

Introduction to the Systems of Islam



Edited by

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Translation of the Qur'an
It should be perfectly clear that the Qur'an is only authentic in its original language, Arabic. Since perfect translation of the Qur'an is impossible, the term 'Translation of the Meaning of the Qur'an (TMQ)' has been used throughout the book, as the result is only a crude meaning of the Arabic text.

Qur'anic *ayat* and transliterated words have been italicised.

Sayings of Prophet Muhammad (saw) appear in **bold**

AH - After Hijrah
CE - Christian Era





Contents

Preface 1

Introduction

Islam as a Way of Life 5

Section 1

Facts about the Khilafah State 17
The Orientalist Attack 25
Misconceptions 33
Humanity at the Cross-roads 43

Section 2

The Ruling System 59

- Facts about the Ruling System 59
- Relationship to the Khaleefah 63
- The Islamic Ruling System 73
- Summary : Ruling in Islam 105

The Economic System 107

- Facts About the Economic System 107
- So, You Want to Buy a House...? 111
- Islam and the Economic Question 117
- Summary: Economics in Islam 143



The Social System 145

 Facts About the Social System 145

 So, You Want to be a Parent? 149

 The Islamic Social System 159

 Summary: Social System in Islam 185

The Education System 187

 Facts About the Education System 187

 What’s Happening to Our Children? 191

 The Objective of the Education Policy in Islam 199

 Summary: Education in Islam 207

The Judicial System 209

 Facts About the Judicial System 209

 So you think you’re safe, do you? 213

 The Islamic Judicial System 221

 The Punishment System in Islam 241

 Summary : Judiciary in Islam 253

Section 3

The Way to Revival 257

A Vision For The Future 271

Carrying the *Da‘wah* of Islam 283

Index.....287



Introduction to the Systems of Islam

Preface

The Muslim Ummah have been living without the Khilafah (Islamic State) for over seven decades, plagued on the one hand by the domination of the colonialist Western nations, and on the other hand, afflicted by the infiltration of ideas alien to Islam - such as secularism, nationalism and individualism - into the minds of the Ummah.

In the place of the Systems of Islam, which were implemented under the banner of a unified Khilafah State for more than 1300 years, giving justice and security to all that lived under it, the world is once again dominated by corruption, poverty and disorder. Indeed, these are the natural result of any way of life that is based on the fragile foundations of man-made laws.

Islam is a *deen* (way of life), encompassing comprehensive guidance for all aspects of human existence, from personal worship to economics and government. The rules and laws which emanate from the Islamic '*aqeedah* (creed) come from none other than Allah (swt), the Creator of mankind and the universe. Thus, they are free from the flaws and limitations that are necessarily inherent in man-made ideologies. It is only by the implementation of Islam that mankind can ever hope to be freed from the abyss in which it is currently submerged.

It is the responsibility of every Muslim to understand fully about the details of this unique and perfect way of life. When we have done so, our minds will see clearly that the Systems of Islam provide the only practical solutions to the problems of the Ummah, and our hearts will yearn for their implementation in the world again.

“Allah has promised to those among you who believe and work

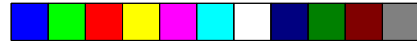


Introduction to the Systems of Islam

righteous deeds, that of a certainty He will cause them to accede to power on earth, as He granted it to those before them, that He will establish in authority their deen which He has chosen for them, and that He will change (their state) after the fear in which they lived, to one of security and peace: They will worship Me (alone) and not ascribe powers to any beside Me.” [TMQ 24:55]

This book outlines the Systems of Islam - Ruling, Economic, Social, Education and Judicial, and presents them not as a series of individual academic studies, but as an integrated whole, showing how each system complements the others, how they apply directly in our lives affairs, and how we should work to bring them back into the world arena.



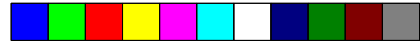


Introduction to the Systems of Islam

INTRODUCTION

Islam as a Way of Life





Introduction to the Systems of Islam





Introduction to the Systems of Islam

Islam as a Way of Life

Islam is the ultimate and final blueprint for life, sent down by Allah (swt) to Muhammad (saw), the last and final messenger for the whole of mankind. Thus, the only way of life ordained for humanity by the Creator of the universe is Islam. Allah (swt) says,

“If anyone desires a deen other than Islam, never will it be accepted of him, and in the hereafter he will be in the ranks of those who have lost.” [TMQ 3:85]

“Oh you who believe, fear Allah as He should be feared, and die not except in a state of Islam.” [TMQ 3:102]

The Islamic *‘aqeedah* is the creed of the Muslims, its basis being the understanding that Allah (swt) is the only God and Muhammad (saw) is the final messenger of Allah. It provides the answer to man’s greatest problem, i.e. what is the source and purpose of life, and it guides him to come to the realisation of what he should and should not believe in. As well, the Islamic *‘aqeedah* is the driving energy from which the rules and laws to govern life’s affairs emanate. The Islamic belief is not to be viewed as a set of abstract, theoretical rules and regulations which have no bearing in life. Rather, the correct way of understanding the Islamic belief is as a creed which must be believed in and whose rules and laws must be implemented in life’s affairs.

Islam, as well as being the final solution for mankind’s greatest problem, has given comprehensive guidance for human beings to live their lives. The Creator has revealed a code of life for mankind to live by, and He has not left us in the dark without guidance and direction. Unless mankind applies this, he is left to the whims and desires of his



Introduction to the Systems of Islam

own weak and fallible mind to govern his affairs.

The mind is what differentiates human beings from all other creations, be they from dead matter, or living plants or animals. The whole universe, encompassing all of these, runs on a perfect order and balance - think of the water cycle, the planetary orbits, the process of photosynthesis in plants, or the complex structures of animal societies - these are just some examples of this order. But it is amongst this harmony that we see a stark contrast; chaos and calamity in the world around us. This includes social degradation, wars and disputes, economic exploitation, crime and poverty - the list is as ugly as it is long. In all of these cases, we can see that it is only in the areas where man has applied his own mind to solving life's problems that such disorder arises.

In fact, these problems arise precisely as a result of mankind neglecting the Islamic way of life and using his own mind to decide how to run his affairs. If indeed, the mind was capable of producing the same organisation as we see in the universe, why is the 'human' world in such a mess?

In reality, only the power that gave the laws which proffer perfection to the processes of nature can achieve the same result in the affairs of mankind. The Islamic way of life means precisely that. It is the law of the Creator of the universe, Allah (swt), for human beings - a mercy to mankind.

The divine law (*hukm shari'i*) can be defined as the speech of the legislator Allah (swt), related to the actions of the people. And Allah (swt) has revealed the divine law in such a way that it is comprehensive, detailed and perfect. Allah (swt) says,

"This day I have perfected your deen, bestowed My favour upon you and chosen for you al-Islam as your deen." [TMQ 5:3]





Introduction to the Systems of Islam

The Universal Applicability of Islam

The Shari‘ah (Islamic law) addresses men and women as human beings, not as people living in a particular time or place. And whether a man or a woman is living now or in 100 years time, they would still have the same basic needs and instincts, such as the need to eat and drink or the desire to procreate, and these would still have to be satisfied. As well it does not regard humans as just economic or social beings, rather as an integrated whole, with each person having various needs, be they social, economic, procreational or otherwise. Islam has given a *hukm* (divine rule) for all of these different areas in life.

Also, the process of *ijtihad* (divine exertion from the Islamic texts by a scholar to ascertain a rule) is the method by which new issues can be evaluated according to the Shari‘ah. So if an issue, like for example space exploration or electronic mailing, is not explicitly covered by the Islamic texts, there can be deduced by the process of *ijtihad* a *hukm* for that issue, thus enabling and ensuring that people can abide by Islam always, and thereby worship Allah (swt) completely, whatever the circumstances.

In this way, the Islamic system regulates all our needs and instincts, without neglecting any of them or being restricted to any particular time or place, and it gives us guidance in every issue, from personal cleanliness to the foreign policy of the Islamic State. Thus the applicability and relevance of Islam is guaranteed until the Day of Judgement.

Islam for all Mankind

The beauty of Islam is that it has come for the whole of mankind. It is not restricted to any particular people or place. The example for humanity is the Prophet Muhammad (saw). No new prophet or messenger will come again.

The suitability of Islam for all peoples means that it gives rights and duties to non-Muslims as well. Under an Islamic System non-Muslims



Introduction to the Systems of Islam

can freely practice their individual beliefs related to foodstuffs, marriage customs and worships. Of course within the State, when in society and the public domain, everyone will be treated according to Islamic Law and the Shari‘ah will be administered over everyone, in their capacity as citizens of the State.

Indeed, the first Islamic society established in Madinah had initially a majority number of non-Muslim citizens. However, once they had witnessed the beauty of the Islamic system being applied, people flocked to embrace Islam in droves. In addition, it must be stressed that the beauty and justice of Islam can only be truly witnessed and manifested when the Shari‘ah is implemented in its totality. For the different systems of Islam are intrinsically linked together and work together to make the perfect balance. For example, in the Islamic Economic System one of its fundamental duties is to ensure the provision of food, clothing and shelter for every citizen of the Khilafah. This necessitates other aspects and systems being implemented also, such as agricultural land being cultivated, or the ruling system providing adequate infrastructure.

Or take the Islamic Punishment System. One of the conditions for cutting the thief’s hand is that it cannot be cut if the person steals for food, i.e. due to hunger. This essential provision should be guaranteed by the Islamic Economic System. Hence, partial or gradual implementation of Islam is invalid and will not provide any kind of security or justice to the people.

The Systems of Islam are like a tree, with many branches. Although each system is like a branch, different and unique, they all constitute one part of a greater whole, which is the complete Islamic way of life.

The responsibility for Muslims today, and indeed the whole of mankind is to once again seek the understanding of the Islamic way of life so that it can be applied in the earth. Many people may not be aware of Islam as regards education, ruling, economics, social and judicial affairs. It is thus imperative that we all find out sincerely about Islam and its comprehensive nature pertaining to all spheres of life. This knowledge will give confidence to Muslims that the only way for humanity is the



Introduction to the Systems of Islam

system of the Creator, Allah (swt) - Islam.

The Problems of Secularism

In the history of the West, deep-rooted feelings of injustice among the people of Europe against the oppressive rule of the clerical establishment led to the 'Reformation' of the Church around the 16th Century (CE). Since that time, religion has played an ever decreasing part in the mainstream of life.

Initially, the change involved mainly the arena of the government and political affairs. Before this time, the Church owned much of the land upon which people lived and worked, thereby having a say in how the land and the affairs of the people should be run. It levied high taxes upon the people while promising the reward of salvation, and looked severely upon any 'dissenters', whether in the form of scientists like Copernicus and Galileo or religious reformers, like Luther or Calvin. After the 'Reformation', the Christian religion became separated from the affairs of life, and was demoted to a set of beliefs and an individual code of moral conduct. Its effect in political life had effectively ended.

In time, however, even the role of religion in the individual life has whittled away, to the extent that in many cases, a person's religion has no more value than a badge or label.

These types of ideas, however, have not been restricted to Europe and the Western world. The same has become more or less true for all religions throughout the globe such as Hinduism, Sikhism, or Judaism, as the culture of secularism, i.e. the separation of religion from lifes affairs, has come to take root.

Sadly even many Muslims have adopted this way, and relegated their *deen* to a set of individualistic rituals. This is despite the fact that the very word '*deen*' in the Arabic language translates as 'way of life', as opposed to just 'religion.'





Introduction to the Systems of Islam

The consequences of such a state of affairs has been disastrous for the world. For when divine law ceases to be implemented, only the law of human beings can prevail. For the Muslim Ummah, secularism became officially manifested on the 3rd of March, 1924, when at the hands of Mustafa Kamal and his Western bosses, the remnants of the ‘Uthmani Khilafah, which was the continuation of the glorious Islamic State established by Muhammad the Prophet of Allah (saw), came to an end. Thereafter, the formulation of rules to govern people was left up to human beings.

However, by their nature human beings cannot devise a system of laws that will organise and administer the affairs of mankind in a just fashion. There are many reasons why this is the case. Human beings are limited in their knowledge and abilities, so cannot adequately take into consideration the problems of people, nor provide comprehensive solutions for them. As well, they are prone to prejudice, self interest and error and thus will not be able to judge for people impartially. These natural aspects of the human character render people unable to rule over other people with justice - any system that is brought forward by human beings will reflect all of these shortcomings. As a result, many people will be oppressed, the rich and powerful will usurp the rights of the poor and weak, and the world will be characterised by tyranny, injustice and exploitation. Even a brief look at today’s situation will confirm these to exist all around us.

