

THE ISLAMIC VERDICT ON:

GROUPS & PARTIES

I N I S L A M

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About The Author

Sheikh Omar bin Bakri bin Muhammad is from Aleppo, Syria. He was born in 1958 and brought up amongst an orthodox and rich Muslim family. He is married and father of six children.

Sheikh Omar started to study Islam, the sciences of Qur'an, The Sciences of Hadith, the sciences of Usul Al-Fiqh, the Islamic law and systems from his childhood until today. He is quality of knowledge is a Mujtahid Murajjih Juristic Scholars able to outweigh between the four Islamic Schools of thought: Hanafi, Maliki, Shafi'ie and Hanbali. Sheikh Omar adopted the Aqeedah of Ahl Al-Sunnah Wa Al-Jama'ah and adopted the Shafi'ie Mazhab. Currently He is preparing his Ph.D. in the Science of Islamic Inheriting or Ilm Al-Miraath.

He received his BA in Shari'ah and the foundations of The Islamic Jurisprudence from the Shari'ah University in Damascus-Syria. He received his MA in the Islamic Jurisprudence (Al-Fiqh) of The four Schools of thought from the University of Al-Imam Al-U'zaie-Beirut. He accompanied and studied with many qualified scholars of Islam like sheikh Abdullah Al-Zamalkaani, Sheikh Osama Al-Khani, Sheikh Awadh Al-Dimashqui and Sheikh Al-Zuheili from Damascus.

He joined many Islamic movements like Al-Ikhwaan, Al-Tali'ah, Ebaad Al-Rahman, Hizb ut tahrir and Al-Muhajiroun. He is the founder of Hizb ut-Tahrir UK branch and the founder of Al-Muhajiroun world-wide.

Sheikh Omar written and published many articles and leaflets, he participated in a number of conferences on various aspects of topics. In addition to being a speaker and Khateeb in many Mosques, he also has audio and visual productions, including commentary on the Qur'an.

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INTRODUCTION

The number of Islamic groups and parties has multiplied recently to the extent that it has become extremely difficult to identify or count them. Each one of them has appointed an Amir and adopted its own methodology and objectives. These groups and parties include: Al-Muhajiroun, Hizb ut-Tahrir, Al-Da'wah party, Al-Ikhwaan Al-Muslimoon (*Muslim Brotherhood*), Al-Jama'ah Al-Islamiyyah, Tanzeem ul-Jihad, International Islamic Front, Tanzeem-e-Islami, Tablighi Jama'ah, Muslim Parliament, Hizbollah, Al-Ansaar, Islamic Party of Britain, Jam'iat Ihya' Minhaaj Al-Sunnah, Islamic Relief, Islamic Association of Palestinian Youth, Muslim Solidarity Committee, Islamic Salvation Front (FIS), Hizb An-Nahda, Jama'at ul-A'del Wa Al-Ihsaan, Al-Jama'ah Al-Salafiyyah, Jama'at Ahl Al-Hadith, etc.

The fundamental point to address here is whether it is lawful i.e. Mubaah to form groups and parties in the first place, and is a Muslim nowadays obliged Waajib to join and support an Islamic group?

QUESTIONS

However, several questions have been raised lately on the subject of Islamic parties and groups as follows:

1. Does Islam allow the existence of various groups and parties?
2. If so, what are their roles and qualities?
3. Is the large number of Islamic parties and groups an advantage or disadvantage to the Muslims?
4. Is unity between the Islamic groups obligatory?
5. Is it allowed under the Islamic Law to have several parties and groups?
6. Others suggest that since these parties and groups have the same cause and the same ideology, why do they not unite, form an alliance and become a single party named Hizbollah (the party of Allah), instead of having many Islamic groups?

They support their assertion with Allah's (SWT) words, "*Truly it is the party of Allah that are the successful.*" [EMQ 58:22] and, "*Surely the party of Allah are the victors.*" [EMQ 5:56] Both a reference to the Shari'ah derived from the Qur'an and the Sunnah, as well as an individual analysis of each topic should be carried out before attempting to answer these questions, and to examine the legality and objective of Islamic groups and parties.

THE ISLAMIC VERDICT ON GROUPS AND PARTIES

One of the orders of Allah (swt) is for Muslims wherever they are to have groups, parties or movements to perform certain duties that are crucial in maintaining its vitality and energy. In response to this call, many Muslims have established Islamic parties and many others have responded eagerly by encouraging and working with these groups, for Allah (swt) says:

"Let there rise from among you group(s) Calling society to Islam, commanding society to do what Allah orders i.e. obligatory, and to refrain from what He forbids i.e. prohibited, and these (group(s)) are the ones who are successful." [EMQ 3:104].

The legality of forming Islamic parties and groups is a fard Kifayah (obligation of sufficiency) upon Muslims wherever they reside.

THE DEFINITION OF FARD KIFAYAH:

The decisive request by the Legislator to all Muslims (wherever they maybe) to do an action as a matter of sufficiency whether within a time-limit or not (i.e. it is every Muslim's duty, but if it is carried out by a few people who possess certain qualities, that is enough to fulfil this obligation).

NB: The nature of a *fard kifaya* is that it is a duty on all Muslims which can be accomplished by a few and if it is fulfilled by some people it will remove the burden from others for that particular sufficient duty whereas the *fard 'ayn* is a duty on each individual Muslim which requires every Muslim to fulfil his/her duty even if others fulfil it or not. An example of fard Kifaya: working to establish Khilafah, forming an Islamic group to fulfil a collective duty, sighting the moon or performing janaza prayer etc. whereas praying five times a day and fasting Ramadhan are *fard 'Ayn*.

