

the Khilafah legitimate except if it establishes it, then it is a saying that's weaker than a spider web! This is what the Shaytaan implies to some of those who have a short span and vision, and lacking in insight and vision... what the Hizb wants is for the Khilafah to be established in a clear, pure and undistorted manner, we are the "child's mother" whose mission is that the boy is neither killed nor distorted... but for the boy to achieve strength, health, good care with high quality, and the issue is not about who takes care of him... we want the Khilafah to be established with its full rights, thus it becomes a great cause, strong in power, implementing Islam internally and carrying it externally through Da'wah and Jihad. It will then be an actual righteous Khilafah on the method of the Prophethood that was promised by Allah (swt) and given the glad tidings of it by the Messenger of Allah (saw)... after the oppressive ruling phase and whoever then establishes it rightfully, whether it were us or others, then he will be heard and obeyed, and by the will of Allah, the earth will then bring out its treasures and the sky will pour down its riches, Islam and its people will be glorified, and Kufr and its people will be humiliated, and Allah is Mighty and Wise...

This is how we want the Khilafah to return, pure and blessed, as the Messenger of Allah (saw) established it, and how his righteous Khulafaa' (radhiya Allahu anhum) followed after him... A Khilafah loved by Allah (swt) and His Messenger (saw) and the believers, a Khilafah that will bring happiness into the hearts of the Muslims, and glory into their homes... Not the announcement of a distorted Khilafah that is drenched with the blood of the Muslims unlawfully.. It pained us that the Khilafah which shakes the world and frightens the colonist Kuffar, it pained us that it became ridiculed, underestimating its significance, and rather, something insignificant, in which the United States announces a comment on that declaration that it is "nothing", rather than crying tears of blood upon the declaration of Khilafah... It also pained us that the people who considered the Khilafah to be a great notion yearning to it, some of them saw it after this declaration as a non-significant event...

The Hizb is a faithful guardian for Islam, and does not fear in Allah the blame of the blamers, it says excellent to the good-doer, and rebukes the wrong-doer, it does not seek from this any party interest nor

any worldly benefits, it rather sees the whole world as the Prophet (saw) mentioned in the Hadith extracted by Tirmidhi from Abdullah bin Masoud « مَا لِي وَلِلدُّنْيَا، مَا أَنَا فِي الدُّنْيَا إِلَّا كَرَاكِبٍ اسْتَظَلَّ تَحْتَ شَجَرَةٍ ثُمَّ رَاحَ وَتَرَكَهَا "What is there between myself and the world? This world and I are just like a rider who stops to rest beneath the shade of a tree then goes and leaves it."

Since the Dunya in the eyes of the Hizb is like that space of time during which it rests under the shade of that tree, so it is keen to spend it in sincere, diligent and righteous work to implement the Shariah rulings through the establishment of the Khilafah rightfully by the will of Allah - The Strong, The Almighty.

4. In conclusion, Hizb ut Tahrir which spent more than sixty years working for the establishment of the Khilafah on the method carried out by the Messenger of Allah (saw), spending in this cause many years in the prisons of the oppressors and being pursued and persecuted, as well as tortured by the Tawagheet, resulting in the martyrdom of members of the Hizb and others being harmed... while it remains steadfast upon the Truth in its path despite the increased hardships... So a Hizb whose case is as such, do you see it attacking any party implementing the Khilafah rightfully, whether its implementer is the Hizb or someone else...? It would not attack but would prostrate to Allah in gratitude.. While at the same time stand on the lookout for anyone who gives the name of Khilafah wrongfully, distorting it and attenuating it, the Hizb will remain by the will of Allah (swt) a solid rock in the face of every plot and deceit that distorts the Khilafah or attenuates it, and the Khilafah will be established by the will of Allah (swt) at the hands of men whom neither merchandise nor sale divert them away from the remembrance of Allah, men who will be more rightful to it and are its people, then the dawn of Khilafah will rise once again

﴿ وَيَوْمَئِذٍ يَفْرَحُ الْمُؤْمِنُونَ ﴾

بِنَصْرِ اللَّهِ يَنْصُرُ مَنْ يَشَاءُ وَهُوَ الْعَزِيزُ الرَّحِيمُ ﴿

"On that Day shall the Believers rejoice-, In Allah's help to victory. He helps to victory whom He will. He is the Mighty, the Merciful." [Ar-Rum 4-5]□

# The Legislative (Shari'i) Method of Establishing the Khilafah and the Dominant Sultan

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**Question:**

There are some comments on some websites that state: "That Hizb ut Tahrir has defined the method of seeking the Nussrah (material support) to establish the Khilafah, while it abides to, and does not acknowledge any other Legislative (Shari') method... although there is another method, which is "the method of the dominant Sultan", i.e. the one who establishes the state by force and fighting... they also said that Hizb ut Tahrir objected Baghdadi's declaration out of Hizbi prejudice, as the Hizb does not acknowledge the Khilafah as a legitimate one except if it established it..." Can you please provide a conclusive and sufficient answer for these statements? May Allah reward you.