In fact, only an all-knowing, unlimited being can be capable of providing a comprehensive and fair set of laws by which mankind can hope to rule its affairs with justice. Therefore, it is only Allah (swt), the creator of human beings, life and the whole of the universe who is worthy of the position of sovereignty and legislation. Indeed, Allah (swt) confirms this for us in the Qur’an,

“Do they seek after a judgement of (the days of) Ignorance? But who, for a people whose faith is assured, can give better judgement than Allah?” [TMQ 5:50]

It is due to this fact that Islam, unlike the religions mentioned above,



Introduction to the Systems of Islam

provides a comprehensive system of guidance to administer all of life's affairs. Broadly speaking it defines roles for people in three aspects of life :

1. The relationship between an individual and his or her creator, Allah (swt), including worships, such as prayer or fasting.
2. The relationship of an individual with him or her self, including how to dress, what to eat etc.
3. The relationships between people, including transactions, government etc.

It is in fact the last area, which encompasses the issues of politics and ruling, that forms the largest part of the practical guidance that Allah (swt) has given to mankind. Indeed, the majority of the *ahkam* (rules) of Islam are to do with this aspect, called '*al-Mu'amalat.*'

The secular mentality among Muslims has led many to view Islam just from the perspective of the first and second areas mentioned above, while neglecting the last. This manifests itself in the society in different ways. When this understanding is applied to ruling, we see the Muslim countries being governed by *kufir* (non-Islamic) laws as for example in Pakistan, Turkey, Egypt etc. When it appears in individuals, while they may pray and fast, they do not observe Islam in their businesses or workplaces - they may well have *riba* (interest) on their loans, sell alcohol in their shops or pay bribes for their services.

This is all despite the fact that Islam gives clear guidance in all affairs of life. The systems it provides include the Worship, Ruling, Economic, Social, Judicial and Education systems. And the details of these are not left to the whims of man to decide, rather they emanate from the very creed of the Muslim. For the Qur'an which orders the Muslims to pray, is the same Qur'an that orders the Muslims to ensure that they are ruled by Islam. Allah (swt) says,

“Perform salah from mid-day till the darkness of the night, and





Introduction to the Systems of Islam

recite the Qur'an in the early dawn." [TMQ 17:78]

and He (swt) says,

"And whosoever does not rule by what Allah has revealed, they are the disbelievers." [TMQ 5:44]

The *ahadith* which teach the Muslims how to perform *wudu* are the same *ahadith* which command the Muslims to be unified behind one leader.

Imam Muslim narrated that 'Uthman ibn 'Affan reported : The Messenger of Allah (saw) said, **"He who performed his ablution well, his sins would come out from his body, even coming out from under his nails."** And he also narrated, on the authority of Abu Sa'id al-Khudri that the Messenger of Allah (saw) said, **"When *bay'ah* (the oath of allegiance) has been taken for two Khaleefahs, kill the one for whom the oath was taken later."**

In Islam, there is no separation or distinction between the rules relating to different aspects of life, regardless of whether they are to do with an individual and his relationship to Allah (swt), himself or whether they are to do with the relationships between people as a whole. Rather all are regarded as commands and prohibitions of Allah (swt) for His servants, and all must be fulfilled. In this way, each and every action that the Muslim performs, whether private or public, individual or collective, is regulated by the Shari'ah. The essence of the secular mentality which currently plagues the Ummah is the disregard of religious guidance in all areas of life's affairs. This is a great crime against Allah (swt) and His Messenger (saw) and is categorically *haram* (prohibited) in Islam.

Instead, all the rules and laws of Islam form an integrated whole, each system complementing and harmonising with the others, thereby creating a practical and functional framework in which people may live in peace and security.



Introduction to the Systems of Islam

Furthermore, all these *ahkam* derive from the same basis, that is, the same *usul* (sources of Islamic rules). The verification of the rules by tracing their origin from the correct Islamic sources links their practice and implementation with the very belief of the Muslim in Allah (swt) and His Messenger (saw). There are four components which make up the definite *usul*. These are :

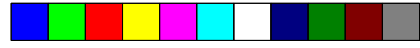
1. The Qur'an, the Book of Allah (swt)
2. The Sunnah (example of Muhammad (saw))
3. The *Ijma'* (consensus) of the Companions (ra)
3. *Qiyas* (the divine analogy)

Each of these sources can give rise to the different rules and laws of Islam, including those for both belief and action, and any rules or laws that derive from anything other than these sources are considered as weak or false.

It is only when Muslims return to the correct understanding of Islam, observing how the actions they should perform are qualified by and derived from rationally and textually proven sources, that they can ever hope to revive themselves from their current situation. If they can do this, then they will realise the comprehensive nature of Islam as a way of life, and have confidence in its ability not only to solve the problems of mankind, but also to ensure that justice and dignity will prevail over the world.

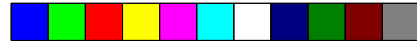
In this book, by the help and grace of Allah (swt), we will endeavour to discuss some aspects of Islamic history, some of the problems currently facing the Muslim Ummah and mankind as a whole, as well as the details of the different Systems of Islam, and to demonstrate how they are directly applicable to our lives affairs. May Allah (swt) accept this effort, and cause it to be a contribution towards the revival of the Muslim Ummah and the establishment of His *deen*, and a light that guides mankind to the *deen* of its Creator, Islam.





Introduction to the Systems of Islam





Introduction to the Systems of Islam

SECTION 1

Facts about the Khilafah State

The Orientalist Attack

Misconceptions

Humanity at the Cross-roads



Introduction to the Systems of Islam

Introduction

The history of Islam and the Muslim Ummah is dramatic indeed. It began with a period unsurpassed in its excellence. However, a look at the Muslim world today shows a remarkably different picture. Today, there is no Islamic State, no dignity for Muslims, and no real understanding in the minds of most people of what Islam is really all about. So what has caused such a radical turnaround of events?

In this section, we aim to answer this question, and to present a view of some important aspects of Islamic history, beginning with a brief look at the Islamic State and its glorious life, then discussing some of the factors and conspiracies which led up to its destruction in 1924. Since this event, the path was cleared for a number of misconceptions to creep into the minds of people about Islam and Muslims. We will address some of these here, refuting them and showing the truth behind some of the lies which are propagated throughout the world about this *deen*. Finally, we will take look at the current declined situation, in both the Muslim and non-Muslim world, and consider how we might rise again from these depths.



Facts about the Khilafah State

Life Before Islam

It was in the Arabian peninsula, among the sandhills of Makkah, that Allah (swt) sent His Messenger Muhammad (saw) to mankind bearing the message of Islam, containing the system of life that their Creator has chosen for them. Before its advent, people used to live a life of ignorance and selfishness, where the strong would dominate and oppress the weak. Here is a quick look at how life used to be in the days of ignorance :

* A person's allegiance was to his family and then to his tribe. Whatever position the family or tribe would take, he would support them regardless of whether they were just or not. Wars between tribes were very common and for the most absurd reasons could continue for years. A battle between two tribes over a camel lasted for decades.

* Caravans or other tribes were often raided for their possessions, and this was sometimes one of the main means of subsistence for a tribe.

* Drinking, gambling and prostitution were very much widespread, and these vices were regarded as normal and perfectly acceptable social practices.

* Women had no rights at all. In fact they used to be considered as goods that a son could inherit when the father passed away. Because of this lowly view regarding women, the habit of burying girls alive at birth to avoid shame was widespread.



Introduction to the Systems of Islam

* Trading in the markets was characterised by cheating, fraud and corruption. People would accuse and fight against others if they were the victims, while taking every opportunity to perpetrate the same crimes themselves.

* The head of the tribe was the sole decision maker and he had to be obeyed blindly. He enjoyed many benefits as a result of this and thus his position was very enviable. This meant there was always someone planning and plotting to depose him and take over from his family or from other families in the tribe.

* To satisfy the religious instinct people worshipped such things as trees, stones, animals, fire, the sun, and stars. If they were not satisfied with what they were worshipping they would make another idol for themselves out of things like dates or dung mixed with milk.

Amid such corrupted understandings about life and amongst such beliefs and systems of running affairs, Allah (swt) sent Prophet Muhammad (saw) with the message to humanity to worship only one God. This meant that only He should be the source for legislation and He would be the one to define what is the right and what is the wrong.

Establishing the First State

Islam came as a complete way of life, arriving to crush the tyranny and corruption of man-made laws, and to replace it with the justice of Allah's (swt) law. The Prophet (saw) and his companions engaged in a continuous intellectual and political struggle against the disbelievers of Arabia.

His work was on several levels. He called individuals around him to the Message of Islam, regardless of their wealth, status or tribal position. A few people responded to this call, both the strong like Muhammad's (saw) uncle Hamzah (ra), and the weak like Bilal (ra) who was an Abyssinian slave.



Introduction to the Systems of Islam

Secondly, he would address the society as a whole - gathering them together and airing his call publicly. He did this when he spoke to the tribes on Mount Safa, and when he ordered the Muslims to make a public procession around the *Ka'aba* (House of Allah), calling for an end to the evil beliefs and practices that they were used to, and showing the superiority of Islam over these.

As well, he would call people of power and influence, seeking to have their material support, and demanding complete obedience to Allah (swt) and His Messenger (saw). This he did when he approached the tribes around Makkah or the leaders of other tribes who used to come from far away to visit the city. Finally and by the grace of Allah (swt), he was successful with the tribes of Aws and Khazraj of Madinah, who initially provided the security for the first Islamic State.

With all this work, Muhammad (saw) prepared the way for the establishment of a state, whose governing was based solely on the commands and prohibitions of Allah (swt).

Indeed this followed in the first year of *Hijrah* (622 CE), when Prophet Muhammad (saw) and his group of companions (the *Sahabah*) established the first Islamic State in Madinah. They managed to transform the public opinion in Madinah towards accepting Islam as a system and a way of life. Therefore the people there accepted Islam as the sole source for defining the structure of their society. Let us look at some of the aspects of life under the Islamic State, which were in contrast to what existed previous to it :

* The Messenger of Allah (saw) ruled over both Muslims and non-Muslims and he managed their affairs from the first day he set foot in Madinah. He governed over the people in his role as a leader, a politician, chief administrator and commander of the armed forces.

* The Prophet (saw) appointed a *wali* (provincial governor) in every sector and an *'amel* (sub-governor) in every region so as to help solve the problems of the people and to ensure the smooth running of society





Introduction to the Systems of Islam

in accordance with the revelation which he received. He would take care to check on the governors and administrators and monitor their work.

* The system of Islam that the Messenger of Allah (saw) implemented regulated the lives of the people like never before. It was distinct from any other system and was unique in both its source and contents. All the laws emanated from the guidance of the Qur'an and Sunnah of the Prophet (saw), and they were free from the weaknesses and limitations of any man-made ideas. As a result, people no longer had to raid each others tribes for survival since they all became brothers and sisters holding the same intellectual belief. A unique economic system was implemented which regulated the means of ownership and ensured proper distribution of wealth. It had provisions to make sure that money kept flowing in the markets, thereby enabling the wealth to be circulated amongst all the people, and not just the rich and powerful.

* The Social System of Islam guaranteed the proper treatment of women. Islam gave women the right to participate in many areas of political life, inherit, work, to conduct business, indeed to be honoured and respected in every aspect of their lives. Women were no longer to be seen as mere objects of property, with no rights nor any valued position in society. They were recognised as human beings created by Allah (swt) with their own roles to play in life. In the eyes of Allah (swt) there is absolutely no difference between a man and a woman except with regard to piety; they will both be judged by the same criteria on the Day of Judgement.

* In the 10th year of *Hijrah* (632 CE), the Prophet Muhammad (saw) died and thereafter the leadership of the Islamic State was passed on to the *Sahaba* - first Abu Bakr, then 'Umar, 'Uthman and Ali (rai). These new heads of the State were known as *Khulafa'a* (literally 'successors') and the State itself became known as the 'Khilafah.' After each Khaleefah passed away, new Muslim leaders were appointed to succeed them, all carrying on the duty of implementing the rules of Islam upon the people, and taking the *da'wah* (invitation to Islam) to the rest of mankind.



Introduction to the Systems of Islam

* In less than a century the Islamic State spread had until it encompassed more than two thirds of the known world at that time. Once great empires like the Persians, Romans, Egyptians and many others became absorbed by the Islamic State. Their different cultures and civilisations melted into one nation, running in accordance with the Shari'ah, and their peoples embraced Islam in droves.

* The State ruled with justice over people, giving them security of their wealth, property, lives, honour and beliefs.