Let us reflect upon Allah (swt) saying: *"Let there rise from among you group(s)..."* [EMQ 3:104] the verse carries an order from Allah (swt). How do we know whether this order is an obligation?

It is a known fact among the Usuli scholars and the fuqaha such as Imam Al-Sarkhasi, Al-Ghazali, Al-Amidi, Al-Shatibi, Al-Nawawi, Al-Shirazi and Al-Asnawi among others, that an order does not necessarily carry an obligation but it merely carries a request, i.e. to perform an action. In order for this

request to qualify as an obligation, it would require a divine indication (Qareena Shra'iyah), otherwise it would remain a mere request.

This is because the Arabic language by its nature is a language of commands and requests i.e. do or do not do. There are many Shari'ah texts that have come in the imperative form either unequivocally, authentically or metaphorically.

For example: Allah (swt) says: "*And when you are clear of the sacred precincts and of the pilgrim, do hunt.*" [EMQ 5:2] Allah (SWT) says: "*Do Eat and drink ...*" [EMQ 2:187] And, Allah (SWT) says: "*And once the prayer has been performed, do disperse.*" [EMQ 62:10]

Most verses in the Quran like these come in the imperative form. In addition to this, the Messenger Muhammad (SAW) said: "**We have been ordered to perfect our wudu.**" [Abu Dawoud]

And he (SAW) said: "**My Lord has ordered me to comb my beard with my fingers.**" [Imam Ahmad]

All these and many other divine texts contain a request to perform certain actions, but hunting is not obligatory simply because the request comes in the imperative form. Furthermore, 'eating', 'drinking' or 'dispensing' are not obligatory. Moreover 'perfecting the wudu' or 'combing the fingers through the beard' are not obligatory, despite the fact that the phrases of "My Lord has ordered me" and "We have been ordered" are clearly stated. These will remain as requests until divine indications raise the level of the request to recommended or obligatory.

If the indication from the text is indecisive, then the request to do would be indecisive and the action will be recommended, e.g. Tasbeeh after each prayer.

When the indication from the text is decisive, the request to do will be decisive and the action will be obligatory, e.g. fasting in the month of Ramadhan.

If there is no divine indication (decisive or indecisive) to do then the request will be permissible as in the case when Allah (swt) says, "do hunt".

However, the Ayah [3:104] states an obligation upon Muslims (wherever they are) of forming group(s) or movement(s) whenever it is Islamically required in order to fulfil a collective duty and it also describes the qualities of these group(s) and their function.

THE 5 FACTORS WHICH RAISE THE LEVEL OF THE REQUEST IN 3:104 TO AN OBLIGATION

There are 5 factors that determine that Allah's order in ayat 3:104 is in fact a decisive request (i.e. an obligation)

1. The term 'wal-takun' means 'And let there arise'. In fact the first letter in this word "waw" signifies a command. There are 8 types of "waw" in the juristic science of indications I'lm Al-Qaraa-in. In this particular instance it is known as the 'waw' of conjunction (waw al-ataf). This is because it connects this particular verse with the previous verse, which says: "*O' believers..... And do hold fast altogether by the rope of Allah and do not be divided....*" [EMQ 3:103]

The letter 'waw' gives the proceeding order the same hukm (rule), value or weight as that which preceded it. And since the verse addressing groups follows the verse commanding us to be unified, it indicates that to raise a group from the Ummah is obligatory because the call for unity is obligatory.

2. The word 'min' (among you) raises the level of the request because it is indicating that at least some people have to do it whenever it is required and wherever they may be.

3. One of the duties of the group in the above verse is to call society (as law and order) to the Islamic law and order, and the group also has to call non-Muslims Individuals to Islam and this duty is an obligation upon Muslim known from Islam by necessity.

4. The group has to command Marouf(good i.e. obligatory) and forbid Munkar (evil i.e. prohibited) and these duties are obligations upon Muslims known from Islam by necessity.

5. Allah (swt) says: "*Those are the ones who are successful.*" When Allah (swt) praises an action, this raises the level of a request from just being permissible. Also taking the opposite meaning (Mafhoum al-Mukhalafa) means that whoever does not do so when it is required, they are the losers.

THE MEANINGS OF THE WORD UMMAH IN THE ARABIC LANGUAGE

Ummah is group(s)

Ummah is al-walidah, the one who delivers the baby (mother)

Ummah is a man whose personality is a combination of all good

Ummah is a collection of specific animals, e.g., herd of goats, pack of wolves, school of fish, etc.

Ummah is a synonym for generation.

Ummah is tawheed.

ummah is a time or period.

Ummah is a tall man

Ummah is a beautiful face or beauty spot.

Ummah is another synonym for ashirah which means wife.

Ummah is Al-Haal i.e. situation . Refer to Verse [43:22]

Ummah is Al-Sha-in i.e. concern. Refer to Verse [16:92]

Ummah is Al-Haei-ah i.e. form. Refer to Verse [16:92]

Ummah is Al-Deen i.e. Islamic Ideology. Refer to Verse [21:92]

Ummah is Al-Heen i.e. time. Refer to Verse [12:45]

Ummah is world-wide Muslim community. Ummah is a people bonded together on the basis of belief. Refer to Verse [2:143]

Ummah is Al-Jama'ah i.e. group. Refer to Verse [28:23]

Ummah is an Attribute of the Messenger Ibraheem. Refer to Verse [16:120]

Ummah is At-Ta'ah i.e. obedience

The word 'Ummah' usually means all of the Muslims.

