

## Debunking Myths About the Khilafah

### Myth Two “It’s a Dictatorship!”

The wife of the 8<sup>th</sup> century Khalifah, Umar bin Abdul Aziz saw him weeping in his prayers and asked him why he was crying. He replied:

*“O Fathima! I have been made the ruler over the Muslims and I was thinking of the poor who are starving, and the sick who are destitute, and the naked who are in distress, and the oppressed that are stricken, and the stranger that is in prison, and the venerable elder, and the one who has a large family and small means, and the likes of them in countries of the earth and the distant provinces, and I felt that my Lord would ask me about them on the Day of Resurrection, and I feared that no defense would avail me (at that time), and I wept.”*

- In the Khilafah, the Laws of Allah (swt) are sovereign. Allah (swt) says: **﴿إِنَّ الْحُكْمَ إِلَّا لِلَّهِ﴾** **“The rule is for none but Allah.”** [Yusuf: 40]. This means that the ruler can neither make nor change the laws according to his own whims and desires, nor deprive those he rules of their God-given rights and protections. Allah (swt) says: **﴿فَأَحْكُم بَيْنَهُم بِمَا أَنزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ عَمَّا جَاءَكَ مِنَ الْحَقِّ﴾** **“So judge between them by that which Allah hath revealed, and follow not their desires away from the truth which hath come unto thee.”** [Al-Maeda: 48] The ruler is therefore not above the law, rather he is subject to the law, in the same manner as his citizens. His role is simply to implement the laws of Islam upon them and take care of their affairs and needs according to the Qur’an and Sunnah. This is the first principle of the Khilafah that prevents it from becoming a dictatorship.

*“The Islamic belief (‘Aqeedah) constitutes the foundation of the state. Hence, nothing is permitted to exist within its entity, its structure or accountability or any other aspect connected to it, unless the Islamic ‘Aqeedah is its basis. At the same time, the Islamic ‘Aqeedah acts as the basis of the constitution and the Shari’ah laws; thus nothing connected to the constitution or to the laws is permitted to exist unless it emanates from the Islamic ‘Aqeedah.”* (Article 1, Hizb ut Tahrir’s Draft Constitution for the Khilafah)

- In the Khilafah, the authority is for the Ummah, meaning that they have the right to elect the Khalifah, hold him to account and remove him through the institutions of the state if he deviates from the Laws of Allah (swt) or is neglectful of his duties. It is forbidden in Islam to take the position of ruler by force. Rather, the Islamic evidences ordain that the role of Khalifah is taken after a pledge of allegiance is given voluntarily from the people. The companion of the Prophet (saw) and second Khalifah of Islam, Umar bin Al Khattab (ra) said: **“There is no Khilafah without consultation”** and the great scholar of Islam, Imam Abu Hanifah (ra) said: **“The Khilafah will take place by the agreement and consultation of the believers.”** (The Centrality of the Khilafah in Islam by Kamal Abu Zahra)

*“Nobody can become Khaleefah without being appointed by the Muslims. Nobody can hold the power of the Khilafah unless it is conveyed to him legitimately, as is the case with any contract in Islam.”* (Article 28, Hizb ut Tahrir’s Draft Constitution for the Khilafah)

- Islam defines the role of the Khalifah as a guardian over the people, and a servant to their needs. The Prophet (saw) said: **﴿كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ، الْإِمَامُ رَاعٍ وَمَسْئُولٌ عَنْ رَعِيَّتِهِ، وَالرَّجُلُ رَاعٍ فِي أَهْلِهِ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ، وَالْمَرْأَةُ رَاعِيَةٌ فِي بَيْتِ زَوْجِهَا وَمَسْئُولَةٌ عَنْ رَعِيَّتِهَا...﴾** **“All of you are**

guardians and are responsible for your subjects. The ruler is a guardian of his subjects, the man is a guardian of his family, the woman is a guardian and is responsible for her husband's house and his offspring; and so all of you are guardians and are responsible for your subjects."

- The second Khalifah of Islam, Umar ibn Al Khattab (ra) said to his governors: ***"Remember, I have not appointed you as commanders and tyrants over the people. I have sent you as leaders instead, so that the people may follow your example. Give the Muslims their rights and do not beat them lest they become abused. Do not praise them unduly, lest they fall into the error of conceit. Do not keep your doors shut in their faces, lest the more powerful of them eat up the weaker ones. And do not behave as if you were superior to them, for that is tyranny over them."*** ('Omar the Great: The Second Caliph of Islam' by Muhammad Shibli Numani)

- In 638 CE, a severe famine spread far and wide throughout Arabia. The Khalifah at the time, Umar bin Al Khattab (ra), organised for rations to come from the other lands of the Khilafah to Madinah. During the famine, Umar refused to eat meat or butter and only ate the coarsest of foods. When his health began to deteriorate, those around him told him to take care of himself. He replied, ***"If I don't taste suffering, how can I know the suffering of others?"***. Once the food rations arrived, Umar sent his people to re-route the food caravans to go to other parts of Arabia to bring food to the people. For the people who were displaced and had come to Madinah for help, Umar hosted a dinner every night for all persons who had come to the city for refuge. According to one account, as many as 40,000 persons were fed each day.