* Even though the Khilafah went through some bad times like when a province broke away in al-Andalus (modern day Spain and Portugal); or when the Fatimid 'State' broke away in Egypt; or when the authority of the Khilafah declined and the authority of the provincial governors increased; and also when it was invaded by the Crusaders, throughout most of its time it was the leading state in the world and the beacon of light for the whole of mankind.

* Due to the strength of the Islamic ideology, which is a unique viewpoint about life from which a complete system emanates to run peoples affairs, the Islamic State managed to break down national barriers, unite thoughts, perceptions, habits and establish the best nation produced among people.

* The State produced an atmosphere of progress in all areas of life. It excelled the world in its scientific achievements and technological advancements, and distributed the world's resources fairly amongst the people. The rich were no longer permitted to oppress the poor, and the weak were not to be subject to subservience from the strong.

* When Islam had become the dominant force, the world had arrived at a truly 'Glorious Era.'

Many testimonies exist to demonstrate how Islam dealt with people of different countries and regions that have come under the influence and administration of Islam. Even non-Muslim scholars have attested



Introduction to the Systems of Islam

to the glorious history of life under the Islamic State.

After Islam was established in Turkey, Sir Thomas Arnold, in his book *The Preaching of Islam* narrates the situation as :

“Murad II distinguished himself by his attention to the administration of justice and his reforms of the abuses prevalent under the Greek emperors and punished without mercy those of his officials who oppressed any of his subjects.”

“In Persia peoples lives were mainly governed by Zoroastrian priests. They took advantage of their positions in the councils of the king and prosecuted all other religious bodies (and there were many) that dissented from them. This included adherents of older forms of the Persian religion, Christians, Jews, Sabeans, and the numerous sects in which the speculations of Gnostics, Manicheans and Buddhists found expression.”

“The vast empire of Persia that for four centuries had withstood the might of Rome and Byzantium came under Islamic rule in the middle of the seventh century. Thereafter, the followers of all these varied forms of faith could breathe again under the rule that granted them religious freedom and exemption from military service, on payment of a light tribute. For the Islamic law granted toleration and the right of paying jizyah not only to the Christians and Jews but to Zoroastrians and Sabeans, to worshippers of idols, of fire and stone.”

On the question of Muslim science and thinking, Montgomery Watt said in *The Influence of Islam on Europe* :

“When one becomes aware of the full extent of Arab (i.e. Muslim) experimenting, Arab thinking and Arab writing, one sees that without the Arabs, European science and philosophy would not have developed when they did. The Arabs were no mere transmitters of Greek thought, but genuine bearers, who both kept alive the disciplines they had been taught and extended their range. When about 1100, Europeans became seriously interested in the science and philosophy of their Saracen enemies, those disciplines were at



Introduction to the Systems of Islam

their zenith; and the Europeans had to learn all they could from the Arabs before they themselves could make further advances.”

Just as many Muslims today have a feeling of inferiority when they are confronted by the West, the history shows that the role was entirely reversed when the Europeans looked at the Muslims. Watt also narrated,

“The feeling of inferiority with which Western Europe confronted Islamic civilisation had various facets. Islamic technology was superior to European at many points and more luxuries were available to wealthy Muslims; but this was probably a minor factor. Militarily the Saracens had been feared in the past, but now the Norman knights were proving a match for them. The extent of Islamic rule, however, was formidable. In the early twelfth century, men regarded the world as consisting of three parts, Asia, Africa and Europe. The largest of these, Asia, was thought to be almost entirely Muslim, and so was much of Africa, while not the whole of Europe was Christian. In this way it was supposed that nearly two-thirds of the world was Muslim. For any Christian who had come in contact with Muslims, too, their unshakeable sense of superiority must have been disturbing. In general the feelings of western Europeans against Islam were not unlike those of an underprivileged class in a great state.”

H.G. Wells in his book *The Outline of History*, said :

“Islam has created a society more free from widespread cruelty and social oppression than any other society had ever been in the world before.”

Norman Cantor in his book, *The Sacred Chain* wrote about the history of the Jews in under the Islamic State,

“In the eleventh century, the merchants and scholars who headed the Jewish communities in Sephard were normally on good terms with the Muslim rulers. Yet the Jews’ ease and prosperity, their developing mastery of Arabic language, literature, philosophy, and science, did not detract from their devotion to ancient Jewish law and Talmudic lore. They were keen to preserve Halakic culture at



Introduction to the Systems of Islam

the same time that they enjoyed, in the eleventh century, the benefits of Arab government and economy.”

Sadly, this remarkable success of the Muslim Ummah and the Islamic State, although it lasted for well over a millenium, was not destined to continue forever. The eyes of the *kuffar* looked jealously upon the fruits that were opened up to the Muslims, and the alarming pace at which the State was expanding, and they conspired to to put an end to it.





The Orientalist Attack

The situation of Muslims today lies in stark contrast with their glorious past. It is important for us to understand how and why such a state of affairs has arisen. Indeed this is a key to our revival. To this end, it becomes necessary to study carefully the history of Islam, from the time of the Prophet's (saw) State and the period of Islamic civilisation and influence that followed it, until today, in order that we may identify the main factors of our weakness.

The result of such a study shows that the main factor is a gradual intellectual decline in the minds of the Muslims with regards to their understanding of their *deen*.

In this background, the enemies of Islam were able to exploit the opportunity presented to them in their battle against the Islamic State, and utilised all the means at their disposal to overcome it and subjugate it and all its resources to their control. In this section, we will outline some of the history behind this attack of the *kuffar* against Islam, and the devious means and machinations they employed.

The enormous power and influence of Islam, militarily, culturally, and religiously since its beginning is something that the West has never fully understood; the question of how, in so short a time, Islam could conquer such vast areas of the world has troubled the Western mind for decades. From 632 CE onwards Persia, Syria, Egypt, Turkey and North Africa fell to the Muslim armies, in the 8th and 9th centuries. Islam ruled as far east as India, Indonesia and China. To the Christian West the Khilafah represented a constant danger and threat and by the 15th century it became apparent to European thinkers that something would have to be done about Islam.



Introduction to the Systems of Islam

To overcome the threat of Islam and its adherents the European thinkers recognised that it first needed to be understood. It soon became clear to them that the strength of the Muslims lay in their organisation as a state, which unified them, protected them and co-ordinated their efforts to dominate the world. They concluded that the Islamic State must be invaded, possessed and finally re-created in a less offensive form. The justification that was provided for this aggressive stance, to both the Westerner and the Muslim, was that Islam was a misguided version of Christianity which had caused a once great region to fall into barbarism and which needed to be revived through the civilising influences of the modern West.

Initially, the West attempted to defeat Islam militarily, with the launching of a vast military campaign against the Muslim army of the Khilafah known as the Crusades, yet for the medieval Westerner it soon became clear that any hope of defeating Islam militarily was fruitless. The Muslims were fighting in the way of Allah; they were fighting for Islam and with their understanding of Islam as an ideology they simply could not be defeated by the power of the sword. Every Muslim knew that there could only be two results of a battle with the *kuffar* : victory or martyrdom and paradise. Fear of death therefore had no sway on them, and they would gladly give up their lives for the sake of Islam. As this became obvious to the armies of the *kuffar*, who in comparison were not so willing to sacrifice themselves for a cause which by and large had no real meaning for them, they conspired to defeat the Muslims through the waging of an intellectual campaign against them by attacking the key Islamic concepts and implanting false ideas in their place.

This plan was carried out with devastating efficiency, directly attacking the Muslim beliefs and practices with the aim of casting doubt into the minds of the Muslims about the Islamic way of life and its ability to be implemented for all time in a rapidly changing world. Furthermore it was constantly emphasised that anyone who did believe in Islam as such must be backward, degenerate and inferior to their Western counterparts.



Introduction to the Systems of Islam

The attack was waged on all fronts throughout the Ummah; in the Turkish and Arab speaking lands, through the sub-continent and South East Asia; and it came on many matters. The Khilafah was portrayed as despotic and a dictatorship; Jihad an aggression against all people; polygamy was portrayed as uncivilised or savage, or an affront against women; divorce was a betrayal; belief in divine fate and destiny was dismissed as irrational fatalism; the Qur'an was a brilliant piece of poetic writing merely promoting certain moral values, not a basis of rules and laws for mankind; Muhammad (saw) was portrayed as a devious genius who had fooled the people, not a prophet; the pious Muslim was a man of great humbleness, poor and not involved with worldly matters, and the inhabitant of the mosque.

Such ideas were all too often given weight by the winning over of scholars and learned men of Islam by the *kuffar*; one such example being that of Napoleon when he invaded Egypt in the late eighteenth century. Through his use of the scholars Napoleon was able to wage a uniquely benign and selective campaign against Islam. When it became obvious to Napoleon that his force was too small to impose itself on the Egyptians he tried to make the local *imams*, *qadis*, *muftis* and *ulema* interpret the Qur'an in favour of the 'Grande Armée,' by deceiving them about his intentions in the area. This along with the flattering and cajoling of the scholars of al-Azhar worked, and soon the population of Cairo seemed to have lost its distrust of the occupiers. Napoleon later gave his deputy strict instructions after he left always to administer Egypt through the Orientalists and religious Islamic leaders whom they could win over; any other strategies were seen as too expensive and foolish. Such policies continue to this very day with the likes of 'government scholars' in the Muslim countries, who consistently produce so-called 'Islamic' judgements in accordance with the wishes of the West, thereby facilitating the West's objectives of keeping Islam only in the backgrounds of Muslim's lives.

To encourage this weakening of the Muslims' belief and understanding of Islam, the European states, with Britain playing a leading role, worked to establish movements within the Muslim world which



Introduction to the Systems of Islam

could work to bring down Islam and divide Muslims. A complex apparatus for tending this purpose was established initially in the form of missionaries such as the Society for Promoting Christian Knowledge (1698), the Society for the Propagation of the Gospel in Foreign Parts (1701), the Church Missionary Society (1799), the British and Foreign Bible Society (1804) and so on.

In addition there was to be an influx of trading societies, learned societies, geographical exploration funds, translation funds, as well as the implantation of foreign schools, consular offices, factories and sometimes even large European communities. All gave the West increasing interests in the area which would eventually gain legitimacy for their more physical presence in these lands, due to the need to protect such interests. In the meantime such institutions were havens for men like Muhammad 'Ali in Cairo and Ibrahim Pasha in Syria who were recruited to the Western cause.

On another level the constant pushing of the idea of Western superiority and Muslim inferiority encouraged many Muslims to make a pilgrimage to Europe to sit at the feet of and be educated by the *kuffar*, then return to their homelands in order to teach their fellows how to become 'civilised' and 'modern', even though it meant adopting the ideology of the West, including its acceptance of ideas like democracy, secularism, free mixing, freedom etc., which all contradict the Islamic viewpoint.

These ideas had a dramatic affect on the Muslim mindset, causing many in the Ummah to be enchanted by non-Islamic ways of life. Even today this attitude is manifest in some sections of the Ummah.

However nothing has been more successful in the work to bring Muslim against Muslim and distancing them from Islam than the implantation of *assabiyah* (nationalism). It was such feelings of nationalism and patriotism that so devastatingly severed the Muslims from each other and eventually led to the destruction of the Khilafah. Such ideas and feelings were encouraged through the gradual occupation and division of the Islamic State into separate states, each with their



Introduction to the Systems of Islam

own individual national interests and objectives thereby increasing the disunity amongst the Muslims, until today when we have at least 55 different states, and we see ourselves as Pakistani, Jordanian and Egyptian rather than Muslims. Such concepts remain amongst many in the Ummah today, lingering like a disease fit only to be kept at a distance; Muhammad (saw) said, **“He is not one of us who calls for *assabiyah*, and he is not one of us who fights for *assabiyah*, and he is not one of us who dies for *assabiyah*.”** Abu Daud

Having successfully crippled the Muslims by waging such an attack upon their understanding of Islam and the introduction of corrupted and false concepts, the old imperialist powers of Britain, France and Russia went on to conspire to strike the final blow against the Muslims by destroying the Islamic State; to break up its territories, to abolish the Khaleefah and the system he represented, to create artificial states and to place the enormous resources of the Ummah into the hands of tiny pro-Western families.

In fact, throughout the 1800's the *kuffar* chipped away at the unity of the State by taking territories, and inciting division amongst the people that lived within it. At the same time they fought hard to remove all traces of Islamic Law from ruling in Turkey. In 1855 pressure was applied from Britain and carried by agents like Rasheed Pasha for the establishment of a new constitution in which Islam would no longer be the code of the State but simply the 'official religion' of the State.