**Answer:**

1. Hizb ut Tahrir did not outline the Sharí method of establishing the Khilafah, but it is the Shariah itself that outlined it, and the Seerah of Rasoolullah (saw) speaks of this since the beginning of the Da'wah to Islam, and until the establishment of the State... and prior to establishing the State was the Prophet's (saw) seeking of material support (Nussrah) from the people of power and protection who form the components of the State according to the reality of the region around them. For this reason, the Prophet (saw) went to the strong tribes calling them to Islam and seeking Nussrah from them as he (saw) did when he sought Nussrah from Thaqeef, Bani Amer, Bani Shayban, and the Ansar in Madinah, as for the small tribes, he used to merely call them to Islam... He continued doing this despite the difficulties and hardships he suffered, and the continuance of a matter in which there is hardship is the Shari' indication that it is Fardh (an obligation) as in Usool...

Thus, the Messenger of Allah (saw) continued in seeking the Nussrah from the people of power and protection, as one tribe caused his feet to bleed, and another rejected him, while another tribe put forth conditions, however, and despite all that, he (saw) continued his work, steadfast upon what Allah (swt) revealed to him without changing this method to another method such as ordering the Sahabah to

fight the people of Makkah, or fight some tribes to establish the State among them, and his Sahabah were heroes who feared none but Allah, but he (saw) did not order them to do so, but continued to seek Nussrah from the people of power and protection until Allah (swt) facilitated for him (saw) the Ansar. Thus they gave him the second pledge of Al-Áqabah, after Musáb (raa) succeeded in the mission assigned to him by the Messenger of Allah (saw) in Madinah, so in addition to Allah's facilitation to him of men of the people of power to give him victory, he (raa) had made Islam, by the will of Allah, enter the homes of Madinah, and created in it a public opinion for Islam, thus, this public opinion embraced the pledge of the Ansar, allowing the Messenger of Allah (saw) to establish the State in Madinah through a pure and clear pledge of allegiance, and a warm welcome from the people of Madinah for the Prophet (saw).

This is the Shari' method of establishing the State, and it should be followed by origin (asl), because the basis of actions is adhering to the Hukm Shari' (Islamic rulings), so if a Muslim wanted to know how to pray, he studies the evidences relating to Prayer, and if he wanted to perform Jihad, he studies relating to Jihad, and if he wanted to establish the State, then he should study the evidences of establishing it through the actions of the Messenger of Allah (saw), and no other method of the Prophet (saw) for the establishment of the State was mentioned except the one outlined in his Seerah (saw). And it includes the Da'wah to the people of power and protection who constitute the components of a State as per the region surrounding them, calling them to Islam, seeking Nussrah from them, and their pledge of allegiance through consent and choice, after he had established amongst them and in their region a public opinion derived from public awareness...

Thus, the legitimate method of establishment of the Khilafah is specified in Islam clearly and evidently, and it is clear that the people of this announcement did not follow this method.

2. As for the matter of the dominant Sultan which was mentioned in some jurisprudence books, its meaning needs to be understood, not just repeat the terms "dominant Sultan", without understanding when and how it is to be Islamically erected and when and how it is not Islamically erected; otherwise it will have dire consequences on its people!

The dominant Sultan would be sinful for Muslim bloodshed and dominating them through subjugation, force and coercion, and a legitimate Khilafah would not rise through him for violating the Islamic legislative method... However, some scholars see that this dominant Sultan's ruling becomes Islamically valid if he fulfilled conditions, most notably:

a) He becomes dominant in a land that has the components of a State as per the region surrounding it, so he has a stable authority in it and has control over the internal and external security of the land towards the region surrounding him.

b) Implements Islam with justice and benevolence in that land, and sets a good repute for himself between the people, thus liking them and them liking him and being satisfied with him.

c) The people of that land give him the Bayah of contract with satisfaction and choice, not with coercion and force, and fulfilling the conditions of the legitimate Bayah including that the Bayah in origin should be from the people of that land, and not from the group of the dominant Sultan, because the legitimate Bayah is like that following the example of the Messenger of Allah (saw), the Prophet (saw) was keen to take the initial Bayah from the Ansar of the Madinah with satisfaction and choice, not take it from his Sahabah the Muhajirun, and the second pledge of allegiance proves this.

Thus, the dominant Sultan continues to be in sin, and no legitimate base is erected except after he fulfills the above three conditions, then the ruling of the dominant Sultan becomes legitimate from the moment of that Bayah with satisfaction and choice. This is the reality of the dominant Sultan, hoping that attentive ears may retain it... and it becomes clear from it that these conditions were not fulfilled for the owners of that announcement, they however imposed themselves and their announcement was done unjustly.

As shown above, they did not follow the correct legitimate method, not even the method of the dominant Sultan... however, they declared the Khilafah in a distorted image, and before its conditions were met, so their announcement did not hold any Shari' or valuable meaning, it was a mere rhetoric as if it is non-existent, their reality did not change, and they continued as they were - a militant organization.

3. As for the point that the Hizb does not consider