under the authority of the Islamic state, i.e. those who are the subjects of the departing Khalifa, if the Khilafa were established, or those would establish the Islamic state if it were not established. As for the other Muslims, their Baya'a and their consent would not be conditional. This is so because they would either be outside the authority of Islam, in which case they would be considered as rebels (Bughat) and they would be fought, or they would be living in a Kufr household and they would not be able to join the Islamic household. These would only be commanded to give the Baya'a of obedience to the Khalifa whom the Muslims living in Muslim land would appoint.

4- What are the mandatory powers and the functions of this Jama'a? Now that we have established that the effective work of this Jama'a would be in Muslim land, among the Muslims, as a the basis to establishing the Islamic state who would achieve for them the resumption of the Islamic way of life within the state, and the carrying of the Message through the state by way Da'awa and Jihad.

Its mandatory powers: The call to the goodness, i.e. to Islam. The Messenger of Allah (SAW) and his Sahaba used to call people within the authority of the state for Islam, i.e for all that which was being revealed in terms of Aqeeda, systems, rules, morals and values. This call was to the Muslims who had just embraced Islam, thus it was necessary to explain to them all the Aqeeda matters, as well as the Qur'an and the Hadith. The call was also to the non-Muslims from Jews and Mushrikeen, by way of discussions about their Aqa'id and their invalidity, and at the same time outlining the Aqa'id of Islam, all this used to take place without any compulsion or coercion, and in the best manner, even when sometimes they used to be excessively rude in their discussions with the Messenger of Allah (SAW). Enjoining Ma'aruf: Commanding people by what Allah (SWT) has ordered upon them in terms of worships and transactions such as marriage, eating and dress etc.. in terms of referring all their affairs to the Sharia'a and pledging their allegiance to Him (SWT).

Forbidding Munkar: To forbid people from committing what Allah (SWT) has forbidden in terms of foods, drinks, transactions, innovations in Aqa'id and acts of worship. In these two matters, i.e. enjoining Ma'aruf and forbidding Munkar, the Messenger of Allah (SAW) and his Sahaba would not exclude anyone. The Messenger of Allah (SAW) used to warn his closest Sahaba against this, and they used to discuss and debate with him in most of the issues, such as in the Hudaibiya, the booty of Badr and the booty of Hunayn. The Sahaba did the same with the Khalifas. Imam Al-Naysabouri said: No one could enjoin the Ma'aruf and forbid the Munkar, except those who are able to distinguish the Ma'aruf and the Munkar, lest they enjoin a Ma'aruf and forbid a Munkar according to

their own Math'hab (school of thought), and their ignorance of other Math'habs could lead them to forbidding what is not aMunkar.

5 - The unity of the party: We remind here of what was mentioned about the first cell and the first circle: The party states that the first cell would proliferate thus bringing in other persons who would in turn become cells, they would be totally bonded together by the ideology, not by personal bonds. The ideology itself to the exclusion of anything else, must be the basis of the Takattul (gathering) of these persons. The ideology i.e the Mabda' should alone be their pulling power.

This ideological bond would become crystallised among the people of the first circle, it would become an ideological bond through which the Shabab would be exclusively bonded together. In order to achieve this the party has stressed that two matters must be simultaneously achieved:

A- For the heart to be uniting force for the party, i.e a uniting force for all its Shabab. This entails the belief in the Mabda' upon which the party has been founded, i.e. the belief in the idea and the method as the party has perceived it.

B- For the intellect to be a uniting force for the party, i.e. the necessity of acquiring the culture of the Mabda' which the party has adopted, learn this culture, understand it and memorise it. With the heart and the intellect the effective ideological bondage would be achieved among Shabab of the Hizb.

The party also stresses that by observing this bond and by achieving it, two matters would be achieved: 1- the party would be soundly prepared (ideologically, intellectually and as a party).

2- This bond would be solid in a way that would enable it to resist any shocks.

6- Why adopt?