Imam Qurtubi has defined the word Ummah in his book, *Tafseer Ahkaam al-Qur'an*, as multitudes of people bonded by the same Aqeedah (belief). But in the verse [3:104] it means group(s) because the verse clearly states 'minkum' (i.e. among you believers). In the Arabic language the term 'minkum' cannot be used unless 'all/everyone' is mentioned first. The 'all' was mentioned in the previous verse: "Hold fast all together..." Therefore, verse [3:104] is singling out group(s) from that 'all'. Hence the meaning of the word Ummah in the verse is not the usual one.

Imam Abu Bakr Ibn al-'Arabi said in his book *Ahkam al-Qur'an*: "Verily Ummah in this verse means jama'a (group)."

Imam al-Tabari, a leading commentator and interpreter, said in his book *Jami' al-Bayan*, on the meaning of this verse, "Allah (swt) means by this:

There should be among you a jama'a (group) inviting people to Islam and its laws."

Al-Qadi Al-Baydhawi said in his book *Anwaar Al-Tanzeel Wa Asraar Al-Taweel* on the meaning of this verse, "Min i.e. Among you' here, aims at singling out a group of people, because inviting to what is good and forbidding what is wrong requires certain conditions and qualifications which are not shared by all of the Muslims, like the knowledge of the Shari'ah and the manner in which the obligation is to be carried out. That is why Allah (swt) addressed everyone at the beginning of the verse and then ordered the selection of a few people. This was to assert that it is the duty of everyone; so if it is abandoned then everyone would fall sinful, but mitigated from the sin if even a single group of people, qualified for the task, established it."

Ibn Katheer said in his book *Tafseer al-Qur'an al-Adhim*: "The ayah means that there should be from this Ummah a group aiming to work for Islam and ordering what is right and forbidding what is wrong. And Al-Dahhaaq said, 'They are a particular people from the sahabah, and particular people from the narrators, meaning particular people from the mujahideen and scholars."

Imam Rashid Rida said in his book *Tafsir al-Manar* that the meaning of the word 'Ummah' in this ayah is a group of people comprising individuals who are united by one bond and who act like the limbs of a single body"

Therefore, 'Ummah' here means jama'ah (group) or hizb (party).

THE DEFINITION OF THE WORD HIZB (PARTY) OR JAMA'AH (GROUP)

Jama'ah linguistically means hizb, so both have similar meanings. But hizb is more specific than jama'ah. A hizb characterises a bond that links all its members around one ideology and one goal that unites them; the hizb is a man, his followers and friends who carry the same opinion and ideas and follow the same method.

Furthermore the definition of the word Hizb means a party or a group, this is mentioned in leading Arabic dictionaries such as **Fairuz al-Abadi's Al-Qamus al-Muhit**. He said, "Verily a party is a group of people. A party is a man, his followers and friends who hold the same views and values."

Imam Al-Razi said in his book, *Tafseer Mafatih Al-Ghayb*, "Al-hizb are the companions of a man who share his views; it is the people who gather for the aim of their party and that unite under the order of their party."

" Furthermore, the word 'group' or 'party' has been mentioned in the Qur'an as "Ummah".

EXPLANATION OF WORDS WITHIN THE VERSE [3:104]

YAD'OUN: The word 'yad'oun'- means to call or invite. It is derived from the same root word as the word da'wah.

AL-KHAYR: What did the classical scholars, i.e. the Sahabah, the taabi'een and tabi' Al-taabi'een say about this:

It is reported in the book '*Jami' Al-Bayaan'*, (Volume 3, Chapter 4, Page 26) that **Abu Ja'far Muhammad Ibn Jurair Al-Tabari** (D. 310H) said: "Allah states 'Let there to Al-Khayr..' which means calling to Islam and its system, which Allah legislated for His servants and He ordered people to follow Muhammad (saw) and his deen which he brought from Allah (swt) and orders us to forbid the Munkar, i.e. forbid any kufr or rejection of the deen of Allah and the Sunnah of Rasoul-Allah (saw)."

It is reported in the book '*Ahkaam Al-Qur'an'*, (Volume 2, Page 62) that **Al-Imam Al-Kiyya Al-Haraas** (D.504H) said: "'Let thereto al-Khayr...' means it is a sufficient fard upon group(s) to rise to call to Islam and for the correction of matters of deen or duniya."

It is reported in the book '*Fath Al-Qadeer'*, (Volume 1, Page 370) that **Imam Shawkani** in his commentary said: "'Let there....to al-Khayr...' means it is a sufficient fard to establish a group and Ibn Haatim narrated from Al-Taabi'i Mukatil Ibn Hayyan that their calling to al-Khayr means calling to Islam and their ordering Marouf means requesting people to obey their Lord and their forbidding Munkar means requesting people not to disobey their Lord. Ibn Haatim narrated from Abu La-Alia that he said al Khayr in the ayah 'Let there....to al-Khayr..' and in any revelation where Allah (swt) mentions 'Al-Amr bi al- Ma'rouf' means Al-Islam..."

It is reported in the book '*Ruh Al Ma'ani*' that **Imam Shihaab Al-Deen Al-'Alussi Al-Baghdadi** said: "Let there...to al-Khayr..' means calling people to follow the Qur'an and Sunnah, i.e. Islam."