By the turn of the century, the Khilafah had become known as the 'sick man of Europe', and the European powers laid plans to kill the State off irrevocably. Many countries conspired to bring its downfall, for example as this telegram from the Russian ambassador in London to the Russian Foreign Minister in 1915 details :

“The Italian government supports the Russian government's opinion of the necessity of separating the Islamic government, which is to be established in Hijaz, from the Khilafah, and to put it under the absolute control of Britain. The Italian government wholeheartedly supports wresting the Khilafah from the Turks and





Introduction to the Systems of Islam

abolishing it if necessary.”

With the help of the Western puppets, like Mustafa Kamal - the father of humiliation - in Turkey, Islam was systematically removed from all of life's affairs within the Muslim lands - the Khilafah was destroyed; Arabic was replaced with regional languages and dialects, mosques were closed and the *hijab* (Islamic dress for women) was forbidden; the once global superpower of the Khilafah, implementing the *deen* of Allah (swt) was reduced to simply a weak country on the periphery of Europe. All the while the majority of the Muslims sat by in silence as they watched this treachery, indicating the success that the nationalist and secular groups enjoyed in warping the understanding of the Muslims of their creed and the duties that belief in Allah (swt) demand.

The success of this intellectual attack upon the Muslims has been staggering, much more potent than any military attack could have been. Today so many Muslims are divided by the disease of nationalism; they turn to the West for their knowledge and they have left Islam to the realm of the mosque. The secret behind such success has been the ability of the *kuffar* to re-create the Muslims' understanding of Islam as a simple religion and not a way of life, i.e. secularism. The key to this has been the decline in the knowledge of the classical Arabic language which ensured also the lack of understanding of both the Qur'an and the Sunnah, and hence the rules and laws of Islam regarding all affairs of the Muslim. The result has been the relegation of Islam to the prayer mat.

Alongside this devastating decline of the Muslims came the constant bombardment by the *kuffar* of negative images of both Islam and Muslims; Muslims were camel riding terrorists, barbaric lechers who were not completely civilised nor indeed human, and they were thus shown to be an affront to the civilised west. The ultimate result is that the Islamic world is today an intellectual, political, economic and cultural satellite of the Western powers. The Arabian peninsula is considered by the Western powers to constitute “A stupendous source of strategic power and the greatest material prize in the world's history.” The United



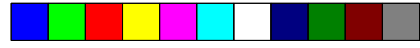
Introduction to the Systems of Islam

States is especially aware that the control of the region's oil supplies is a lever to control the world, and today with the exception of all but a few states most of the regions regimes are under direct US or British control.

Unfortunately the effects of these conspiracies and attacks are not a thing of the past, today the Ummah is disease ridden and weak, the corrupt concepts which have filtered into our belief and action through our neglect of understanding Islam are like an all-consuming cancer which keeps us weak and fills the *kuffar* with delight at our suffering. We have forgotten that we are the best Ummah, we have forgotten the strength and power of Islam as a *deen*. We have forgotten that the non-believers will never be satisfied with us until they have destroyed our *deen*. We should remember that Islam is a gift from the Creator of all the universe which should bring dignity and justice to mankind, not humiliation..

Today, the sole factor behind the many problems faced by the Ummah, whether it is wars, famine, corruption and oppression, is the absence of the Islamic way of life, manifested by the Khilafah. Without the Khilafah, our lives and honour have no protection, and the *kuffar* can torture, rape and kill, without any fear of retribution. Our resources and lands are easy prey for all who want to steal and exploit them. Our minds are subjected to lies, distortion and slander of the *deen*, with no voice of truth that can stand up in the face of this with authority and force. With all of these problems we can see clearly that the re-establishment of the Khilafah the vital issue for the Muslim Ummah.

We must shake off the influence of corruption and disbelief which our ignorance has caused us to fall into and turn once again to Islam, planting it firmly in all our hearts and minds, by educating ourselves as to its laws and systems which are perfect in their entirety, a blessing from Allah (swt).



Introduction to the Systems of Islam





Misconceptions

The world has been living without the Islamic State since 1924 when the 'Uthmani Khilafah was destroyed. This together with a media apparatus controlled by the *kuffar* and ruthless regimes in Muslim countries, prevented the proper understanding and teaching of Islam and its concepts about life from reaching the world. Thus, we find most people carrying a plethora of misconceptions and false ideas which are being portrayed as part of Islam. This section seeks to describe some of these misconceptions, alluded to in the previous chapter, and to clarify the correct understanding of Islam regarding them.

LIE : *Islam is a religion just like any other religion; it only governs the relationship between man and God from a spiritual, personal point of view. Therefore it can co-exist with secularism.*

FACT : The fact of the matter is that Islam, unlike many religions which exist in the world such as Hinduism or Judaism, did not come for a particular people. It came for all humanity as a system for life that has both general and detailed guidelines for running the affairs of the people. This means that Islam encompasses all aspects of life whether they be:

- i) Those that govern the relationship of man with God (for example praying, fasting etc.),
- ii) Those that govern the relationship of man with himself (like permissible food or drink, types of clothes, personality and moral aspects etc.) or
- iii) The ones that govern the relationship between him and other people and the environment around him (like economic transactions, marriage, divorce and family relationships, government, relationship with



Introduction to the Systems of Islam

the leader etc.).

The Prophet Muhammad (saw), when he delivered the Message from the Creator, Allah (swt) to the people in Makkah, called them not just to worship one God but also to transform their lives and society to be based on the worship of one God, Allah (swt). Thus in Islam, Allah (swt) is the Legislator and Commander for all the actions of human beings, be they individualistic or societal. Allah (swt) alone decides what is permissible and what is prohibited, Allah (swt) is the Master and man is the slave. And since Allah (swt) is the Creator of everything, He (swt) alone knows what is best for people rather than humans who are weak, limited and needy. Thus Islam is unique in both its message and its content - by its nature it is a political doctrine, and cannot be separated from the affairs of government as would be the case in secularism.

LIE : *Islam spread throughout the lands by use of the sword. People were forced to convert to Islam.*

FACT : Among the most important principles of Islam regarding the issue of the acceptance of its belief by people is the verse in the Qur'an which states,

“There is no compulsion in the deen (of Islam).” [TMQ 2:256]

This means no-one is to be forced to accept Islam under any circumstances. A quick look at the history of the State reveals that since the beginning, Islam was just and fair towards people of other religions, whatever they were. The Prophet (saw) after establishing the first Islamic State in Madinah had the power to force the Jews around Madinah to accept Islam, but he did not. After opening Makkah, the Prophet (saw) allowed the people there to go free despite their history of extensive persecution of the Muslims. This kind of attitude is a fact that all Muslims should acknowledge because it is a fundamental aspect of the Islamic doctrine.

The fact that in large areas of lands which have been ruled by Islam



Introduction to the Systems of Islam

there still exist now many Churches, synagogues and shrines belonging to worshippers of other religions, is a testimony to the forbearance of Islam.

The fact of the matter is that many people living under the Islamic system of life in the Islamic State witnessed for themselves the justice and efficient manner with which Islam ran the affairs of the people. This, coupled with the profoundly strong intellectual basis of the Islamic belief caused people to voluntarily accept Islam in droves. Indeed, even today, the rate at which people are embracing Islam is greater than that of any other belief.

LIE : *Muslims are blindly following a religion that has no real basis and which leads to excesses and violence.*

FACT : Islam is a way of life based on a very solid intellectual foundation. The Qur'an stresses this point about the intellectual belief. In fact it admonishes anyone who accepts 'blind following' when it comes to the issue of belief. Many verses in the Qur'an assert this, for example,

"But most of them follow nothing but conjecture : Truly conjecture can be of no avail against the truth. Verily Allah is well aware of what they do." [TMQ 10:37]

Allah (swt) also says,

"Behold! Verily to Allah belong all creatures, in the heaven and the Earth; what do they follow, who worship as His (partners) other than Allah? They follow nothing but conjecture and they do nothing but lie." [TMQ 10:67]

Therefore the Muslims believe in the existence of one God, Allah (swt) based on intellectual consideration - after thinking about their realities as human beings, about life and about the whole of the universe. The only conclusion is that there has to be a Creator.





Introduction to the Systems of Islam

As for the Qur'an it proves itself to be the word of Allah (swt). It is in the classical Arabic language, and it came at a time when the people were the best ever in this language by a Prophet who did not know how to read or write, nor was he known as a poet. It contained a simple challenge to them : bring a single *surah* (chapter) like it. When we see that the smallest *surah* in the Qur'an is only three sentences in length, we realise how simple it would have been to beat the challenge if indeed this book was written by humans. The fact of the matter is that although many people have tried to take on the challenge, even until now no-one has managed even to come close to the original. This is the miracle of the Qur'an, which Muslims know and understand.

Such a firmly based belief causes the Muslim to take this guidance very seriously as the main source for legislation regarding the running of his or her affairs whether on a personal or on a societal level.

As for the accusations of excesses and violence these are a false representation of Islam. This is a portrayal of Muslims which is being put forward by the establishment controlled media to discredit Islam and the Muslims, so as to keep the people from considering its reality as a solution for their problems, and thus maintaining the status quo.

LIE :*The current regimes in Muslim countries in places like Saudi Arabia, Pakistan, Iran and Sudan are examples of implementation of Islam, as they are Islamic States. Therefore their actions are to be taken as representative of the Islamic ideology.*

FACT : For a land to be considered an Islamic State, every single article of the country's constitution, every rule and law, must emanate from the Shari'ah. In every case of the above mentioned countries however, these criteria are far from being met. In these places, Islamic law is only by writing the source of the country's legislation, with all types of secular legislation and customs playing along side it, while the constitutions give much more weight to democracy, Socialism, Capitalism and the like. But these are all concepts which have their roots in unbelief,



Introduction to the Systems of Islam

i.e. not Islam.

As examples, in Saudi Arabia sovereignty is for the king not for Allah (swt), in Pakistan sovereignty is with the senate, and in Iran the Western concepts of modern state and nation dominate the doctrine of the government. Whilst in Sudan, numerous examples of semi-Islamic laws, like the wearing of *hijab* and the cutting of the hands of thieves, fail to camouflage the predominantly secular system of government which bows to the United Nations rather than to Allah (swt). Sadly the examples above are not confined to these countries alone, but they remain true of every single one of the 55 or so separate nations where the majority of the population is Muslim.

Thus it can, in no way, be claimed that any of the current Muslim countries are representative of Islam and the Islamic System of government.

LIE : *Islam is not open for white people, someone can only be a Muslim if he or she is Arab or Asian.*

FACT : Islam is an ideology (i.e. a way of life) based on an intellectually proven belief that there is one God who created the earth, the heavens, the whole of the life and all creatures and creation. This includes all humans, whether they are black, white, yellow or otherwise.

Before Prophet Muhammad (saw) was sent with the message of Islam, Allah (swt) sent many messengers to the world, but these messengers were only sent to specific peoples at specific times. The prophet Moses (as) was sent to the people of Israel, and so was Jesus (as). Islam on the other hand was sent for all humanity and as such, it is the final message of the Creator to mankind.

The only difference between people as far as Allah (swt) is concerned is with regard to their awareness of Allah (swt) and their piety. All human beings need a system to run their lives that ensures justice and establishes harmony between the different members of the society. That



Introduction to the Systems of Islam

system can never be a man-made system, since man is limited in his capability, weak, needy and lacks a comprehensive understanding of life and the universe. Man's designs will always be subject to whims and desires and can never achieve true justice. Throughout history, even if we look at the different cultures and civilisations that existed and ran their affairs by man-made laws and regulations, we definitely find oppression and injustice in the land. Examples include the ancient Egyptian civilisations where the Pharaohs were seen as gods, or the Roman Empire, where the Caesar was ascribed the attributes of divinity. In both these cases the leaders had the final say in what laws should govern the people. The result was injustice, tyranny and discrimination between different classes and races of people. Even in the modern day, concepts such as 'ethnic minority' and 'nation state' recognise people to be of inherently different status - these are a source of much discrimination. The Islamic doctrine, however, when it was implemented, was the only doctrine that managed to unite people together without any consideration of their race, colour or nationality. Allah (swt) obliges all people to rule according to His laws. He (swt) states in the Qur'an,

"Whoever does not rule by whatever Allah reveals, they are the disbelievers." [TMQ 5:44]

This doctrine works because it treats people as human beings and just that, and because its sources of law are not from man. Allah (swt) says,

"And among His signs is the creation of the heavens and the earth, and the variations in your languages and your colours : verily in that are signs for those who know." [TMQ 30,22]

LIE :*In Islam women are not given equal rights to men. They are considered as second rate, abused, and prevented from having a say in their own affairs and public affairs.*

FACT : Islam considers women to be an honour that should be protected and held in the highest level of esteem. Islam considers that



Introduction to the Systems of Islam

Allah (swt) created both men and women to worship him. In the eyes of Allah (swt), there is no difference between men and women with regards to their status, except in piety. In this respect, a pious woman is deemed better than an impious man, and vice versa.