A- The enjoining of Ma'aruf and the forbidding of the Munkar are actions related to the Islamic thoughts and its Aqeedas, these are varied and numerous, thus the party could not perform his task as a unit, i.e. to unite the Ummah under one understanding to these issues, without having itself one united understanding. B- There are other Islamic parties, therefore these parties should distinguish themselves from each other. and this distinction lies in the culture that it carries in its quest to change society.

C- No party could progress in any activity as one single party unless it had one single culture, agreed upon i.e. adopted, this would determine its position towards various events and would also determine the Ummah's position towards them. Therefore, we said that the party culture is one of the features which would qualify the Shabab for membership, and we said that it represented the bond as well, otherwise the Takattul would merely be crowding people together i.e. merely a party in name.

7- Would this Jama'a invite non-Muslims to Islam outside the Islamic state?

If the Islamic state existed, then it would be the Sharia'a duty to invite non-Muslims to Islam.

The way to invite them within the state would be by implementing Islam upon them just like she implements it upon the Muslims, apart from the exceptions determined by Sharia'a. Through the practical implementation of Islam upon them and through the management of their affairs, they would witness the justice and the mercy of Islam, and this would lead them to embrace it and join it. This is how the Islamic state operated since it was established by the Messenger of Allah (SAW). He (SAW) implemented Islam upon the Jews in Madina and upon the Mushrikeen and then upon the Christians of Najran; as a result many of them embraced Islam, then the state obliged the Mushrikeen of the Arabic peninsula to embrace Islam, the rest of the Jews were expelled from the peninsula and the Christians embraced Islam.

The Khulafa Al-Rashidoon did likewise and so did who succeeded them, in terms of implementing Islam upon the peoples of the land they had conquered such as Persia, the Roman empire, the Copt and the Berber, and it was through the implementation of Islam upon them that these people eventually embraced Islam.

The inviting of non-Muslims to Islam outside the state would be by way of envoys and ambassadors, and by the publicity with any available media, and by preparing for Jihad, just like the Khulafa al-Rashidoon did and the Sahaba consented upon this. The work of the state in inviting the non-Muslims to Islam would move to the practical style in implementation as mentioned earlier. It has not mentioned that the Messenger of Allah (SAW) or his Sahaba ever did order a group to invite non-Muslims to Islam outside the Islamic state, and there is no Hadith or a verse to indicate this. In the Sira of the Messenger of Allah (SAW), there is only the mention of the delegation of six Muslims killed by Hazil, and the delegation of sixty who went to protect the Abu Bara' Amir... Therefore the work of the Jama'a which the Muslims are commanded to establish would be within the authority of the Islamic state, or in the Muslim land which the Muslims are obliged to transfer into an Islamic household, just like it was before, by way of establishing the Khilafa. Whatever the Muslims performed beyond the authority of the Islamic state, in terms of carrying the Da'awa, this was on an individual basis performed by Muslim businessmen in eastern Africa and south-east Asia, this on the understanding that it is an obligation for the Muslim to carry the Da'awa to Islam wherever he may be as indicated by the verses and the Ahadith.

Allah (SWT) says: [16 -25] T.M.Q. "And call to the way of your Lord with wisdom and good advice, and argue with them in the best of ways. He (SWT) also says: [41 - 33] T.M.Q. "And who would be better saying than the one who calls to Allah, performs a good deed and say I am a Muslim..." The Messenger of Allah (SAW) is reported to have said: May Allah bless a man who heard my saying, understood it and conveyed as he heard it.

He (SAW) also said: "If Allah were to guide a person through your efforts, this would be far better for you than everything under the sun.

Evidence about this is also derived from the permission which the Messenger of Allah (SAW) gave to Abu Tharr, to return to his folk and invite them to Islam. This was an individual act.

Also, his Dua'a (SAW) for Tufayl Ibn Amr Al-Doosi so that Allah (SWT) may guide his folk to Islam. Therefore the Da'awa of non^aMuslims to Islam beyond the authority of the state would be on an individual basis only, not to be performed collectively by an Islamic group, nor to be carried out in a general address to non- Muslims.