It is reported in the book '*Tafseer Al-Quran*', (Volume 1, Chapter 4, Page 398) that **Ibn Kathir** in his tafseer said: "Let there...to al-Khayr..' means that Allah is ordering there to be a jama'ah carrying the da'wah of Allah (i.e. Al-Khayr) and it is narrated by Ibn Mirdawih upon the authority of Abu Ja'far Al-Bakar that the Prophet Muhammad (saw) said: 'Let there...to al-Khayr..' means calling people to follow the Qur'an and Sunnah

It is reported in the book *Tafseer Al-Nasafi*, that **Imam Nasafi** quotes Ibn Abbas as saying: "calling to al-Khayr means calling to Islam" and Imam 'Ali (ra) said: "Al-Khayr is the whole deen"

It is recorded in *Malaf Al-Takatul Al-Hizbie* i.e. In the leaflets containing Party Structure that **Shaikh Taqiudine Al-Nabhani** said : " point 1. We must differentiate between da'wah to Islam and da'wah to resume the Islamic way of life. However, both of them are obligatory. Da'wah to Islam means calling non-Muslims to embrace Islam and to abide by its rules. The practical method of calling non-Muslims to Islam is by the implementation of Islam, by the state, upon them, so that they see Islam without ambiguity or distortion, in order for them to experience the justice of the law and to enable them to realise the correctness of the belief and hence lead them to embrace Islam"

and in point 9: " (b) Allah says: 'let there ...to al-Khayr..' in chapter Al-Imran. From this ayah it is obligatory for Muslims within the state to do two things: Request people to do what Allah commands. Request people not to do what Allah forbids. In other words, it is obligatory to work with a group calling to Islam and to account the ruler. This ayah cannot however be restricted until the Islamic State is established. Rather it is general and will continue so at any time, in any place, regardless of the State's presence.

(WA) YA'MAROUN: The word 'ya'maroun' means to command/order (Amr). It is the duty of the group not just to point out the ma'rouf, but to command it.

(BI) AI-MA'ROUF: The word 'ma'rouf' means 'good'. We command the Marouf that is absent in society. Hence if no Muslim land is occupied, the group will not call for Jihaad or if Khilafah is established it will not call for its establishment.

AL-MA'ROUF: Is the matter which is 'known' and is derived from the word 'Arafa', Its definition: A decisive or indecisive command, by the Legislator, to do an action. The highest Maroufis for Islam to dominate (Izhar Al-Deen). Izhar Al-Deen: Means to 'prevail/dominate'. Derived from the word 'Zahara', Izhar Al-deen can only happen once there is an Islamic State. Therefore establishing the Khilafah is the precursor for Izhar Al-deen.

(WA) YANHAWN: The word 'yanhawn' means to forbid (nahi). Again the group has to forbid the Munkar, not just point it out.

(AN) AL-MUNKAR: The word 'Munkar' means 'evil/bad'. We forbid the Munkar that is present in society. Therefore, if the society does not deal in riba, then the group does not address it.

AL-MUNKAR: To 'deny' a matter. It is derived from the word 'Nakara' Its definition: A decisive or indecisive command, by the Legislator, not to do an action. The highest Munkar is for Kufr to dominate. The highest form of forbidding Munkar would be to expose and remove this kufr.

The removal of Kufr takes priority because the Prophet (saw) said in one hadith: "If I order you to do something do as much as you can. If I forbid you to do anything, leave it." [Tirmizi].

The order of priority for the *Takleefi* rules (rules related to action) are therefore as follows;

- To leave the prohibited
- To do all the obligations
- To leave as much of that which is disliked as possible
- To do as much of the recommended as possible.
- The removal of Munkar assassi is an immediate duty with no relaxation i.e. the kufr law which is implemented upon the people.

ESTABLISHING THE KHILAFAH: A DUTY ON THE GROUP

Establishing the Khilafah is also a duty on the group and it is called Marouf Assassi i.e. The root of many obligations and has a time limit which when expired will make working for it a Fard Muhattam.

The group must work to eradicate the kufr law that is dominant and replace it with Islam (i.e. the Islamic State). The obligation to appoint a Khaleefah has a time limit, which means that there is no relaxation on this duty.

Before the time limit it is Fard kifaya. It means that every individual has the burden to appoint a Khaleefah but there is no sin if some people appoint him before the time limit expires.

After the time limit it is Fard Muhattam. It means that every individual now has the burden and the sin and has to work to remove these.

Therefore it is an obligation upon every single Muslim to work towards establishing the Khilafah. NB. The evidences for this will be covered in detail later.

WHY INDIVIDUALS CANNOT ESTABLISH THE KHILAFAH WITHOUT WORKING IN A GROUP

This obligation cannot be achieved individually because it involves changing law and order. The Marouf and Munkar of society is different to the Marouf and Munkar of individuals. Allah (swt) makes this distinction when He (swt) orders the individuals, groups and the State to command Marouf and forbid Munkar. This is known as making specification (*Takhsees*).

In other words, by making the commanding of Marouf and forbidding of Munkar an obligation on individuals as well as groups Allah (swt) must be making their roles different.

Hence, the individual address individuals and the groups address society. Since the individual cannot change society to establish Khilafah, it becomes obligatory to work collectively (in a Jama'ah) using the principle general (based on the divine text): "That which is needed to accomplish a wajib in itself is a wajib"

In addition the Prophet (saw) is described by Allah (swt) as the best example for us.

"Verily in the Prophet you have the best of example." [EMQ 33:21]

The Messenger Muhammad (saw) did not work individually to change society. Rather he worked collectively, with the companions, as a group. Shaikh Taqiudine Al-Nabhani reasons that when Allah (swt) revealed the verse "Therefore, proclaim openly that which has been revealed to you..." He (swt) was referring to the group becoming public since the message was open right from the beginning.

Also after this verse was revealed, the companions marched around the Ka'bah in an organised manner. Shaikh Taqiudine concludes that Allah (swt) was asking for the group to be proclaimed openly.