However, Islam does not speak of equality between men and women. When Islam came with the Shari'ah rulings from Allah (swt) for both men and women, it did not look at the question of equality from any angle at all. It only considered that there were particular problems which needed to be solved, regardless of whether these problems affected men or women. Therefore the rulings which Islam brought were solutions to the problems affecting the actions of human beings, not addressing men and women separately.

That is why the word equality has no place in the Islamic Shari'ah - it is not an issue. It became an issue in the West due to the very nature of Western civilisation, which gives man superiority over women - since from ancient times he is the one who took charge of legislation and ruling. And because the system was and is still based on man-made laws, women were and still are very much oppressed. In the past, this led to womens' movements that had literally to fight to get just a handful of rights.

While Europe was living in the dark ages, with all which that entailed of oppression and injustice towards women; and while debates were taking place to decide whether women had souls or not, under Islam and in the Islamic State, women were enjoying such a position never before known to humanity. Islam gave the women the right to inherit, work, own property, vote in state elections, participate in public life, become members of the consultative council, to study and become educated and much more. All of this was properly laid down by the Islamic system more than 1400 years ago, without any need whatsoever for womens' movements or the like.

LIE :*Islam and Muslims are a definite threat to the West because, if they have their way and establish their state, they are going to*





Introduction to the Systems of Islam

go on a 'Holy War' against all other people because they are fundamentalists and terrorists.

FACT : The term fundamentalist is one which has been given a special meaning by the Western media machine. The true meaning of a fundamentalist, is 'one who always refers to the fundamentals and basic principles.' Taken from this angle, all people are fundamentalists one way or another. When John Major talks about 'Back to Basics' he is a fundamentalist and when people insist on abiding by a man-made secular law, they are fundamentalists.

It is true that Muslims now want to establish a united, single Islamic State which encompasses all the Muslim lands. That is because they realise that without that happening Islam in reality will have little meaning, because it is not just a set of personal rituals and worships, but a whole way of life. Also, Allah (swt) commands the Muslims that they have to implement Islam and that this can only be realised in a single state, otherwise they are sinful and will deserve Allah's (swt) punishment in this life and in the Hereafter.

As for going to other nations with a war cry to forcibly convert them, this is completely untrue. The fact of the matter is, that the Muslims have nothing called a 'Holy War'. Islam is an ideology which has a clear cut view about life and the systems which should regulate it - one which takes care of the affairs of the people. It also has a method to spread that system and way of life to others. A part of this method is Jihad, which does not translate as holy war.

Islam spreads by the force of the thought first. Once the call of the Islamic *da'wah* has spread amongst a nation, then that nation is given the choice of either accepting Islam as a way of life and becoming Muslims, or accepting the system of government, while keeping to their own religions and paying a tax which guarantees their security, honour, property and belief. (This tax is much less than the taxes which are levied upon the Muslims of the Islamic State.)

If the leaders of that nation refuse these, they and those who tangibly support them are fought until they submit to the authority of the Islamic



Introduction to the Systems of Islam

State. The fighting is not directed against civilians, whether they are men, women or children; rather it is only against those who are actually preventing the people from coming under the protection and justice of Islam.

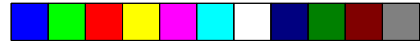
As it happens, and as proven from history, the force of the thought of Islam caused many people to leave the corrupt concepts about life that they had carried before. They turned to the only truth - Islam. An example is the spread of Islam into the whole of northern Africa, which took less than 50 years to achieve! And the people who went to open the lands of Spain and Portugal were entirely from those who had become Muslims from the indigenous residents of North Africa. Also, if we consider that at the time, Islam was spreading throughout large parts of the known world at the same pace, there is no way this could happen without the enthusiasm and active participation of the people of the lands opened.

In fact, it is the colonialist West that are the real fundamentalists and oppressors. In every place once occupied by the British or the French (whether within the Indian sub-continent, Arabia or Africa), the people of those lands revile and curse their conquerors. In countries which were ruled by Islam, the people not only long for its return, they are prepared to die in the way of struggling to re-establish it.

In conclusion, these are just some of the erroneous concepts and ideas that have gained currency among Muslims and non-Muslims alike about Islam and its history. Islam has depth both in terms of its rational creed, and the systems of life that this belief gives rise to. Even a brief study of Islam will demonstrate conclusively that the apologetic and defeatist mentality that many Muslims have when it comes to addressing this beautiful and most perfect way of life is unfounded.

Indeed, Islam is the way of Truth, because it comes from Allah (swt), the Creator of the universe. It comes to solve the problems of humanity, and lead her into justice and dignity.





Introduction to the Systems of Islam





Humanity at the Cross-roads

The world today stands in an abyss of exploitation, chaos and despair such as has never previously been witnessed. We see around us a situation dominated by the strong oppressing the weak, the rich exploiting the poor and the ignorant ruling the enlightened. The mess humanity face is a result of one thing - the absence of Islam; from the hearts and minds of people, and the systems which regulate their lives.

This state of affairs is epitomised in the Western world, whose inner city streets are characterised by affluence and homelessness in the same stretch of road. While some people drive luxury cars and live in penthouses, others have to scavenge in dustbins for food to eat. Old people can be seen wandering the streets with no money, selling their possessions just to raise enough money for a cup of tea. The control of basic necessities like water, gas and electricity lie in the hands of greedy individuals and companies, who charge exorbitantly for their services. These are all consequences of gross mis-management at a governmental level.

Indeed, corruption and exploitation in the political arena has become the norm throughout the world, even moreso in the so called 'Muslim' countries with their puppet rulers. Here, poverty is ubiquitous, and starvation, political oppression and crime have become like a way of life. Politicians lie and cheat in order to dupe the people into supporting them, while hiding their real ambitions of personal gain and the quest for power. Their concern for the welfare of the masses, with very few exceptions, is directed by their desire to maintain the status quo which they have created.

On a social level, we see that humanity has dragged itself to lower



Introduction to the Systems of Islam

levels then ever before. It has come to the point where things which were once seen as abominations, such as homosexuality, prostitution and drug abuse, are openly tolerated and in some nations are even perfectly legal.

Sadly, this type of degenerate behaviour can be seen all across the globe. The shallowness and destructive nature of the Western Capitalist way of life, which has become the role model and the absolute standard by which the whole world judges its level of 'civilisation', is producing nothing but misery for mankind, the environment and even the animals.

Yet the arrogance of those who control the agenda - the governments, the politicians the media etc. knows no bounds. They justify their actions under the guise of slogans such as 'democracy' and 'freedom', which as we shall come to see, hold no reality and do not stand up to the test of reason. To cover up their tracks, those in authority have endeavoured to befog the minds of the masses, to prevent them from acknowledging the reality of the mess and decline around them. The problems of society are glossed over with a shallow, non-thinking mentality of cheap escapism and consumer gratification. Hence, the pre-occupation with films, sports, national lotteries, music and so on. These all exist to ensure that the people do not have the time, or the inclination, to contemplate the reality of their surroundings.

In fact, it is the nature of *kufur*, to promote falsehood and disguise the truth. The illusions and deceptions of modern day society are no different to those which were encountered by the prophets and messengers throughout time. All the prophets of Allah (swt), culminating in the last messenger Muhammad (saw) came to expose and destroy falsehood and to establish the truth.

In the time of Moses (as) we see that the Pharaoh used his court magicians with their magic tricks to enslave and subjugate the people, by deluding them into thinking that he was invincible, and had god-like authority. Allah (swt) said,

"They bewitched the eyes of the people and struck terror into





Introduction to the Systems of Islam

them for they showed a great (feat) of magic.” [TMQ 7:116]

Moses (as) destroyed their falsehood with the staff that Allah (swt) provided him. Allah (swt) says,

“And we inspired Moses (saying) : Throw thy staff! And lo! it swallowed up their lying show. Thus the Truth was vindicated and that which they were doing was made vain.” [TMQ 7:117]

Today’s Pharaohs’ magicians are reborn as idols, pop and film stars and politicians who have the audacity to propagate the corrupted and exploitative Capitalist political thought. Their glossy words and cosmetic, superficial ideas try to hide the crumbling walls of a manmade, non-Islamic way of life.

Why such a Mess?

We see, hear and feel the mess of *kufir* wherever we are, be it in Britain or in the Muslim world, where *kufir* laws are also implemented. To understand what has brought such a state of affairs about, it is necessary to have a clear comprehension of the way of thinking that produces it - i.e. the Capitalistic ideology, for it is this way of life that is propagated by Western nations and currently dominates the world. Even a brief look at its basic principles, exposes Capitalism to be a false and destructive means of resolving the problems faced by human beings.

The essence of the Capitalist creed lies in the separation of religion from life’s affairs, i.e. secularism. Thus, while it does not decisively reject nor affirm the notion of the existence of a Creator and Organiser of the universe, life and human beings, it proposes that this issue is irrelevant to the running of life’s affairs. Thus, the organisation of the rules and laws to govern society are left to human beings, who must endeavour to guarantee the ‘Four Freedoms,’ those being Freedom of Belief, Freedom of Ownership, Freedom of Speech and Freedom of the Individual (to act as they please). However, these freedoms must be limited such that the freedom of one individual does not impinge



Introduction to the Systems of Islam

upon that of another. Thus, the Capitalist ideology adopts a mechanism for deciding limitations to these freedoms in the form of laws to regulate the actions of people, that being democracy. Democracy, held in the current world as an absolute pre-requisite for a society to be just and 'civilised,' is a means of choosing laws where the people who are to be subject to them are the ones responsible for legislating them.

Sadly for the proponents of Capitalist thought, and indeed for mankind as a whole who is subjugated to it, the argument of Capitalism, with all its claims of progress, enlightenment and technology, is built upon reasoning which is flawed, futile and inadequate in every stage.

With regards to its basic beliefs concerning a Creator, in answer to the origins of the universe, the beauty and diversity of the life forms, or the order of the moon and stars, the Western viewpoint claims that all these appeared out of nothing! From nothing, by some 'freak chance' the universe emerged in a 'Big Bang.' A universe which contains the perfect balance of such life-sustaining qualities as water, air and the resources without which all life forms would die, is attributed to luck and randomness. This is despite the fact that such a proposition contradicts one of the most fundamental principles that every human being observes in their reality - every thing or incidence has a cause.

Among the other nonsensical arguments that have gained currency in the Western world is the 'Theory of Evolution.' It claims that from nothing, life emerged and evolved via monkeys and apes to the human form which exists today. Evidently, people sometimes act like apes and baboons, but it does not mean that they evolved from them. If one were to observe the different life-forms, it is clear that each species has unique, defined characteristics specific to that creature. Fossil records do not show a gradual change of features between different species, as would be predicted if Evolution Theory were correct, rather they show discrete 'jumps' between one species and another. Additionally, the 'Theory of Evolution' does not explain how the first life form arose.

On a different level, we see that the universe and all that it contains has certain definite limits, needs and dependencies. For example, as



Introduction to the Systems of Islam

humans we are dependent on food and water, and are limited by our size and physical abilities. This is the case for every living thing we can possibly perceive. Animals and plants require a source of energy for their existence. Matter is dependent upon nuclear and molecular forces for its shape and form. Indeed nothing within the universe can exist by itself, but it needs an external controller and sustainer.

Thus, there is no way for the universe to have ‘created itself’ or come out of nothing. Rather, everything in creation points to the fact that there is an external force, with superior knowledge, beyond man, life and the universe. But despite this, shallow arguments like those presented above are used by the proponents of Capitalism to justify the need to separate the concept of ‘religion’ from life’s affairs, and its neglect of the relevance of the fact that there is a creator who gives guidance for mankind. Indeed, the disbelievers seek to deny hard facts with futile theories, and it is from such a weakly founded basis that emanates the rules, laws and systems of life which prevail in the world today.

With regards to the pursuit of ‘freedom,’ which is cherished within the Western lifestyle, we can see that this too, despite being espoused by the media, governments and the like as a desirable ideal, is in fact a false and counter-productive concept. Legislation in secular systems which are founded on such ideas, is constantly subject to change, and the bounds of acceptable behaviour become progressively lax. So, while homosexuality was once seen as obscene, it is today fashionable, and while abortion was once seen as a crime, it is now a right.