We have also the example of the emigrants of Abyssinia, which indicates that it is not obligatory for the Muslims to invite non-Muslims to Islam as a group. For the Muslims who emigrated to Abyssinia did not call the Christians over there to Islam, they merely answered Al- Najashi what he asked them about, i.e. their new Deen and what Islam Says about Issa son of Maryam Alayhi-s-Salam. Despite the revelation of the Holy verse "Let there arise out of you..... and despite the fact that those emigrants were part of the Kutla of the Messenger of Allah (SAW), they remained in Abyssinia years after the Aya had been revealed, and there were no indication that they carried the Da'awa to non^aMuslims there.

Besides, carrying the Da'awa to non-Muslims outside the Islamic state, by a Jama'a, would not be much different than the declaration of Jihad on the non-Muslims, or the implementation of Sharia'a rules, or the management of people's affairs, by a group, while these would be the duties of the state.

If the Muslims felt guilty for not conveying this Deen to the non-Muslims, for the disruption of Jihad, and the nullification of the Sharia'a rules, the stalling of the penal codes, they should aim at lifting this sin by concentrating their efforts in establishing the Islamic state who is the body that has the exclusive mandatory powers to carry out these duties. This is the very work of Hizb-ut-Tahreer. Furthermore, to claim that it would be forbidden to keep silent about the Munkar without condemning this Munkar, this opinion should apply to the situation which the Sharia'a has determined. To forbid the Munkar, this could be carried out individually, and this is a duty upon the Muslim wherever he may be. The Munkar could also be forbidden by a group, and this would be

confined to the Muslim land, because the collective work, i.e. the work of the Jama'a is confined to that part of the world.

As for the forbidding of the Munkar on an individual basis, there ought to be beforehand an agreement about the fact that whatever is being forbidden is in fact a Munkar that is commonly known as such to the people, to society and according to their law. That is why Sharia'a refers to it as "the" Munkar i.e. what is known to everyone as being a Munkar, such as the taking of intoxicants, usury, unlawful killing, theft, adultery and gambling, this as far as the Muslims are concerned.

As for the matters which are not agreed upon as being Munkar, i.e. whatever it were a matter of difference about its definition as being Munkar (i.e. Haram) or non-Munkar (i.e. Makruh or even Mubah), people should not be forbidden from it, but they should be talked to and persuaded to change their views, such as for instance the prohibition of land letting, this would not be considered a Munkar which the Muslims should be forbidden from doing, nor smoking should be regarded as Munkar to forbid people from doing it.

This is as far as what occurs amongst the Muslims is concerned. As for the fact that a Muslim should attempt to forbid these matters in the Kufr household which does not know Islam, nor does it recognise its laws, and tries to change these matters orally or physically, this would be a matter that contradicts the Islamic way which calls to the changing of beliefs first and the establishment of the criterion of Halal and Haram, before disowning what Islam disowns from people's actions.

The party confirms that the carriers of the Da'awa should build their discussion around the Islamic Aqeeda and the doctrinal thoughts, or make the Aqeeda and its ideas the basis of the thoughts and the rules which they are calling for which they discuss with the Muslims, let alone the non-Muslims. There would be no point in mocking or disowning what we regard in our Deen as being a Munkar, while in their view, it is at the heart of their culture and way of life, such as usury, gambling, immorality, monopoly, intoxicants and drugs etc..

8- Would the Shab be sinful if he were to adopt a party opinion that differs from his own, or would he be sinful if he obeyed the party in a matter which he personally deems unlawful?

