

How the Khilafah Will Create Strong Family Units

- The strength and harmony of the Muslim family was once a characteristic feature of this Islamic Ummah. Gaston Jezz, a Swiss family-law professor who visited the Turkish Republic following the destruction of the Uthmani Khilafah stated that the harmony of religious beliefs in this land, *"gave birth to the strongest family hearth in the world, and this entity founded a public life which has never been seen in the history of any nation."*

- However, today there is a crisis affecting the unity of the Muslim family due to the environment of non-Islamic values and laws which surround us and our communities under the systems that we currently live under and the non-Islamic regimes which rule over us. These systems and regimes have systematically eroded marriage, deconstructed motherhood, and fuelled the disintegration of the family unit through their detrimental laws and policies.

- To create strong family units, therefore, requires root and branch change of the political systems in our lands, and comprehensive transformation of the foundation, values and laws within our societies, through the establishment of a state that truly appreciates the vital importance of protecting the sanctity of marriage, elevating the status of motherhood and creating and safeguarding healthy family units. This should be manifested by its principles, laws and systems which will practically achieve this noble vision in reality. This great vision can only be realised by a state built purely upon the Islamic Aqeeda that implements comprehensively ALL the Islamic Shariah laws – for it is Allah (swt) alone, the All-Knowing, the All-Wise, Who knows best how to organise the affairs of men and women, their rights and duties in a way that will achieve happiness and success for the family unit and all its members. Allah (swt) says, **﴿إِنَّمَا كَانَ قَوْلَ الْمُؤْمِنِينَ إِذَا دُعُوا إِلَى اللَّهِ وَرَسُولِهِ لِيَحْكُمَ بَيْنَهُمْ أَنْ يَقُولُوا سَمِعْنَا وَأَطَعْنَا وَأُولَئِكَ هُمُ الْمُفْلِحُونَ﴾** ***"The only saying of the faithful believers, when they are called to Allah and His Messenger, to judge between them, is that they say, 'We hear and we obey.' And such are the successful."*** [An-Nur: 51]

- This state that is built purely upon Islam and that implements all its beliefs, values and laws is the Khilafah (Caliphate) based upon the method of the Prophethood – the System of Allah (swt). This Islamic leadership will transform the noble and sublime Islamic social and family principles and laws from a set of obligations and rules followed by a few pious Muslims to a set of values and regulations that become the norm of the whole society, adopted on mass amongst the people, and the law by which individuals live their day to day life. This is achieved through its institutions and systems which nurture, implement, promote, enforce and protect the Islamic family values and regulations within the society.

(1) The Khilafah, which is built purely upon Islam, will nurture TAQWA – God-consciousness – within the whole society rather than the pursuit of harmful individualistic whims and desires as promoted by liberal freedoms and gender equality. Taqwa is the frontline defence and most vital ingredient to nurturing and protecting strong family units because it is the ultimate driving force for righteous actions, fulfilment of Allah (swt)'s obligations, and obedience to His Limits and Laws.

Taqwa drives an individual to interact with the opposite sex with Hayah (modesty), to abide by all the social laws in their meeting with them – whether in public, private or online, to seek marriage to protect their chastity, and to distance themselves from any action or situation which comes even close to the haram in order to guard their honour. It is this which minimises extramarital relationships within the society. It is also Taqwa that motivates an individual to seek a spouse based on Deen and righteous conduct to make marriage a bond of companionship. And it is Taqwa which is the glue which binds the successful family together for it drives each member to fulfil their duties and the rights of others with patience, diligence and compassion and to cooperate on righteousness and piety, shunning selfishness and individualism and acting on what is best for their marital and family life. This includes doing whatever is necessary to achieve tranquillity in marriage and to avoid divorce. So, it inspires the man to treat his wife well, work hard to provide for his family and fulfil his role as a guardian with love, care, kindness and mercy rather than fear and violence. It inspires the woman to the obedience of her husband, fulfilment

of her home duties and to exertion of great care, time and attention in raising her children. And it inspires the young to respect, obey and care for their parents and elders...creating a beautiful harmonious family life.

The Khilafah nurtures Taqwa within the society through its complete implementation of Islam. The Khilafah's Education System for example will instil the correct morals and understanding of the Islamic social rules and obligations in its citizens, such that the society as a whole abides by the Shariah through conviction and love of its laws and rejects immorality and corrupt behaviour in all its forms. The enforcement of the Islamic laws by the Khilafah's political and judicial systems will punish those who transgress the limits of Islam. And the Khilafah's Media Policy will support the interests of Islam, including countering any corrupt ideas and propagating all that is good. Newspapers, magazines, TV, radio, online media, conferences and other means will be employed to achieve this objective.

(2) The Khilafah will organise society based upon the correct view of the relationship between men and women that achieves cooperation between the sexes while also protecting the family unit. Through its education system, its media and the comprehensive implementation and enforcement of the Islamic social system values and laws, the Khilafah will direct the community's view towards the relationship between men and women away from the obsession with the sexual aspect and pleasure to that which is in line with the true purpose of the sexual instinct and beneficial for the society – marriage and procreation. This is in addition to promoting the view of women as an honour and the importance of *hayaa'* and chastity. It will, therefore, prohibit the destructive sexualisation of women or society or promotion of any immoral relationship whether in advertising, the media, literature or online. Alongside this, the Khilafah would adopt the *khimar* and the *jilbab* as the public dress of the woman – whether Muslim or non-Muslim - prohibiting the display of their *awrah* or beautification in public life, helping to maintain a pure relationship between men and women and protecting their chastity.