No society can ever have complete freedom, because all people are restricted by the rules and laws which are applied upon them. Therefore, wherever there are laws, there can be no freedom, only slavery to the one who made the laws. Thus, even from its basic principle, the Capitalist ideology is contradictory in its nature. As a result, the idea of freedom, once adopted by the people, leads to them subjecting other people in society to their ‘freedom’, i.e. freedom to rape, steal, murder, exploit etc. This does indeed naturally bring about disastrous social, economic and political consequences which plague everyone in society.



Democracy - the most Destructive Aspect of Western Political Thought

The word 'democracy' derives from the ancient Greek term 'demos kratos,' roughly translated as 'people power.' By its definition, it means that the authority to legislate rules and laws lies in the hands of the people, i.e. it is they who hold the sovereignty. In theory, all the people would voice their opinion on how their affairs should be run, as they would be in the best position to judge what would be best for themselves. However, the reality of democracy is far removed from this.

In actuality, democracy is a system which falsely elevates human beings to God-like status. As a result, the weak, contradictory, limited human being is conferred the power to propound what is right and what is wrong. So, on the weight of people's whims and desires, and taking into consideration their prejudices, fallibility and ignorance, laws are made for other people to follow. Thus, a bus driver could have a say in a country's economic policy, a cobbler would be able to dictate how the government should be structured and a waiter would be asked for the best way to organise the foreign policy - all regardless of whether they had any knowledge whatsoever about the subjects. Clearly, the system arising from such a process would be full of inadequacies.

As well, there is no limit to what could be legislated in this man-made system, as long as the majority agreed. In this way, democracy can legitimise the most heinous of crimes - such as adultery, homosexuality, drugs etc.

Indeed, as the ancient Greeks learnt, before they discarded it as an ineffective way to organise society, the reality of democracy from its conception was that of a few individuals dictating to the masses. It was, and indeed remains so until today in every 'democratic' country in the world, rule of the majority by a minority of politicians driven by the desire to fulfil their own interests.



Introduction to the Systems of Islam

And so, it becomes clear why the state of affairs that the world currently finds itself in has sunk to such low depths. The adoption of the Capitalist ideology, riddled with inconsistencies and utilised as a tool by the rich and powerful to exploit and control the world's resources, has taken its toll. The outcomes are plain for all to see, and the havoc that results pervades all parts of the globe and all sections of its community.

Humanity at the Cross-roads

The whole of humanity now stands at a cross-roads. The current man-made systems and ideologies have failed miserably, wreaking havoc and destruction everywhere they are implemented. A change is needed. This change must be comprehensive, must work and be the correct way for mankind. Is there a way out for humanity? Is there a solution?

The Islamic Creed

The Islamic creed is built upon the solid foundations of rational thought. The Muslim is forbidden from having any doubt in his or her belief, and any type of blind following in the matter of '*aqeedah*' is condemned. Allah (swt) says,

“And when it is said to them : ‘Follow that which Allah has revealed,’ they say : ‘We follow that wherein we found our fathers.’ What! Even though their fathers were wholly unintelligent and devoid of guidance!” [TMQ 2:170]

The Islamic '*aqeedah*' is based upon the mind. By this, it confirms the true nature of our existence rather than seeking to deny it like the *kuffar*. Allah (swt) says,

“Lo in the creation of the heavens and the earth and the difference of night and day and the ships which run upon the sea with that which is of use to men, and the water which Allah sends down from the sky thereby reviving the earth after its death and dispersing all kinds of beasts therein, and in the ordinance of the



Introduction to the Systems of Islam

winds and the clouds obedient between heaven and earth, these are signs for people who have sense.” [TMQ 2:164]

It defies rationality to conceive that something as diverse, beautiful and perfectly ordered as the universe came from nothing by ‘chance’, or that somehow it organised itself. Any object in life, for example a computer, has to be designed and manufactured to ensure it functions. Anyone possessing of a rational mind can see that it cannot do this itself. The reality of life around us suggests that there is a perfect harmony and order in the universe - for example, night follows day, the sun rises in the East and sets in the West, the seasons follow in sequence etc. This all implies order and control, not luck or chance. Thus it makes rational and irrefutable sense to believe that there is a Supreme Creator and Organiser, Allah (swt). It is the Creator Allah (swt), who made and ordered all things.

Accordingly, we understand that we are accountable to this Creator, and acknowledge that he is the one who informed us of the clear path of guidance to how we should live our lives, individually and collectively.

The Need for Messengers

Human beings are all endowed, albeit to different extents, with instincts and organic needs, which drive them to perform certain actions. For example, of the instincts, the sanctification instinct causes people to revere and worship, the survival instinct causes them to seek to increase their wealth and secure their lives, and the procreational instinct urges them to have sexual relationships with others. Similarly, among the organic needs, are the need to eat, drink, breathe etc.

All of the instincts and organic needs must be fulfilled. If the instincts are not satisfied it will lead to misery. If the organic needs are not fulfilled, it will lead to death. However, if human beings are left to their own devices, they use their own minds to direct their actions and can thus fulfil their instincts and organic needs exactly as they please. But their minds are limited in ability, prone to error and subject to selfishness



Introduction to the Systems of Islam

and prejudice. Without guidance, the satisfaction of the instincts and organic needs may be carried out in a way that is harmful to others. For instance, the survival instinct may drive individuals to cheat and steal from others in order to gain more wealth. The procreation instinct may lead people into committing adultery or fornication. These are just a couple of examples, but the scope for problems is almost limitless.

Such a state of affairs is a recipe for disaster and complete corruption on the earth. Unless the instincts of people are regulated by some kind of guidelines, the society will continue to be plagued by evils of the like we see around us today, such as ritual child abuse as a type of worship; crime and exploitation as a mean of increasing wealth; or homosexuality or rape as a means of fulfilling the sexual urge etc.

Without guidance from the Creator, mankind has no option but to fall into this predicament. Clearly then, there is a need for such guidance, to come as a way out for all the people, and thereby a need for messengers, to convey this guidance to mankind from the creator.

Indeed, messengers have been sent to mankind since the beginning of human history, carrying this guidance and imploring people to recognise the nature of their existence and to understand the reality and purpose of their lives. Allah (swt) says,

“And verily We have sent among every nation a Messenger (proclaiming) ‘Worship Allah alone, and avoid evil.’” [TMQ 16:36]

The last of these messengers was Prophet Muhammad (saw) and with his guidance, came the clarification of not only the truth of this existence, but also the code of conduct for humanity to achieve justice and prosperity in both this life and the next.

The Challenge of the Qur’an

Just as it is rationally proved that there is a creator, so it must be verified that those who claim to be prophets and bringers of guidance



Introduction to the Systems of Islam

from the creator, are indeed so. Even in this issue, there should be no room for blind faith or emotional belief.

Every prophet sent by Allah (swt) came with a challenge to mankind as a verification of his prophethood. For example, Moses (as) came with a staff that turned into a snake when it was thrown to the floor, and Jesus (as) was given the ability, by the permission of Allah (swt), to bring back the dead to life. These types of actions defy the laws of the universe, and are beyond the capability of any human being, or indeed anything, except for the one who created the universe and placed these very laws which govern it. Thus, it was proved about them to their people that indeed they were sent from Allah (swt).

However, for us today, these may be considered as mere stories from the past. To have real conviction, we need to see such a challenge for ourselves. Indeed, such a proof exists today, and it is found in the Holy Qur'an. Allah (swt) says,

“And if you are in doubt concerning that which We have sent down to Our slave (Muhammad), then produce a surah (chapter) of the like thereof and call your witnesses besides Allah, if you are truthful.” [TMQ 2:23]

Thus, the challenge is made plain - the validity of the Qur'an as a book of revelation and guidance from the Creator is apparent. For if a human being had written it, then certainly other human beings would be able to imitate its style - even in the length of the shortest *surah* ('*al-Kawthar*', which is only three lines long). However, from the time of the revelation of the Qur'an, over 1400 years ago, until today, no one on the face of the earth has produced a chapter of its like. Indeed, it is the Book of Allah (swt).

Spiritual & Political 'Aqeedah

Some belief systems are by their nature spiritual. By this, it is meant that they relate only to the cogniscance of a creator or organiser of the





Introduction to the Systems of Islam

universe, and they address only the relationship of individuals to that creator. An example of this is Buddhism, where emphasis is laid upon spirituality, rather than organisation of society and life's affairs. Thus, Buddhism can be called a spiritual '*aqeedah*'. Other creeds are entirely political. For example, in Communism, the existence of a creator is denied, and its belief therefore does not raise the issue of the relationship of the individual with a creator. However, Communism addresses the affairs of human beings, and it lays down rules regarding how they should organise their lives, particularly in reference to the economic aspect. Thus, Communism is a political '*aqeedah*'.

The Islamic '*aqeedah*', however, is different. It obliges us to believe in Allah (swt) and to follow the example of Muhammad (saw), the last and final Messenger sent to mankind. Also, from the sources of Shari'ah, the Qur'an and the Sunnah, emanate all the laws and rules that humanity needs to organise individual and societal life. In this way, the Islamic creed is unique from other beliefs in that it is a spiritual and political '*aqeedah*'.

The laws and systems of life of Islam are applicable for all times and places. They are not to be viewed as abstract, theoretical rules. Rather, they have to be implemented in society over mankind. Allah (swt) says,

"It is He who has sent the Messenger with the guidance and the deen of truth, so that it may prevail over all other deens, even if the idolaters detest it." [TMQ 9:33].

Allah (swt) has ordered us to rule and judge by nothing but Islam. Indeed the Shari'ah is comprehensive, dealing with every aspect of life. There is no way for Muslims to refer to the laws of the *kuffar* for solutions. As well, it is the *kuffar* by the guidance of whose hands the Islamic State was destroyed in 1924. It is the British government who is responsible for giving part of Kashmir to the Indian Hindus in 1947. We should not fail to remember the conniving deal of 'Lord' Mountbatten in allowing the *kuffar* domination over Muslims in India. And we should



Introduction to the Systems of Islam

not forget that it was the British government that allowed the Jews into Palestine in the 1920s and 30s, resulting in Muslim bloodshed and the creation of the Zionist state of Israel. There is no way for Muslims to be part of, or refer to the institutions of *kufir* like parliament, United Nations or European Community. Allah (swt) says,

“Whosoever judges by other than what Allah has revealed, such are the disbelievers.” [TMQ 5:44]

“It is not fitting for a believer, man or woman, that when a matter has been decided by Allah and His Messenger to have any opinion about the decision. If anyone disobeys Allah and His Messenger, he is indeed on a clearly wrong path.” [TMQ 33:36]

“Never will Allah allow for the disbelievers to have authority over the believers.” [TMQ 4:141]

“Then is it only part of the Book that you believe in and do you reject the rest? But what is the reward for those among you who behave like this, but disgrace in this life, and a grievous punishment in the Hereafter” [TMQ 2:85]

The world once again needs the Islamic systems of life, economic, social, ruling, judicial and education to return again via the establishment of the Khilafah. *Kufir* beliefs of Capitalism, Socialism, Democracy and Nationalism have failed. The Khilafah system was implemented from the time of the death of Muhammad (saw) until the 3rd of March 1924.

It was a continuation of the rule by Islam which was showed to us by the Prophet (saw) and it was the only system of life that effectively solved human problems, Muslim and non-Muslim, by the laws, commandments and prohibitions of Allah (swt). The glorious era of the Khilafah ruling system saw Islam spread to many lands and peoples. Advances in science and technology, light years ahead of the Dark Ages of Europe were achieved under the Khilafah. Issues like racism, tribalism, economic exploitation and corruption, which haunt the Western world and the illegitimate Muslim countries were eradicated. Muslim and non-Muslim lived under the State as citizens with definite, defined

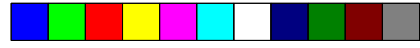


Introduction to the Systems of Islam

and inalienable rights and duties. However, the sweet fruits of the Khilafah are but glorious remnants of the past. Only by the re-establishment of such an entity, which is a divine commandment, will the Muslim Ummah and then the whole of humanity elevate themselves from the depths of the dark abyss it now finds itself in. Al-Tirmidhi narrates the following saying of Prophet Muhammad (saw),

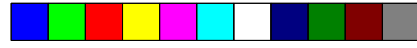
“The Prophethood will be among you as long as Allah wills, then He will eliminate it if He so wills. Then a Khilafah on the model of Prophethood will prevail so long as Allah wills, Then He will eliminate it if He so wills. Then there will be a supportive rule as long as Allah wills, then He will eliminate it if He so wills. Then there will be an assertive rule as long as Allah wills, then He will eliminate it if He so wills. Then a Rightly Guided Khilafah on the way of Prophethood will prevail,” and He kept silent.