There is no doubt that when the party adopts its culture, opinions and concepts from the Islamic culture, it would do so according to the strength of the evidence, based on the Usul which it had proven with the conclusive evidence. This would in turn be adopted by every Shab of the party be it a member or a Daris. The party no doubt realises that there may be, or in fact there must be among its Shabab some who hold Sharia'a views different to what it has adopted. There could be in the party some Shabab who are Mujtahid, or who one day may become Mujtahid Mutlaq, nevertheless the party's opinion would remain the opinion of every single Shab including the Mujtahids. It is known that the Mujtahid is allowed under Sharia'a law to abandon his own Ijtihad in favour of another opinion, especially if this meant maintaining the unity of the Jama'a, or the unity of the Ummah, as was the case with Sayiduna Uthman (R). The only case where the Mujtahid would be forbidden from abandoning his own opinion for another is when the other opinion is without a shade of a doubt contradictory to the Sharia'a, i.e. Ijtihad does not come into it, as for example when a certain party adopts that the head of state could be a disbelieving Alawite. However, if the party adopted for instance that a woman could be a judge, the Shab would not be sinful if he were to adopt the same opinion, even if he were not convinced with the party's opinion.

For instance, if the party were to issue an order which the Shab considers contrary to his own, there would be no sin committed in this case, the sin would be if the party orders something that would be conclusively sinful, where Ijtihad does not come into it. As for instance the party orders one of the Shabab to kill a Muslim for attacking the party. Whereas if the party orders one of its Shabab to go underground, or to stop giving a Halaqa, or to leave the country he lives in and move to another country, there would be in such cases no sin, and he should obey.

Even when the party adopts an opinion contradictory to its own method of Ijtihad according to its own Usul, or even far more serious than this, if it were for instance to adopt an opinion contradictory to Sharia'a without a doubt, in this case, the way determined by the party, and even the Islamic state, is to discuss this matter. In case this occurred with the party, the matter would be discussed with the leadership so that the leadership is convinced about the error of its judgement, or so that the Shab or the Shabab are convinced about the error of their judgement. If the Shab then insists that the party's argument is not convincing, and this matter were in his opinion something that he could not obey due to its conclusive contradiction to Sharia'a, then the Shab would leave the party once he has discharged his responsibility before Allah (SWT), this by exhausting all his efforts in achieving conviction. If the state existed, then the case would be referred to the court of Mathalim which would then decide the legitimacy or otherwise of what the Khalifa had ordered. In both cases, the party and the Ummah would be informed about the position of the two parties, and the outcome of the matter.

9- If the work of the Jama'a which the Aya has commanded its establishment were in the Muslim countries, so what would be the meaning of its presence in the Kufr household, and what is the justification of its presence here and what is the nature of its work?

The party does not contradict itself when it says that it confines its work to the Majal it has chosen. Therefore, the presence of its Shabab outside the Majal would not be considered as a party presence, but merely Shabab who would not have the party institution that acts as a mouthpiece of the party, or decides on its behalf, as is the case with the Wilaya committees in the various countries of Majal. Therefore, our presence is a presence of Shabab not a presence of a party. Therefore, the fact that we are Shabab of one single party, this entails that we ought to keep studying the thoughts of the party and its culture, and to make our relationship based on the bond which this culture has decided, which is exclusively the ideological bond.

As for our work and our activity, this would be decided by the party, because we are its members, thus the party decides what would be best for our party and Islamic advancement, and what would be best for us in our quest to influence the Muslims whom we are part of and whom we live with. We ought to make them aware of what Allah (SWT) has commanded them, as this was mentioned in the Hadith: "They are like the Bedouin Muslims, they have the same duties imposed upon the Muslims." i.e. in terms of individual reports. Therefore, we ought to make them aware of these duties, because it is an obligation upon us and upon them in our quality as Muslims. Islam also obliges them to have their allegiance to Allah, the Messenger and the Ummah of Islam, to feel and to be concerned about Muslims' affairs everywhere.

What the party undertakes in this context would be from an organisational viewpoint, in order to achieve maximum results, and to target those Muslims who come from Muslim countries and intend to return there in the future, therefore we aim at winning them over and make them adopt the party's idea or joining them to the body of the party once they return to the Majal. This would undoubtedly assist the party in achieving its objective for which it has been working, i.e to resume the Islamic way of life, by establishing the Khilafa state.

25th February 1996

Hizb ut-Tahrir