The state will also end free-mixing and *Khulwa* (seclusion) of men and women that currently takes place in schools, colleges, universities, bars and clubs, and other venues as well as homes and that often leads to extramarital relationships, implementing instead the separation of men and women as much as possible in public life – whether in its educational institutions, its transport system, work places, hospitals and other locations.

"In origin men and women are segregated, and do not come together except for a need by Shar' agrees to it and agrees to their assembly for it, such as trade and the pilgrimage."

Article 113, Hizb ut Tahrir's Draft Constitution for the Khilafah

"It is not permitted for a woman to be alone with a nonMahram. It is not permitted for her to reveal the adornments (Tabarruj) and the 'Awrah in front of foreign men."

Article 118, Hizb ut Tahrir's Draft Constitution for the Khilafah

Alongside this, the Khilafah will highly encourage and support marriage, including financially if need be. The 8th century Khalifah, Umar bin Abdul Aziz, for example, ordered state funds to be given to those who needed it for marriage. Furthermore, Islam has prescribed severe punishments for fornication and adultery which reflects the seriousness by which Islam views safeguarding marriage and the family unit,

(3) The Khilafah's systems will support the fulfilment of the Islamic marital and family roles, and duties and rights of men and women to achieve tranquillity in marriage and harmony in family life. Its education system and media will build a clear understanding within its youth and citizens of the Islamic Shariah rules related to the distinct responsibilities of the sexes within family life. For example, in the lessons on Islamic *fiqh* in its education curriculum, the state will nurture the correct view of the duties and qualities of the man as the guardian of the family who should be characterised with mercy, kindness and care over his wife and children. These lessons will also build an understanding of the importance and responsibilities of women in their primary role as mothers and wives as well as vital contributors to the progress and wellbeing of their community and society. In addition, in the secondary school stage of education, female students, in addition to studying general subjects such as Islamic culture, mathematics and the sciences, will also be given the choice of taking a Domestic Option which enables them to specialise in areas linked to child care and management of the home life.

The Khilafah will not only educate its citizens the rules related to family life, but it will practically support them in fulfilling their roles and duties. For example, Article 153, of Hizb ut Tahrir's Draft Constitution of the Khilafah states that, *"The State should guarantee work for all subjects holding citizenship of the State."* This obligation upon the Khilafah is based on the hadith of the Prophet (saw), «وَالْإِمَامُ رَاعٍ وَمَسْنُونٌ عَنْ رَعِيَّتِهِ» **"The Imam (Khalifah) is a guardian and he is responsible for his subjects."** The Khilafah will therefore support every man to fulfil his obligation of providing for his family, including providing funds from its treasury, donating its cultivated land, and organising training for those who require it for employment, enabling them to earn a living. All this is achieved due to the sound nature of the Islamic economic system that generates a prosperous economy.

Similarly, the Khilafah would empower women to fulfil their primary role as mothers by ensuring that they are always financially maintained and never forced to compromise their vital duties to their children due to the economic pressure to gain employment. The Khilafah's courts would therefore support any woman whose husband refuses to provide for her and her children, forcing him to fulfil this obligation according to his capacity or face punishment if he refused. Writings from the law books of Islamic scholars during the Abbasid Khilafah, for example, describe how women would file complaints to judges against husbands who did not provide them with sufficient maintenance and how the judge would enforce payment. In the situation where the woman's husband is poor or she has no male relatives to provide for her, then it is the obligation of the Khilafah to do so, for the Prophet (saw) said, «مَنْ تَرَكَ مَالًا فَلِأَهْلِهِ وَمَنْ تَرَكَ دَيْنًا أَوْ ضِيَاعًا فَلِيَ وَعَلَيَّ» (رواه مسلم) **"If somebody dies (among the Muslims) leaving some property, the property will go to his heirs; and if he leaves a debt or dependents, we will take care of them."** All this would also ensure that individuals would not be pressured to limit their family size out of fear of poverty. Rather, the Khilafah would encourage families to have many children with the knowledge that they would always be provided for.

"An equally beautiful feature in the character of the Turks is their reverence and respect for the author of their being...the mother is an oracle; she is consulted, confided in, listened to with respect and deference, honoured to her latest hour and remembered with affection and regret beyond the grave."

Julie Pardoe, 19th century British Historian and Traveller, regarding the status of the mother under the Uthmani Khilafah in her book 'The City of the Sultan and Domestic Manners of the Turks in 1836'

Alongside all this, the Khilafah's judicial system will play an important role in maintaining the unity and harmony of marital and family life. It will have a zero-tolerance approach towards domestic violence, punishing perpetrators severely. It will stand as a guard against forced marriage and deal firmly with any other non-Islamic traditional practices and views which harm the family unit. And it will serve as an important arbitrator to resolve marital and family disputes effectively and swiftly to prevent problems from festering – by ensuring access to justice is fast, fair and free.

- The Khilafah will therefore serve as the true fortress of the family, strengthening and protecting it from all sides. This is why the renowned scholar Imam Ghazali (RM) said, *"The Deen is the foundation and the Sultan is the guard. What does not have a foundation will crumble and what does not have a guard will be lost."*

﴿ثُمَّ جَعَلْنَاكَ عَلَىٰ شَرِيعَةٍ مِّنَ الْأَمْرِ فَاتَّبِعْهَا وَلَا تَتَّبِعْ أَهْوَاءَ الَّذِينَ لَا يَعْلَمُونَ﴾

"Then we made for you a Shariah, so follow it, and do not follow the low desires of those who do not know." [Al-Jathiya: 18]

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