In the following section we will outline, *inshallah* some of the long forgotten details of this system of Islam. Knowledge of these things is of vital importance, as it is only when the Muslim Ummah become aware of the beauty of this deen and their obligation to strive towards implementing it in its entirety, that she can ever hope to resume it once more.



Introduction to the Systems of Islam





Introduction to the Systems of Islam

SECTION 2

Ruling System

Economic System

Social System

Education System

Judicial System



Introduction to the Systems of Islam

Introduction

The systems of Islam, when implemented all together under a Khilafah State, form an integrated whole and create a unique society built solely upon the revelation of Allah (swt) and the example of His messenger, Muhammad (saw).

This section will address the different systems of the Islamic State - Ruling, Economic, Social, Education and Judicial. Here, each system is considered, and is discussed on three different levels. First, are presented some key facts about the system, which are followed by a more detailed and holistic view of it. Finally, a particular issue which is of practical relevance to Muslims today will be focused upon, contrasting the ways in which these issues are dealt with under Islam on one hand, and in the Western world on the other.

Indeed, today's world is characterised by a whole host of problems, that have come to be accepted as a fact of life. In this section, we will endeavour to show, Inshallah, how the deen of Islam provides comprehensive guidance for mankind in every area of life, and that the Islamic State is able to practically solve the everyday problems of people all around the world.



The Ruling System

Facts about the Ruling System

The Islamic Ruling System is based upon a unique system of unity ordained by Allah (swt). It is not a federal, democratic, republican, monarchical or dictatorial system at all. It has no similarity to any man-made ideology.

The Islamic State considers people under its authority as citizens, whether they are Muslims or non-Muslims. All have their rights guaranteed by Islam. There is no concept of 'ethnic minority' as people are not discriminated against at all due to their colour, race or religion.

Al-Qurafi and Ibn Hazm (prominent scholars of Islam) reported:

“That it would be our duty to protect the people of *dhimma* (non-Muslim citizens) if aggressors attacked our land, and we should die protecting them if necessary. Any neglect of such a duty would be a breach of the rights of the *dhimma*.”

The standing army of the 'Uthmani Khilafah was at one stage 60 million strong. The mentality of the Muslim soldier (*mujahid*) makes him undefeatable. If he is killed in battle he achieves martyrdom, and if he wins, his army is victorious. This is why in the battle of Mu'tah, 3000 Muslims were prepared to face 200,000 better equipped Roman soldiers. The battle cry of the Muslims was, “Oh Allah! I am coming to you!”

When the Crusaders attacked al-Sham (Syria), they were fought by the army of the Islamic State, where 80% of the country's Christians were fighting along side their Muslim fellow citizens.



Introduction to the Systems of Islam

Islam imposes disciplines upon soldiers even in times of war. The purpose of Jihad is not to kill people or force them to change their belief. Nor does it aim to humiliate, exploit, plunder resources or punish the enemy. Rather it is a means of removing the physical barriers which prevent the people from having access to the call of Islam. These barriers include exploitative and corrupt leaders as well as the privileged few who have vested interests, and their supporters.

There are no borders within the Islamic State. All people regardless of race or colour are united under the banner of one leader.

The Khilafah is not an empire, like the old British or French colonialists who stole the wealth of other nations and returned them to their capitals. In all the places that were occupied by non-Muslims, the inhabitants curse their occupiers, while in areas that were opened to Islam, the people still long for its return, and are prepared even to die to achieve it.

The job of looking after the affairs of the Ummah is restricted to the Khaleefah (head of state) and those he delegates to assist him. No other group, individual or organisation can involve themselves in this issue.

Non-Muslims cannot be mistreated or unjustly discriminated against. Nor can their places of worship (e.g. Churches, Synagogues etc.) be attacked or destroyed. This is why we see areas in the Muslim world with Churches and temples that have lasted for centuries under Islamic rule, such as those seen in Egypt, Iraq, the Balkans etc.

No groups, organisations or opposition parties based on non-Islamic principles can exist or be propagated in the Islamic State. However, those based on Islam need no permission to exist, and can be many in number.

The centre of decision making, strategy and consultation is done in the capital city of the Khilafah. Throughout the history of Islam there have been five main capitals :





Introduction to the Systems of Islam

Muhammad (saw) - Madinah
'Ali (ra) - Kufah
Ummayyads - Damascus
Abbasids - Baghdad
'Uthmanis - Istanbul

The leadership of the Khilafah changed from place to place and was held by Muslims of different racial origins throughout Islamic history. This bears testimony to the fact that the Khilafah is not an imperialistic entity, which steals wealth from other nations to return it to its capital. Its purpose is to convey the *deen* of Allah (swt) to all mankind.

Leadership and ruling in an Islamic State is centralised, whereas administration is decentralised. The State is made up of a number of *wilayaat* (provinces) headed by governors.

The main officials of the State are appointed by the Khaleefah. Every decision must emanate from the head of State. This negates any corruption and confusion within the ruling system. The Khaleefah is ultimately responsible.

The method of appointing a Khaleefah is through the process of *bay'ah* (contract between the people and ruler), where the people are to obey the ruler as long as he implements Islam.

The *bay'ah* may be contracted after either :

- a general vote of the Muslims, or
- by appointment from the representatives of the Ummah and influential people.

Abu Hurayrah (ra) narrated that the Messenger of Allah (saw) said, **“Behold, the Imam is but a shield from behind which the people fight and by which they protect themselves.”** (Muslim)

Khaleefah 'Umar ibn 'Abdul Aziz was once found by his wife weeping after his prayers; asked if anything had happened to cause him





Introduction to the Systems of Islam

grief, he replied:

“O Fatimah, I have been made the ruler over the Muslims and the strangers and I was thinking of the poor that are starving, and the sick that are destitute, and the naked that are in distress, and the oppressed that are stricken, and the stranger that is in prison, and the venerable elder, and he that has a large family and small means, and those of them in the countries of the earth and the distant provinces, and I felt that my Lord would ask an account of them at my hands on the day of resurrection, and I feared that no defence would avail me and I wept.”

The Ummah elects representatives from among itself to stand on the Majlis al-Ummah (Council of the Ummah), which scrutinises the Khaleefah in his implementation of Islam, and advises him on the affairs of the Ummah. There are two types of Majlis al-Ummah - one is central and the other is provincial.

There is no country existing in the world today that implements the system of government ordered by Islam. Rather, all the Muslim countries in the world are ruled by laws of *kufir* (non-Islam) even though the majority of their populations are Muslims.



Relationship to the Khaleefah

Do you think it is the teacher who is to blame if funding in schools is not sufficient to give your child a decent education? Do you think it is the fault of the ambulance service if they don't get to your house quickly in an emergency? Do you feel that the thousands of people who are homeless and hungry on the streets choose to live the way they do? If the answer to these questions is no, who do you think is to blame?

In the West, you are living in a society which governs your affairs by so-called 'Parliamentary Democracy' where laws are made up by members of parliament. Every few years you have the opportunity to select who will represent your interests in the parliament. These people belong to one of several political parties, and the party with the most candidates assumes leadership of the country.

It is **these** people who decide how to tax your wages, select who is eligible for housing or not, and who are responsible for issues like those mentioned before.

However, this system is fraught with fundamental problems, all of which add difficulty to your functioning in it. Thus whether you are a Muslim or not, the way your affairs are governed is almost entirely independent of your concerns. Effectively, you have no choice in what laws you are subject to, and have little means of doing anything about them when they are enacted.

Some of these problems are :

1. The laws are subject to the whims and fancies of a handful of fallible human beings. Human beings are limited in knowledge, prone to



Introduction to the Systems of Islam

error and subject to prejudice. Any system of government devised by them will reflect these problems. After all, if your next-door neighbour started telling you what you can and cannot do, would you listen to him? Even worse, what if he was racist or sexist?

2. Once a government is elected, there is no way you can remove it before its term has finished, regardless of how many mistakes it makes or how corrupted it becomes.

3. The individual MPs often act according to their own personal interests. Many leading MPs have been caught with their ‘fingers in the till’, or have admitted to adulterous affairs and other sexual malpractices. If their own wives can’t trust them, can you?

Bearing in mind these, do you have confidence that your affairs are being administered well? If you feel dissatisfied do you think that any complaints you have will be acted upon or even acknowledged? Probably not!

The Islamic Ruling System is Different

In Islam you will not be subject to man-made laws. The Ruling System of the Islamic State is based upon four pillars:

1. The Sovereignty is for Allah alone.

Allah says, “*The rule is to none but Allah.*” [TMQ 6:57]

This means the laws governing over you are free from the fanciful desires of people who are no better than you. The issue of devising laws is the right of Allah (swt) alone.

2. The authority is for the Ummah.

‘Abdullah ibn ‘Amr ibn al-‘A’as narrated that the Messenger of Allah (saw) said, “**Whosoever pledges allegiance to an Imam**



Introduction to the Systems of Islam

giving him the clasp of his hand and the fruit of his heart shall obey him as long as he can, and if another comes to dispute with him, strike the neck of that man.” (Muslim).

Thus, the rulers are actually accountable to **you**, as opposed to themselves. It is the Ummah who has the right of appointing the Khaleefeh, and they have the right to remove him if he deviates from the Shari‘ah.

3. Appointing one Khaleefah is an obligation upon all.

Abu Said al-Khudri narrated that the Messenger of Allah (saw) said, **“When the oath of allegiance has been given for two Khulafa‘a kill the latter of them.”** (Muslim)

In Islam, all the Muslims throughout the world are united behind **one** leader. And because he implements only Allah’s law, the people are not constantly bickering amongst themselves over what he will rule by.

4. The Khaleefah alone has the exclusive power to adopt the divine laws - he alone enacts the constitution and various laws.

Allah (swt) says,

“O you who believe, obey Allah, and obey the Messenger and those of you who are in authority.” [TMQ 4:59]

Muslims carry out the orders of the Khaleefah without reservation or dispute, as long as they fall within the bounds of Islam, as verified by the Majlis al-Ummah, which is the Ummah’s representative.

From these, you can see that only the law of the Creator will be applied. The job of the Khaleefah and his assistants is merely to extract from the Islamic sources the *hukm* (Divine Rule) for any situation which may arise and apply it. The issue here then becomes not *who* rules, but *what* he rules by.





Introduction to the Systems of Islam

Thus, you as a Muslim citizen of the Islamic State are the one who appoints who is to be in authority over you. You make sure that the laws governing over you are only those that the Creator has defined for you. It is only under this law that your rights will be secured, and you won't be subject to the whims and desires of ignorant human beings.

Similarly, it is your responsibility as a Muslim to make sure that there actually exists a Khaleefah who will undertake this role. If one does not exist, as is the situation today, then you and the whole Muslim Ummah are sinful, unless you work hard to establish it.

'Abdullah ibn 'Umar narrated that the Messenger of Allah (saw) said, **“Whoso takes off his hand from allegiance to Allah will meet Him on the resurrection day without having any proof for him, and whoso dies without a pledge of allegiance on his neck dies a death of the days of *jahiliyyah* (ignorance).”**

Appointing the Khaleefah

When the Khaleefah of the Muslims retires, dies or is displaced for any reason, there is no concept of automatic succession or 'Royal Family.' Rather, leadership in Islam is a contract between the Muslims and the Khaleefah. His authority depends entirely on the acceptance of the Ummah, which is represented by their giving him the *bay'ah* (pledge of allegiance). You are involved in appointing the new Khaleefah. These are the steps taken :

Any candidates who wish to take the post make an application to the Majlis al-Ummah (Council of the Ummah). You may propose any candidate yourself, if you know someone suitable for the post. The members of the Majlis will consider all the applicants, and evaluate whether they meet the conditions required by Islam for the Khaleefah. The Khaleefah must be :

1. Muslim
2. Male



Introduction to the Systems of Islam

3. Free (i.e. not a slave)
4. Sane
5. Mature
6. Just
7. Able to rule

Islam also recommends other conditions, such as that he should be a *mujtahid* (scholar), experienced in politics, brave, pious etc.

You would probably hear about the candidates once the Majlis has assessed them all and publicly announced who they are, along with a résumé of their respective achievements or abilities.

After this, you would go to the nearest polling station, one of which will be available in every locality. Here you may cast a vote for the candidate whom you prefer.

The State will order counting of the votes as quickly as possible so that the new Khaleefah may be appointed within 3 days - the maximum time that Islam allows the Ummah to be without an Amir.