WE MUST WORK FOR KHILAFAH WHEREVER WE ARE

Allah (swt) defined the Majal of Takleef is the planet earth Allah (swt) says: *"I will create man on Earth.."* [EMQ 2:30] also *"To Allah belong the East and the West; wherever you turn there is the presence of Allah (commands) For Allah is all-pervading all-knowing"* [EMQ 2:115] In light of the above verses Allah (swt) has decided that the field of obligation for mankind is the whole Earth.

The Ayaat are general, unrestricted, unspecified and whatever is general will stay general until Allah specifies it. Therefore whoever claims, believing so, that Allah's Deen is not suitable or applicable in any part of the Earth is Kafir and denounces the Shahadah. And whoever does not work to make Allah's Deen dominant wherever he is in the world is sinful.

Moreover Allah (swt) sent to every Nation/people their own Messenger (i.e. every Messenger was sent to specific people) except the Messenger Muhammad (saw) who was sent to all mankind. Allah (swt) says: *"Verily we sent you to the whole of mankind.."* and the Messenger Muhammad (saw) said in the Musnad of Imam Ahmad upon the authority of Abdullah Ibn Omar: **"Allah gave me five things that he never gave to any Prophet before...every Prophet was sent to his own people and Allah sent me to all black and white.."** in addition Allah (swt) says: *"Verily we sent you to govern the affairs of the people and to pass to them the revelation and to warn them of accountability"* If the Deen of Allah is not applicable except in one area Islam will be dismantled in other areas under the false claim that Islam is only good, for example, in the middle East. The Shari'ah is clear that whoever does any matter will be accountable for it wherever he is. To say that the work for Khilafah is not practical here would also render someone sinful since we do not try to make the Deen fit with our desires.

The western understanding of a group is that it is an entity, whereas in Islam a group is not an entity rather it is individuals following the opinions of their Ameer. Therefore if any one of them or some of them did a duty or engaged in any duty e.g. forbid, challenge and expose the Munkar in any part of the world, it does not mean that all of them are rewarded for it, nor does it mean that all the members are fulfilling their duties, rather those who did it alone will be rewarded and will remove the sin from their necks whereas the other remain sinful if they did not fulfil their duties, even if we are talking about a fard kifayah, as long as the time limit is up and the duties are part of their Iltizamaat Islamiyyah (duties defined by Allah swt).

Working to establish the Khilafah is Fard and the only way to remove the sin from our necks as Muslims is to fulfil its divine Method wherever we are. The divine method cannot not restricted even by the Qiyadah of any Hizb because it is not Iltizamaat Hizbiyyah i.e. an order from the Ameer of Jama'ah rather it is part of Iltizamaat Islamiyyah i.e. the order of Allah (swt). Iltizamaat Hizbiyyah is nothing to do with the ayah 3:104 rather all the divine duties in the ayah are Iltizamaat Islamiyyah. The Iltizamaat hizbiyyah is derived from the Hadith to obey your Ameer as long as his orders do not contradict with any Iltizamaat Islamiyyah or lead to disobeying Allah (swt).¹

To work to establish Khilafah (nowadays) is Fard Kifayaah Muhattam (Fard Muhattam upon Muslims world-wide until the Khilafah is established somewhere). Allah (swt) makes Man Mukallaf (responsible) on the planet Earth and He (swt) commanded Man to fulfil many duties and responsibilities, so when Allah (swt) ordered us to pray or to fast or to rule by Islam without to restrict it by a place or time this means that it is Fard upon us wherever we are until the Divine text states otherwise. The principle is **that "Whatever is general (A'am) will continue general until divine text specifies it (Takhsees)"** And **"Whatever is unrestricted (Muttlaq) will continue unrestricted until the divine text restricts it (Taqieed)"** Nobody has the power to restrict or to specify any rule by time or place but Allah (swt).

Hence Muslims have no choice but to work to establish the Khilafah wherever they are but this does is not the same as saying that we know where it will be established! As for the Daw'ah to society by every member of the group this is fard whether we have a state or not and whether Islam is being implemented or not so no one should isolate themselves because it is not allowed (especially if it is for no reason whatsoever i.e. no enemy is targeting you and no danger surrounds you, even if we assume there is a permit to isolate yourself in such situations).

Each Hukm has a *manat* to which it applies, wherever we have Muslims and Munkar which needs to be forbidden or Marouf which needs to be enjoined there must arise from among them a group enjoining Marouf and forbidding Munkar in response to [3:104] and if this group cannot eradicate the Munkar other Muslims must also engage in this struggle or set up another group to achieve the task. A party functioning only in the middle east will not be able to deal with the Munkar in the UK ! And Munkar by its nature must be addressed immediately i.e. we cannot wait for the Khalifah until this Munkar is addressed. Many evidences point to the punishment of Allah for those who do not speak out against the oppression of the ruler in the society in which

they live and there is no evidence for addressing society then [3:104]. As far as daw'ah by the group and by the state are concerned they are distinct. That by the State is manifested by practical implementation of Islam (internally and externally) whereas daw'ah by groups is a ritual act which does not target a material objective or involve practical actions.

REFUTING THE ARGUMENT THAT IT IS NOT ALLOWED TO HAVE GROUPS

There are some Muslims who oppose the idea of Islamic groups and even claim that having such groups is haraam. Their understanding contradicts with the ayah in the Qur'an that actually obligates the existence of groups within the Ummah.

