

## Some Insights into the Goodness of the Khilafah

After America's humiliating defeat in Afghanistan, there is widespread discussion about the return of Islamic ruling. There is popular support for the implementation of the Islamic Shariah after the evident failure of man-made laws and systems to secure the affairs of Muslims. However, despite the divine evidences that enjoin the obligation to rule by Islam, there is an aversion to the idea of Shariah rule in some quarters. This is, perhaps, in part due to the distorted and improper application of the Shariah by a number of oppressive and tyrannical regimes that have ruled over the Ummah, since the destruction of the Khilafah, a Hijri century ago.

Such aversion should not exist, as the Shariah is from Allah (swt) and everything that Allah (swt) has enjoined upon the believers is nothing but a mercy for them. Allah (swt) says in the Qur'an, ﴿ هَلْ جَزَاءُ الْإِحْسَانِ إِلَّا الْإِحْسَانُ ﴾ **“Is there any reward for goodness other than goodness”** (TMQ Surah Ar-Rahman 55: 60). At Tabari commentated, هل ثواب خوف مقام الله عز وجل لمن خافه، فأحسن في الدنيا عمله، وأطاع ربه، إلا أن يحسن إليه في الآخرة ربه **“Is there any reward for fearing the standing of Allah Almighty for the one who fears Him, does good in this world and obeys his Lord, other than his Lord does good to him in the Hereafter?”**

A review of certain rulings (ahkam) that are enjoined upon us by Allah (swt), to be implemented by the soon to arrive Khilafah, confirm that the Shariah brings good in this world, ahead of being rewarded with good in the Aakhirah.

### The Unification of the Islamic Ummah under a Single Ruler

It is not allowed for the Ummah to be divided under different states. Instead, they must all be unified under one state and one ruler. Hizb ut Tahrir has adopted in its Introduction to the Constitution, Article 23, “As for the issue of the Khalifah being one, it is due to the narration of Abu Said Al-Khudri that the Messenger of Allah (saw) said, «إِذَا بُوعَ لِخَلِيفَتَيْنِ فَأَقْتُلُوا الْآخَرَ مِنْهُمَا» **“When oath of allegiance has been taken for two caliphs, kill the one for whom the oath was taken later.”** (reported by Muslim), and this is an unambiguous prohibition of allowing more than one Khalifah for the Muslims.”

The ruling for one leader was understood by the Companions of the Prophet (saw). When the believers assembled in the courtyard of the Banu Sa'ida clan to elect a leader and it was suggested that two be selected, Bukhari narrated that the Ansar said, **“Let there be an Amir from among us and an Amir from among you.”** However, Ibn Ishaq narrated that Abu Bakr (ra) said, **“إنه لا يحل أن يكون للمسلمين أميران؛ فإنه مهما يكن ذلك يختلف أمرهم، وأحكامهم، وتتفرق جماعتهم، ويتنازعوا فيما بينهم، هنالك تترك السنة، وتظهر البدعة، وتعضم الفتنة، وليس لأحد على ذلك صلاح أئمة. If that would occur it would lead to a differing in their affairs and rulings, and their community (jamaa'ah) would be divided, and there would be dispute between them. That would be discarding the Sunnah, Bidah would arise and Fitnah would spread. None of that would be goodness for anyone.”**

Imam al-Mawardi in his Al-Ahkam al-Sultaniyyah said: **وَإِذَا عَقِدَتِ الْإِمَامَةُ لِإِمَامَيْنِ فِي بَلَدَيْنِ لَمْ تَنْعَقِدْ إِمَامَتُهُمَا؛ لِأَنَّهُ لَا يَجُوزُ أَنْ يَكُونَ لِلْأُمَّةِ إِمَامَانِ فِي وَقْتٍ وَاحِدٍ وَعَلَى الْجَمَلَةِ لَا يَتِمَّارَى الْعَاقِلُ فِي أَنْ الْخَلْقَ عَلَى اخْتِلَافِ طَبَقَاتِهِمْ وَمَا هُمْ عَلَيْهِ مِنْ تَشْتَاتِ الْأَهْوَاءِ وَتَبَايُنِ الْأَرَءِ لَوْ خَلَوْا وَرَاءَهُمْ وَلَمَّا كُنْ رَأْيُ مَطَاعٍ يَجْمَعُ شَتَاتَهُمْ...no rational person doubts that if mankind, given their different classes, diverse desires and disparate opinions, are left to their own devices without decrees that they obey and that unify their factions, they would all end in ruin. This is an ailment that has no remedy other than a strong sultan who is obeyed and who unifies their disparate opinions.”**

However, today, the Ummah has been divided without a single Khilafah to unify it. 'Asabiyya (partisanship) has affected the thinking of the believers and has led to disunity and corruption. It is this disunity that has weakened the Ummah and left it vulnerable and in a state of destitute. The need to unify the Ummah has never been more apparent and such unification is only achievable through establishing the Shariah rule and re-establishing the Khilafah, which will be ruled by one Khalifah.