- When Khalifah Umar bin Al Khattab (ra) received a gift of sweets from his governor in Azerbaijan, he asked if all the people there ate the sweet. The answer was that it was reserved for the elite of the society. Umar then ordered the following to the governor: ***"Do not satisfy yourself from any kind of food until all the Muslims eat their fill from it before you."***

- Khalifah Umar bin Al-Khattab (ra) would patrol the streets at night to ensure his citizens were safe and their needs had been met. One night, while he was doing his usual rounds in Madinah he came across a woman whose children were crying. He asked the mother why they were crying and she replied that it was because they were hungry. Umar then asked her what was in the pan that she was boiling over the water. She answered, "Only water to soothe the children, so that they may go to sleep in the belief that food is being prepared for them." Umar returned to the town and immediately went to the Baitul Mal (the treasury of the state) to fill a sack with flour, dates, ghee, and clothes, and also drew some money. When the sack was ready, he said to his servant, "Now put this sack on my back, Aslam." His servant replied, "No please, Amir-ul-Momineen! I shall carry this sack." Umar refused, saying to him, ***"What! Will you carry my load on the Day of Judgment? I must carry this bag, for it is I who would be questioned (in the Hereafter) about this woman."*** Umar carried the heavy sack swiftly back to the woman's tent and then cooked and served the meal to the woman and children, and told her to come to him for her future needs.

- The 8<sup>th</sup> century Khalifah, Umar bin Abdul Aziz was a rich man before he became leader; in fact, it took 100 camels to bring his possessions to the city. But he died with only one shirt to his name despite the Khilafah enjoying economic prosperity at the time, because he had spent his wealth in the service of his people. This was a man who refused to use even a drop of public oil to fuel his lamp for his personal affairs or even use water heated from the state charcoal for his wudu due to his immense sense of accountability over state funds.

- In Islam, accounting the ruler for any negligence in his responsibility or for any act of oppression or injustice is not simply a right but an obligation. The Prophet (saw) said **«كَلَّا وَاللَّهِ لَا تُأْمَرُونَ بِالْمَعْرُوفِ وَلْتَنْهَوْنَ عَنِ الْمُنْكَرِ وَلِتَأْخُذُوا عَلَى يَدَيْ الظَّالِمِ وَلِتَأْطُرْنَهُ عَلَى الْحَقِّ أَطْرًا وَلِتَقْصُرْنَهُ عَلَى الْحَقِّ قَصْرًا»** **Nay, by Allah, you have to enjoin the Ma'ruf and forbid the Munkar, and to hold against the hand of the tyrant, and to force him on the truth truly and to limit him to the truth really; otherwise, Allah will hit the hearts of some of you against others, then He will curse you as He cursed them".** He (saw) also said: **«إِنَّ النَّاسَ إِذَا رَأَوْا ظَالِمًا فَلَمْ يَأْخُذُوا عَلَى يَدَيْهِ أَوْشَكَ أَنْ يَغْمَهُمُ اللَّهُ بِعِقَابٍ»** **"If the people witness an oppressor and they do not take him by his hands (to prevent him) then they are close to Allah covering them all with punishment."** Therefore, in the Khilafah, accountability in governance is a fundamental principle of its political system.

*"Calling upon the rulers to account for their actions is both a right for the Muslims and a fard kifaayah (collective duty) upon them. Non-Muslim subjects have the right to make known their grievances regarding the ruler's injustice and misapplication of the Islamic rules upon them."* **(Article 20, Hizb ut Tahrir's Draft Constitution for the Khilafah)**

- The Khilafah provides its citizens various avenues by which they can air grievances against their rulers and officials and hold them to account. This includes, raising their complaints to the Makhkaamat ul-Madhalim (a special court that investigates negligence or injustice in ruling), or to their elected representatives in the Majlis al-Ummah (a consultative body which accounts and advises the Khalifah in matters of the state). In addition, the role of political parties within the Khilafah is to command the Mar'uf (the good) and forbid the Munkar (the evil). This includes accounting those in ruling and challenging any forms of oppression, injustice and corruption.

*"The judge of the Makhkaamatul-Madhalim is appointed to remove all unjust acts, committed by the Khaleefah, governor(s) or any official of the State, that have been inflicted upon anyone..."* **(Article 87, Hizb ut Tahrir's Draft Constitution for the Khilafah)**

*"Muslims are entitled to establish political parties to question the rulers and to access the positions of ruling through the Ummah on condition that the parties are based on the 'Aqeedah of Islam and their adopted rules are aHkaam shar'iyyah; the establishment of such a party does not require a license by the State. Any party not established on the basis of Islam is prohibited."* **(Article 21, Hizb ut Tahrir's Draft Constitution for the Khilafah)**