They tend to use rational arguments such as 'groups cause disunity'. However Allah (swt) orders the establishment of groups straight after the order to unite. The groups are supposed to be a method for unity. The unfortunate reality is contrary to this. But this does not negate Allah's order to have groups in the Ummah. We do not judge Islam by the behaviour of Muslims.

Similarly, groups should not be judged by the incorrect behaviour of their members, but judged solely on their thoughts and methods, i.e. if these are from Islam.

WHY IT IS ALLOWED TO HAVE MORE THAN ONE GROUP

The command to establish a group does not necessarily prevent the multiplicity of groups. This is demonstrated in the following points.

Firstly, the verse "*There should be among you group(s)...*" does not in fact specify a number; the word 'Ummah' came in the indefinite- this in Arabic grammar is known as the form of *tankir*, or *nakira*. This implies to establish a group is an obligation, and if a group is established the obligation will be fulfilled. However, it would not be unlawful to establish several groups for if one group establishes the duty of sufficiency, it does not necessarily prevent others from fulfilling the duty as well. For example, when a Muslim gives the salutation "assalamu 'alaikum" to a group of people, to reply to it will become a sufficient duty, *fard kifaya* upon them. If one of them fulfils this duty by replying, that will never restrict the others to exercise the sufficient fard.

Besides if the verse were to be restricted to just one group then it would be in the singular form. However, the verse is in the plural form otherwise different words in the singular form would have been used.

To clarify further, if the verse were addressing just one group, it would read as follows:

"Let there arise from among you a group, it must call to Islam, it must command good and it must forbid evil. That is the successful one."

Instead, the verse is as follows;

"Let there arise from among you groups, they must call to Islam, they must command good and they must forbid evil. Those are the successful ones."

It is evident from all this that there is no prohibition in having more than one group in the Ummah. Allah (swt) clearly addresses more than one group in this verse.

THE DIFFERENCE BETWEEN SECTS AND GROUPS

There are also those that say it is prohibited to split the Ummah into groups and that Allah (swt) and His Messenger (saw) warned us from doing this. The following evidences are quoted to support this. That Allah (swt) says:

"Those who split up their deen and become 'mere' sects, each party rejoicing in that which is with itself..." [EMQ 30:31-32]

And that the Messenger Muhammad (saw) said:

"The Jews were divided among themselves into seventy one sects, and the Christians were divided among themselves into seventy two sects. And my Ummah will be divided among itself into seventy three sects."

[Abu Dawoud, Tirmidhi, Al-Hakim, Ahmad.]

Al-Tirmidhi said that this Hadith is '*Hadeethun hasanun sahih*'

The hadith has been narrated with similar wording but with the following addition: **"Seventy two are in hell-fire and one is in Jannah and that is the Jamaa'ah"**

The hadith with the above mentioned addition is narrated by Abu Dawoud (2/503), Ahmad (4/102), Al-Hakim (1/128) among others. Some scholars such

as Al-Shawkani and Al-Kawthari said that such an addition is weak (da'if). Ibn Hazim even said it is fabricated!

Another addition to this hadith is that which is narrated through the chain of Anas Ibn Malik: **"...and all are in hell fire except those who follow what my companions and I follow"**

It is important that Muslims understand this honourable hadith in the proper context. Thus, with the help of Allah (swt) a detailed presentation of the meaning of the hadith, its historical manifestations, and its impact on the way Muslims view each other will be given.

Allah's Messenger (saw) explains to us how the Jews were divided into seventy-one sects or Firqah and how the Christians were similarly divided into seventy-two firqah. Then he (saw) states that this Ummah will divide into seventy-three sects, all will be in hell fire except the ones which follow what he (saw) and his companions followed.

Thus, mentioning the division among the Muslim Ummah after mentioning it among the Jews and Christians is meant as a condemnation of this act. The questions that arise therefore are in which areas did the Jews and Christians disagree and how their disagreement formed a firqah or sect.

The importance of such questions is that the Qur'an Al-Kareem ordered us not to divide as the Jews and Christians did. The Jews and Christians divided, as the Qur'an states, in the following areas:

They disagreed over their messengers.

Allah (swt) says: **"And We gave Musa the Book and followed him by Messengers. And We gave 'Isa, the son of Maryam, the clear signs and supported him with Roolul Qudus (Jibra'eel). Is it that whenever a Messenger came to you with a matter that you do not like, you turned with arrogance, calling some liars and killing others?"** [EMQ 2:87]

"And We gave 'Isa, the son of Maryam, the clear signs. But they disagreed, some of them believed and some disbelieved." [EMQ 2:253]

They disagreed on their book.

Allah (swt) says: **"The people of the Book did not disagree until they received the knowledge..."** [EMQ 3:19]

They disagreed over hell-fire and its punishment.

Allah (swt) says: "***And they said 'we will not be punished by hell fire but for a few days. Say: did you take a covenant from Allah, which He will not break or do you claim things about Allah that you have no knowledge of?'***" [EMQ 2:80]

They divided themselves by calling each other Disbelievers.

Allah (swt) says: "***And the Jews claimed that the Christians are on nothing, and the Christians claimed that the Jews are on nothing, while reciting the Book. Those who have no certain knowledge said as they did. Allah will be the Judge between them on the Day of Judgement in that which they disagreed on'***" [EMQ 2: 113]

Upon studying the areas in which they disagreed, one finds that they disagreed on the fundamentals or the basis of their deen. Disagreeing on their Prophets, the Day of Judgement (Al-An'am:29), the angels being Messengers, the oneness of Allah, resurrection, heaven and hell, etc. is a disagreement on the foundation of their belief. Since Allah and His Messenger ordered us not to divide as the people of the book did, then we are to avoid that area in which the disagreement occurred. This means that disagreement on the fundamentals of the deen is condemned.