Imam 'Ala al-Dinal-Kasani (d. 587) of the sixth century also discusses this matter in his famous Bada'i al-Sana'i, saying: «النَّاسُ شُرَكَاءُ فِي ثَلَاثٍ: الماء في الأصل خلق مباحا لقول النبي صلى الله عليه وسلم «النَّاسُ شُرَكَاءُ فِي ثَلَاثٍ: الماء في الأصل خلق مباحا لقول النبي صلى الله عليه وسلم والشركة العامة تقتضي الإباحة إلا أنه إذا جعل في إثناء وأحززه به فقد استولى عليه وهو غير مملوك لأحد فيصير مملوكا للمستولي كما في سائر المباحات الغير المملوكة، وإذا لم يوجد ذلك بقي على أصل الإباحة الثابتة بالشرع فلا يجوز بيعه؛ لأن محل البيع هو المال المملوك وليس له أن يمنع الناس من الشفة - وهو الشرب بأنفسهم - وسقي دوابهم منه؛ لأنه مباح لهم «الناس شركاء في» Water in origin has been created permissible for all due to the statement of the Prophet (saw), «الناس شركاء في» «The people are partners in three things: water, pastures and fire.» General partnership necessitates permissibility. However, when anyone takes some of it in a container for himself then he has established his ownership over it since previously it was unowned, as is the case with all other unowned permissible things. If this does not happen, the origin ruling of permissibility, established by the Sharia, remain and hence selling it is not allowed. This is because only the owned thing can be sold. Further, no one can prevent others from drinking therefrom or feeding their animals, since it is permissible for all.”

The Hanafi faqih of the sixth century Burhan al-Din Abu al-Hasan Ali ibn Abi Bakr al-Marghinani (d. 593) says in al-Hidaya, لا يجوز للإمام أن يقطع ما لا غنى بالمسلمين عنه كالمالح والآبار التي يستقي الناس منها “It is not allowed for the ruler to grant (to a person/s) that which the Muslims collectively are in need of such as salt mines and large wells from which the people irrigate their lands.”

The Shariah prevents the monopolization of those resources which are necessary for all. Instead, it ensures that such resources are available for all who need them, supervised by the state. The immense wealth they represent are not confined to the few, through profits after privatization. Although the Khilafah state takes charge of managing the public property and state property, it is not permitted for the Khalifah to grant the ownership of the public property to any private party, whether an individual or group, as it is a property for all Muslims. Revenues are for the public, looking after its affairs and securing its interests, and not for the state.

This applies to all the abundant wealth of public property, whether energy, such as petroleum, gas, electricity or replenishable minerals, such as copper and steel, or water, such as seas, rivers and dams, or pastures and forests. Indeed, the entire Ummah is known to possess the lion's share of the world's energy and mineral resources, but without Islam's economic system, the Muslims are drowned in poverty and the Ummah carries no weight in world affairs, even when compared to states that possess a small fraction of its material wealth.

## Conclusion

The revered Imam al-Ghazali (rh) wrote in his book, Al-Iqtisad fi al-I'tiqad, that were the Imamah to be abolished then أن يقول القضاة معزولون والولايات باطلة والأنكحة غير منعقدة وجميع تصرفات الولاة في إتمامها هي باطلة، وإنما الخلق كلهم مقدمون على الحرام، it is said that the judges are dismissed, the guardianships are invalidated and the contracts are not contracted, all the decrees of the governors everywhere in the world are unenforceable and all of mankind will be engaged in what is unlawful (haram).”

The situation that Imam al-Ghazali (rh) speaks of is the situation that the Ummah finds itself in today. It should be understood by the believers of today that the only way to implement the Shariah and fulfill our obligation to Allah (swt) is by re-establishing the Khilafah. Only then can goodness thrive and falsehood and corruption be defeated.

Allah (swt) says in Surah An-Noor, verse 51-52: «إِنَّمَا كَانَ قَوْلَ الْمُؤْمِنِينَ إِذَا دُعُوا إِلَى اللَّهِ وَرَسُولِهِ لِيَحْكُمَ بَيْنَهُمْ: «The only saying of the faithful believers, when they are called to Allah (His Words, the Qur'an) and His Messenger, to judge between them, is that they say: "We hear and we obey." And such are the prosperous ones (who will live forever in Paradise) (51) And whosoever obeys Allah and His Messenger, fears Allah, and keeps his duty (to Him), such are the successful ones. (52)”.

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