*"3 The Majlis has the right to account the Khaleefah regarding all the actions that the state has actually executed, whether they were of the domestic or foreign matters, or the finance or the army and the like. The view of the Majlis is binding wherever the majority opinion is binding and not binding wherever the majority opinion is not. If the Majlis disagreed with the Khaleefah over an action that was already executed, from shar'i aspect then it is referred to mahkamat ul-madhalim to decide whether the action was shar'i or not; and its opinion over this matter is binding. 4. The Majlis has the right to express dissatisfaction with the assistants, governors, and mayors; and in this matter the view of the Majlis is binding and the Khaleefah must discharge them at once."* **(Article 111 (points 3 and 4), Hizb ut Tahrir's Draft Constitution for the Khilafah)**

- During his rule, Khalifah Umar bin Al Khattab (ra) would order all the high officials of the state to report to him every year at the time of Hajj. At this time, every citizen was given the opportunity to raise any complaints against the highest authorities of the state which were immediately attended to.

- Mamoon Ar-Rashid, one of the Abbassid Khalifahs, would specifically set aside Sundays for his public audience to hear their complaints. From early morning till afternoon,

everyone – men and women – were free to present to the Khalifah their grievance which was instantly attended to. One day a poor old woman complained that a cruel person had usurped her property. “Who is that person?” asked the Khalifah. “He is sitting beside you,” replied the old woman, pointing to the Khalifah’s son, Abbas. Abbas tried to defend his action in a hesitant tone while the old woman was getting louder and louder in her arguments. The Khalifah stated that it was the honesty of her case that had made her bold and gave a judgement in her favour.

- The role of Khalifah, Wali (governor) or any other post of ruling in Islam is not viewed as a position of prestige but rather of great responsibility and accountability in the Hereafter with regards to fulfilling the duties of a leader prescribed by Allah (swt). The Messenger of Allah (saw) said: «مَنْ وَلِيَ مِنْ أَمْرِ الْمُسْلِمِينَ شَيْئًا فَاحْتَجَبَ دُونَ حَاجَتِهِمْ وَفَقَرَهُمْ وَفَقَرَهُمُ احْتَجَبَ اللَّهُ يَوْمَ الْقِيَامَةِ عَنْ خَلَّتِهِ» **“Whoever is put in charge of any of the affairs of the Muslims and remains aloof from them and pays no attention to their needs and poverty, Allah will remain aloof from him on the Day of Resurrection, and will pay no attention to his needs and poverty.”** He (saw) also said: «مَا مِنْ وَالٍ يَلِي رَعِيَّةً مِنَ الْمُسْلِمِينَ فَيَمُوتَ وَهُوَ غَاشٌّ لَهُمْ إِلَّا حَرَّمَ اللَّهُ عَلَيْهِ الْجَنَّةَ» **“There is no Wali (governor) who takes charge of governing the Muslims, and then dies, and he had been cheating them, except that Allah prohibits him from Paradise.”**

- The qualities Islam prescribes for a Khalifah: Khalifah Umar bin Al Khattab (ra) once asked the companions of the Prophet (saw) Talha, Zubayr, Ka’ab and Salman al-Farsi (ra): “What is the difference between a Khalifah and a king?” Talha and Zubayr said: “We do not know.” But Salman said: **“The Caliph is the one who is just to the citizens, divides their people’s share equally, is compassionate to the people as a man is with his family and judges between them by the Book of Allah.”** (The Centrality of the Khilafah in Islam by Kamal Abu-Zahra). Salman al-Farsi (ra) reported that Umar Ibn al-Khattab (ra) said to him: “Am I a king or a Caliph?” Salman said, **“Verily, if you take a single coin from the land of the Muslims, more or less, and place it where it does not belong, you are a king and not a Caliph.”** When Umar heard this, he wept. (al-Ṭabaqāt al-Kubrā)

- Under the Khilafah, spying on the citizens of the state is prohibited, as is torture, as stated in the Islamic texts. Allah (swt) says: «وَلَا تَجَسَّسُوا» **“And do not spy”** [Al-Hujurat: 12]. And the Prophet (saw) said: «إِيَّاكُمْ وَالظَّنَّ فَإِنَّ الظَّنَّ أَكْذَبُ الْحَدِيثِ وَلَا تَجَسَّسُوا وَلَا تَخَسَّسُوا وَلَا تَبَاغُضُوا وَكُونُوا إِخْوَانًا» **“Beware of suspicion (about others), as suspicion is the falsest talk, and do not spy upon each other, and do not listen to the evil talk of the people about others' affairs, and do not hate one another, but be brothers.”** He (saw) also said: «إِنَّ اللَّهَ يُعَذِّبُ الَّذِينَ يُعَذِّبُونَ فِي الدُّنْيَا» **“Allah tortures those who torture the people in this life.”**

**“Every individual is innocent until proven guilty. No person shall be punished without a court sentence. Torturing is absolutely forbidden and whoever inflicts torture on anyone shall be punished.” (Article 13, Hizb ut Tahrir’s Draft Constitution for the Khilafah)**

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Written for the Central Media Office of Hizb ut Tahrir by

Dr. Nazreen Nawaz

Director of the Women’s Section in The Central Media Office of Hizb ut Tahrir