To explain the above mentioned further, the Tafseer of the following ayah will be presented:

"And hold fast altogether by the rope of Allah and divide not" [EMQ 3:103]

Allah orders the Muslim Ummah to hold tight and not to let go of the 'rope of Allah' and not to be divided.

As for 'rope of Allah':

Ibn Mas'oud, Ali Ibn Abi Talib and Abu Said Al-Khudri said it is the Qur'an. Others said it is the deen of Allah. Others like **Ibn Al-Mubaarak** said it is the Jama'ah.

As for 'and divide not':

Al-Tabari said it means: "And do not disperse from the deen of Allah and His covenant which He took from you in His Book; that you should be together in obeying Him (swt) and His Messenger (saw)."

Ibn Kathir said: "He ordered them to stay in the Jama'ah and not to divide."

Imam Al-Qurtubi said it means: "Do not divide as the Jews and Christians did in their deen"

Therefore the disagreement that Muslims are not to have is in the fundamentals of their deen, not in the branches. This is due to several reasons: The texts that condemn the disagreement order the Muslims not to disagree like the People of the Book who disagreed on the fundamentals as shown.

The sunnah of the Messenger (saw) permitted disagreement in the branches (furoo').

The disagreement that existed among the Sahabah was in the furoo' and not in belief. None condemned such disagreements in the former.

Those who followed the companions (tabi'een), the generation that followed them and the scholars of the salaf accepted disagreement in the furoo' but not in belief.

The conclusion to this is that certain evidences that are presented to prevent the establishment of groups are in fact misinterpreted. The hadith presented previously refer to sects or firqah (schools of belief) and not to groups. Groups differ in the area where it is allowed to have differences of opinion. Sects differ in the area of belief or the fundamentals where it is not allowed to have differences.

SUMMARY

- There must exist in the Ummah a group and this is an obligation (fard kifaya).
- The word 'ummah' in the verse means 'group'.
- The word 'khayr' in the verse means 'Islam'.

The group has certain duties:

- To call to Islam (al-Khayr),
- To command Marouf and forbid Munkar,
- To work to establish the Khilafah (nowadays)
- has to work for Khilafah because Izhar Al-Deen requires the Khilafah and the removing of kufr law requires the implementation of Islamic law by the Khilafah.

Working to establish the Khilafah is an obligation on all the Muslims and this duty cannot be accomplished individually therefore they need to work with a group to achieve it.

- The argument that groups are not allowed is baseless and contradicts the ayah [3:104].
- It is allowed to have more than one group.
- There is a difference between sects (schools of belief) and jama 'ah (groups)

THE QUALIFICATIONS OF AN ISLAMIC PARTY OR A GROUP

Allah (swt) says, "*Let there rise from among you group(s) Calling society to Islam, commanding society to do what Allah orders i.e. obligatory, and to refrain from what He forbids i.e. prohibited, and these (group(s)) are the ones who are successful.*" [EMQ 3:104].

The group or the party that is formed according to this ayah requires certain qualifications:

- a. The group or the party must have an amir whose decisions must be obeyed as long as they do not contravene the Qur'an and the Sunnah, for the Messenger of Allah (saw) said, "**If there are three of you in a corner of the Earth, appoint one of you as an amir.**" [Muslim]
- b. The group or the party must be solely based on the Islamic 'aqeedah, for Allah (swt) says, "*If anyone desires a deen other than Islam, it will never be accepted of him; and in the Hereafter he will be in the ranks of those who have lost.*" [EMQ 3:85] . And Allah (swt) says "*Calling society to Islam*" and this implies that the nature of the group or the party is derived from the Islamic 'aqeedah.
- c. The aim of the party or the group must be the establishment of the Islamic way of life, not to take up ministerial posts or Parliamentary seats, nor to look after welfare, moral or spiritual aims. The aim must be to work towards resuming the Islamic way of life within society by establishing the Khilafah (or the Imamah), which is the power responsible for the implementation of the Shari'ah, abiding by the Shari'ah principle which states "**That which is necessary to accomplish a duty is itself a duty**". The application of the Shari'ah in all aspects of life is an obligation. This cannot be carried out in the

absence of the Islamic State, so the formation of the Islamic State is an obligation.

d. The ultimate ambition of the group or the party is to attain Allah's (swt) pleasure, for He (swt) says, *"Seeking grace from Allah and (His) good pleasure and aiding Allah and His Messenger. Such are indeed the sincere ones."* [EMQ 59:8]

e. It is not necessary that the party or the group be formed with the permission of any ruler, because performing this duty does not require the permission of the ruler, otherwise the command of Allah (swt) would be delayed until the ruler granted permission, and this is totally in violation of the principle of accomplishing an obligation.

f. The bond between the members of the party or the group must be the Islamic 'aqeedah and ideology, and not the bond of nationalism, sectarianism, spiritualism and materialism. It should be the bond based on the Islamic 'aqeedah and principle which tied together 'Umar and Suhayb, Salman and Abu Bakr, Bilal and 'Ali. The Messenger of Allah (saw) said, "There is no difference of merit between an Arab and a non-Arab except in taqwa." [Muslim].

We conclude from the qualifications listed above that the group(s) that we have been ordered to form by the above mentioned verse [3:104] must be a political one, which should manage the Muslim affairs at domestic and international levels, such as the monitoring of the ruler's domestic policies and decisions, making him accountable for them in case of a breach, inquiring about his foreign policy and making sure that it is based only on the Divine Law of Islam.

