

## The Lesson from the Martyrdom of Imam Hussain bin Ali (ra)

During the month of Muharram, the Muslims remember the tragic martyrdom of Imam Hussain bin Ali (ra), with tears of sorrow and heavy hearts. Far away from sectarian dispute and discord, the martyrdom of Imam Hussain (ra) has an important lesson for all Muslims, irrespective of their school of thought. The lesson is the strong stance Muslims must adopt, when they face illegitimate rulers, who usurp ruling by force. The Muslims must work to restore a legitimate ruler, a Khaleefah, ruling by Islam. They must work to do so, even if they are martyred in their attempts.

### The Bayah to a Khaleefah is Given by Consent and Choice, Whilst He Rules the Muslims by Islam

It is narrated from Abdullah ibn 'Umar (ra) who said, I heard the Messenger of Allah (saw) say, «وَمَنْ مَاتَ وَلَيْسَ فِي عُنُقِهِ بَيْعَةٌ مَاتَ مِيتَةً جَاهِلِيَّةً» **“And whoever died without having a Bay'ah on his neck, has a death of Jaahiliyyah.”** [Muslim]. Imam Al-Juzayri, who died in 1360 AH, said in “Fiqh of the Four Schools of Thought,” regarding the four Imams, اتفاق الأئمة رحمهم الله تعالى على أن الإمامة فرض وأنه لا بد للمسلمين من إمام يقيم شعائر الدين وينصف المظلومين من الظالمين وعلى أنه لا يجوز أن يكون على المسلمين في وقت واحد في جميع... الدنيا إمامان لا متفقان ولا مفترقان “The Mujtahid Imams, may Allah have mercy on them, agreed that the Imamah (Khilafah) is an obligation. They agreed that the Muslims must appoint an Imam (Khaleefah) who would implement the Deen's rites, and give the oppressed justice against the oppressors. They agreed that it is forbidden for Muslims to have two Imams in the world, whether in agreement or discord...”

Indeed, is a Shariah obligation upon Muslims to ensure that they have an Imam that governs them by Islam. The appointment of the Imam through Bayah, is with consent and choice. The one who comes to authority by other than a Shariah Bayah, is a usurper of authority. The Bayah to the Khaleefah is like other contracts, like marriage. Just as a woman cannot be married against her will, the Bayah Contract (عقد 'Aqd) is concluded with a Contract of Consent (مرضاة MuraaDaah) and Choosing (اختيار Ikhtiyaar).

### The One Who Usurped Authority is Not a Legitimate Ruler in the Eyes of Shariah Law

The one who usurped the authority was not a ruler at the time that he committed his heinous crime. He falls under the ruling of any one who usurps any matter, whether it is wealth, or land, or authority. It is narrated from As-Sa'ib ibn Yazeed from his father, who said, The Messenger of Allah (saw) said, «لَا يَأْخُذَنَّ أَحَدُكُمْ مَتَاعَ صَاحِبِهِ جَادًّا وَلَا «Nobody of you should take the property of his companion, neither seriously or in jest. And if anyone of you found the staff of his companion, he has to return it to him.” [Ahmad]. The Messenger of Allah (saw) said, «مَنْ أَخَذَ شِبْرًا مِنَ الْأَرْضِ ظُلْمًا فَإِنَّهُ يُطَوَّفُهُ يَوْمَ الْقِيَامَةِ مِنْ سَبْعِ أَرْضِينَ» **“Whoever took a hand span of land unjustly, then he will be encircled with it on the Day of Judgement, from seven Earths.”** [Al-Bukhari]. Imam Ash-Shaukani said in Nayl ul-Autar, commented on usurping, وأحاديث الباب تدل على تغليظ عقوبة الظلم والغصب وأن ذلك من الكبائر

“The Ahadeeth regarding this subject indicate the severity of Injustice and Usurpation. They are of the Major Sins (Kabaa’ir).”

### **Imam Hussein (ra) Rejected the One Who Usurped Authority**

When Mu’awiyah passed away and Yazeed took the authority by force, the Companions (ra) rejected his rule. Yazeed had usurped the authority, and denied the Ummah the right to grant Bayah, with consent and choice. Abdullah bin Az-Zubair (ra) rejected the illegitimate rule of Yazeed in Makkah. Al-Hussein bin Ali (ra) was invited by the people of Iraq, so as to give Bayah to him as a legitimate Khaleefah. The tyrant Yazeed did not desist from his major sin and fought the Muslims. The Battle of al-Harrah took place, where eighty of the Companions (ra) of the Prophet (saw) were martyred, and no one of the Companions (ra) of Badr survived this battle. It was said that seven hundred, or one thousand and seven hundred, from Quraish and Ansar were also killed. In this battle, ten thousand from the other people, from non-Arab and Taab’ieen were killed, beside women and children. This, then, is what the Companions (ra) endured, when they did not accept the illegitimate rule of Yazeed. They did not remain silent, submissive and accepting, living their daily lives as if nothing had happened.

### **O Muslims in General and their People of Power in Particular!**

This is how the best of all generations, the Sahaba (ra), were! They took the strong stance regarding the Bayah to a Khaleefah, given by consent and choice. So how must we be, in a time when there is not a single Khaleefah, appointed by a Shariah Bayah? Indeed, it has been over a hundred hijri years since a Khaleefah ruled us by Islam. How must we be, when there are only rulers who usurp the authority, governing by kufr, disobedience and sin? They normalize with the enemies, and fight the Muslims. They remain still, mouthing condemnations that have no weight and effect, as the sanctities of violated are violated, day and night, repeatedly. They invite war from Allah (swt) and His Messenger (saw) by crushing the country with the burden of Riba, whilst they prevent the circulation of wealth that alleviates poverty. Can we remain silent?

### **O Muslims in General and their People of Power in Particular!**

Let us put the pain, sorrow and regret of the martyrdom of Imam Hussain (as) in its proper place. Let his (ra) martyrdom inspire us to change our situation today, at a time of tyrants who rule both the Arab and the *Ajam*. Let Imam Hussain (as) be an example for us, so we adopt the brave stance against the usurpers of authority. Indeed, it is upon all of us to work with seriousness to re-establish the Khilafah (Caliphate) on the Method of Prophethood. And it is upon the people of power amongst us, the armed forces, to seize the usurpers and grant Nussrah to Hizb ut Tahrir, to resume Islam as a way of life again. May Allah (swt) extend His Nasr soon.

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