WHY THE GROUPS MUST BE POLITICAL IN NATURE

Evidence from the Qur'an is reflected in the verse where Allah (swt) commands, *"Let there rise from among you group(s) Calling society to Islam, commanding society to do what Allah orders i.e. obligatory, and to refrain from what He forbids i.e. prohibited, and these (group(s)) are the ones who are successful."* [EMQ 3:104].

This ayah determines the qualifications of the Ummah i.e. the party or the group as being political. Politics in Islam means to govern and manage the affairs of the Ummah on the basis of Islam; unlike the meaning of politics

according to the disbelievers principles, which is the art of pragmatism, meaning to fit yourself to a situation based on reality i.e. being realistic, requiring lying, deluding and cheating, all of which contradicts with the meaning of politics in Islam.

The linguistic meaning of politics, as mentioned in the dictionary *Al-Qamus al-Muhit*, volume 3, by the learned Arabic language expert **Fairuz Abadi** is "I governed the people, i.e. I invited (ordered) the people and forbade them."

Governing means inviting and forbidding, and these in Islam are part of the divine law. Politics is therefore governing the Ummah's affairs at a domestic and international level and inviting to all that is good and forbidding what is wrong. These are the specifications of the Islamic party as the verse above has determined.

Evidence from the Sunnah confirming that politics means governing the Ummah's affairs and protecting her interests, as well as being an obligation on every Muslim, is reflected in the Messenger of Allah's (saw) saying, "**Each of you is a guardian, and each of you will be asked about your guardianship.**" [Muslim]

And he (saw) also said, "**A group of people from my Ummah will always remain on the right path and continue to be triumphant, their opponents shall not be able to do them any harm**" [Imam Ahmad].

And the Messenger of Allah (saw) said, "**Whosoever does not show concern for the Muslims' affairs is not one of them**" [Muslim]

and "**The best jihad is a word of wisdom said to a tyrant ruler**" [Muslim and Ahmad].

In another hadith he (saw) said, "**Islam is a word of sincerity and well wishing. Upon this we said: For whom? He replied: For Allah, His Book, His Messenger and for the leaders and the common Muslims.**" [Muslim, Abou Daoud, Tirmizi]

and Muslim] He (saw) also said, "**The Prophets ruled over the children of Israel. Whenever a Prophet died, another Prophet succeeded him, but there will be no Prophet after me. There will soon be Khulafa'a and they will number many.**" [Muslim]

The above evidences are for all Muslims to acknowledge and not just for the Muslim groups or parties. Nevertheless, the quality of the group or party must be political as mentioned in the ayah. The nature of the work carried out by the group or party entails it to be political, "commanding society to do what Allah orders i.e. obligatory, and to refrain from what He forbids i.e. prohibited " exclusively within an Islamic framework. These two tasks are the assignment of the political group or party, and since the forming of the group or party on the basis of the Islamic Aqeedah is fulfilling the obligation mentioned in the ayah, and since the aim of the group or the party is to establish the Khilafah (i.e. its members are politicians looking after the affairs of the Muslims), it is only natural that its main work is political, for it aims at removing the polytheist body or the rotten political system and re-establishing a just and worthy political system, the Khilafah.

O' Muslims, The Messenger Muhammad (saw) informed us that there will always be a group from among the Muslims who struggle for the Deen the way he (saw) and his companions struggled to establish the Islamic State in Madinah. This State continued through different eras i.e. The Khilafah Rashida, Amawis, Abbasis and Ottomanis until Mustapha Kamal Attaturk destroyed it in 1924. In fact he destroyed what the Messenger Muhammad (saw) established together with his companions.

O' Muslims, the fact is that the Messenger (SAW) and his companions established the Islamic State and the Muslims after him inherited the power from him and from those after them until the Khilafah was destroyed. It is an honour today for Muslims to join Islamic Movements working to establish the Islamic State i.e. Al-Khilafah in order to engage in a struggle to work to fulfil a task which was only fulfilled in the past by our beloved Rasoul Allah (saw) together with his exemplary companions. May Allah(swt) grant us the victory and honour of establishing the Islamic State again (Inshaa'allah).

About Al-Muhajiroun

Al-Muhajiroun is an Islamic Movement established in Jeddah - Saudi Arabia on 3rd of March 1983 by Sheikh Omar Bakri Muhammad, Al-Halabi, Al-Shaaf'ie, in response to the saying of Allah (SWT):

"Let there rise among you group(s) Calling society to Islam, commanding society to do what Allah orders and to refrain from what He forbids and these (group(s)) are the ones who are successful." [EMQ 3:104].

Its purpose was to revive the Islamic Ummah from the severe decline that it had reached, and to liberate it from the thoughts, systems and laws of Kufr, as well as the domination and influence of the Kufr states. It also aims to restore the Islamic state (Khilafah) so that the ruling by what Allah (SWT) revealed returns.

Al-Muhajiroun is an Ideological Islamic Movement, they believe that changing the thoughts and concepts in accordance with Islam is the only way for the correct revival and progress, therefore they do not believe in any armed struggle to change society despite the fact that armed struggle can change the authority it can not change the society i.e the concepts and emotions within the society. However they do believe that Jihad (i.e. armed struggle) is the only Islamic way to liberate the Muslim land under occupation e.g Palestine, Kashmir, India, Chechenya and Bosnia etc..

Al-Muhajiroun's activity has quickly spread to different countries, such as: Lebanon, Saudi Arabia, Mauritius, Kuwait, Pakistan, Bangladesh, South and North East Africa, USA, France and the UK. Today it's work is known internationally, its call is directed to establish the Islamic State, the Khilafah.