The candidate who has received the largest proportion of the vote will be the winner, regardless of whether he had the vote of more than half of the citizens of the State or not. Thus, if you had chosen someone who had the vote of 20% of the Ummah, he will win as long as no other candidates superceded this figure.

Once the successor to the leadership of the Khilafah has thus been nominated by the Muslims, the members of the Majlis al-Ummah, along with the other candidates and those who hold key positions, such as the army officials and governors, will publicly give their *bay'ah*. These are the people who are the representatives of the Ummah, and they are collectively known as the *ahl al halli wal 'aqd* (people of influence and authority). This stage is the *bay'ah* of *in'iqad* (pledge of selection).

You will be well informed about this selection from the media and other channels of government communication, such as the *juma'*





Introduction to the Systems of Islam

khutbah.

Remember : the sovereignty lies with Allah (swt) alone, but the authority is held by the Muslim Ummah. Thus, the Ummah must give their consent to the new Khaleefah for his rule to be valid, and this consent is manifested by the agreement of the people of influence and authority, who are the natural representatives of the Ummah.

The newly appointed Khaleefah will then present himself to the Ummah and invite them to give their *bay'ah*. This second pledge is the *bay'ah al-ta'aa* (pledge of obedience). Obedience to the Khaleefah is a duty upon all Muslims, and you become sinful if you neglect it.

You may give this pledge in person to the new Khaleefah, but as this is often impractical, you can represent your *bay'ah* by other means such as telegram or fax. It is recommended for you to do this, but the principle of 'silence is consent', means that if you took no action after hearing of the invitation for your *bay'ah*, you would not be sinful and would be regarded as having given it and accepted the Khaleefah.

Once you have given this pledge, you have entered a contract to obey the Khaleefah for as long as he implements Allah's Law, whether you are in public or in the privacy of your home.

Abu Hurayrah narrated that the Messenger of Allah (saw) said, **"Whoever obeyed me he obeyed Allah; whoever disobeyed me he disobeyed Allah; whoever obeyed the Amir, he obeyed me, and whoever disobeyed him he disobeyed me."** Bukhari and Muslim

In Britain for example, it is well known that as soon as the new Prime Minister is elected, he and his party throw most of the election promises they made to you in the bin, and proceed with the personal agenda they never told you about before. Now that you have appointed



Introduction to the Systems of Islam

the Khaleefah, how can you make sure that he does not renege on his promise to obey Allah's Law?

Would I be able to speak to the Khaleefah?

In Britain once the appointment of the new leader is complete, your input to the running of the country's affairs is effectively finished for the next five years. In the Islamic Ruling System, your opinion is not only valued by the leadership, but in some circumstances you may be obliged to voice it. Imagine you as a citizen of the Islamic State had a complaint. What can you do?

It may happen that the Khaleefah neglects his duty. Instead of Allah's law, he rules as he pleases according to his own whims and fancies - i.e. becoming a dictator. He could for example allow the State to ally with organisations based on *taghut* (disbelief) like the UN, or permit trading by *riba* (interest) in the banks. Or he may become corrupted himself by being a thief or an adulterer. These kind of things often happen in the West, but we find ourselves in no position to do anything about it.

As a citizen of the Islamic State, whether male or female, Muslim or non-Muslim, you can approach the Khaleefah. This may be done for any reason, be it to encourage him to fear Allah, or to ask him for your rights. However, your reasons can be broadly divided into two categories:

1. Advice : You might inform the Khaleefah of any news or information that may be of the public interest, such as the necessity of a school or hospital in your community.

2. Accounting : If you feel that the Khaleefah is neglecting his duties in any way, it is your duty to account him for it and advise him to correct his wrong actions. This may be in cases where he has failed to implement any Islamic law, like neglecting the duty of Jihad, or if he has implemented laws which contradict Islam, such as allowing the selling of alcohol. You may also voice your concerns if he is unjust in his dealings with the



Introduction to the Systems of Islam

people such as not providing the basic necessities.

How Can You Approach the Khaleefah ?

In the first instance, you would write a letter to the Khaleefah. This would be read by one of his *hajib* (secretaries) involved in administration, and would be dealt with by him, or brought to the attention of the Khaleefah himself if necessary.

You could go to your local representative of the Majlis al-Ummah, particularly if it was regarding a local issue. You and every citizen of the Islamic State have access to a member of the Majlis. He would take your complaint and represent it at the next meeting of the council for consideration by the other members. If they decided the matter was grave enough to be taken further, they would advise the Khaleefah.

If the matter is of a more pressing nature, you could arrange to meet one of the Khaleefah's delegated assistants. He has similar authority to the Khaleefah, although he is finally accountable to him, so he may be able to deal with your problem himself. Otherwise, he is in constant communication with the Khaleefah and could represent your views to him.

If you are not satisfied with any of these, you have the right to meet the Khaleefah in person. At the court of the Khaleefah you would be received by his *hajib*, who could either pass on your message or arrange for you to meet the Khaleefah if you required.

Taking the Khaleefah to Court

If the Khaleefah fails to consider your problem as a valid argument and resolve any mistakes he has made, or you feel you have not been dealt with fairly, it is your right to take the matter to the *Mahkamat al-Madhaalim* (Court of Unjust Acts). This court is concerned with disputes

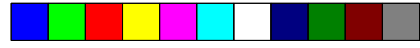


Introduction to the Systems of Islam

between the people and those in authority.

The *Qadi Madhaalim* (Judge of Unjust Acts) will study your complaint. If he finds that the Khaleefah has lost his sense of accountability to Allah (swt), is ignoring the Shari'ah (Divine Law), and is ruling by his own desires - he has the authority to order the Khaleefah to conform to Islam. Should the Khaleefah refuse, then he may be subject to dismissal from office by the *Qadi Madhaalim* and replaced by someone who is just. If your problem is legitimate, it will be solved immediately, not after 5 years!

Thus we can see that the Ruling System of the Islamic State gives you full license to account and advise the leader so far as his conformity to Allah's laws are concerned. It is forbidden for the Khaleefah to become a dictator - ruling by his own whims and desires, and it is your job to make sure he does not become one. In the history of Islam, it is only when the Muslims themselves neglected the duty of accounting those in authority that the state of affairs in the Muslim world declined. This is one of the elements which ensures that Allah's *deen* is preserved in its implementation, and demonstrates that the final authority lies with the Muslim Ummah.



Introduction to the Systems of Islam





Introduction to the Systems of Islam

The Islamic Ruling System

As Muslims, it is part of our belief that Islam is a complete way of life which provides systems to govern each and every aspect of a human beings life, be they Muslims or non-Muslims. Unfortunately nowadays, due to the infiltration of certain corrupt ideas, the Muslims have started to question the fact of whether Islam has provided a ruling system, not only applicable on the Muslims but on the whole of mankind.

Furthermore, the Islamic Ruling System is binding upon the entire Muslim Ummah. Meaning that it is an obligation to follow it. This is substantiated by the evidences provided in the description of the Islamic Ruling System.

Principles of Ruling In Islam

It is of the utmost importance that all in the Ummah understand clearly the principles of ruling and its evidences in the same way in which we work to understand fully all other obligations (*furood*). However, a few guidelines need to be established before studying the principles of ruling in Islam. For instance, the absence of any single principle will make the system a non-Islamic system. Thus, all the principles have to exist in order for it to be considered an Islamic Ruling System, e.g. if the sovereignty does not belong to the Allah (swt) and the leader forces his own rule on the people, the State can no longer be considered an Islamic State. Simply put, there must be proper conditions laid down that qualify a state to become an Islamic State, otherwise any state could claim illegitimately to be so, as is currently the case with countries such as Saudi Arabia, Iran, Pakistan etc.



Introduction to the Systems of Islam

The First Principle: Sovereignty belongs to the Shari‘ah.

An individual does not run the affairs of the Ummah (nation) or those of another individual as he pleases; nor can the Ummah run her affairs as she pleases. The individual and the Ummah’s actions and initiations are subject to Allah’s (swt) commands and prohibitions. Thus, the sovereignty belongs to the Shari‘ah, i.e. the Qur’an and the Sunnah of the Messenger (saw), and not to the Ummah. In other words, no human being has the right to legislate in Islam. Consequently, no law-making body exists in the Islamic ruling system. Evidence of this is abundant from the Qur’an, the Sunnah and *Ijma‘* of the Sahabah (Consensus of the companions of the Messenger).

1. Evidence from the Qur’an:

Allah (swt) has said,

“The rule is to none but Allah .” [TMQ 6: 57]

“If anyone rules by other than what Allah has revealed they are kafiroon (unbelievers).” [TMQ 5:44]

This clearly proves that the rule, judgement and supremacy are all to Allah (swt) alone.

2. Evidence from the Sunnah:

The Messenger of Allah (saw) said, **“No one among you becomes a believer until his feelings (emotions) are in harmony with what I have brought.”**

The actions of Allah’s Messenger (saw) since the day he was sent, to his death, clearly demonstrate that the supremacy is to the Shari‘ah of Allah (swt).

3. Evidence from *Ijma‘* of the Sahabah:





Introduction to the Systems of Islam

The actions of the *Khulafa'a Rashidoon* (the first four *Khulafa'a*) have indicated that the supremacy is to the Shari'ah and not the people. The Sahabah did not object to this and consented. Their consensus is proof that the supremacy is indeed to the Shari'ah and nothing else.

Therefore the supremacy is to the Shari'ah; for the Khaleefah is not given the pledge by the Ummah merely to be a hired man executing just what the Ummah decides - as is the case in the democratic system - he is given the pledge or allegiance by the Ummah to execute the rules of the Qur'an and the Sunnah of the Messenger (saw), i.e. to execute the Shari'ah Laws and not just what people want; and if the people deviated and disobeyed the Shari'ah he should fight them until they repented and returned to obedience.

The Second Principle: Authority belongs to the Ummah.

Evidence of this principle can be looked at from two sides:

Firstly: The Shari'ah has given the right of appointing the Khaleefah to the Ummah; in other words it is the Ummah who chooses the Khaleefah and gives him the pledge of allegiance. This was accomplished by the pledge of allegiance given to him by the Muslims. This is backed by many *ahadith* from which we list the following:

Ubada ibn al-Samit reported, **“We pledged ourselves in complete obedience to the Messenger of Allah in wealth and woe...”**

Jarir ibn 'Abdullah reported, **“I pledge myself in complete obedience to the Messenger of Allah.”**

Abu Hurayrah (ra) reported, **“The Messenger of Allah (saw) said: Three types of people Allah will not talk to on the Day of Reckoning, nor would he forgive them; they would be severely punished: A man who has water to spare and would not give it to the traveller, a man who gives his pledge to an Imam but not for his *deen* - he would only obey him if he gave him what he wanted,**



Introduction to the Systems of Islam

otherwise he would not, and a man who would strike a deal with another man after ‘Asr, swearing by Allah that he was given so much for the goods and he was not given so.’

Secondly: The Shari‘ah allows the Khaleefah to take the authority from the Ummah once it gives him the pledge of allegiance then the Ummah is obliged to obey him for he is a Khaleefah with a *bay‘ah* (pledge). So the authority is given to the Khaleefah by the Ummah by giving the pledge of allegiance (*bay‘ah al-ta‘aa*) to obey him. This indicates that the authority is to the Ummah.

Evidence about the Khaleefah taking the authority by a pledge can be deduced from the following: ‘Abdullah ibn ‘Amr ibn al-‘A’as reported that he heard the Messenger of Allah (saw) saying, **“Whosoever pledges allegiance to an Imam giving him the clasp of his hand and the fruit of his heart shall obey him as long as he can, and if another comes to dispute with him strike the neck of that man.”** (Muslim)

Nafi‘a reported that ‘Abdullah ibn ‘Umar told him that he heard Allah’s Messenger (saw) saying, **“Whosoever takes his hand from allegiance to Allah will meet him on the Day of Resurrection without any evidence supporting him and whosoever dies while there was no allegiance on his neck dies a death of the days of ignorance.”** (Muslim)

Many other *ahadith* indicate that the authority is to the Ummah for it chooses a man from among it, gives him the authority and gives him the pledge of allegiance according to the Book of Allah and the Sunnah of His Messenger (saw).

The Third Principle: Appointing one Khaleefah is an Obligation

The Shari‘ah has made it an obligation on every Muslim to have a *bay‘ah* for a Khaleefah; the obligation is to fulfil the pledge. Every



Introduction to the Systems of Islam

Muslim should have a *bay'ah* on his/her neck. This can only be achieved if a Khaleefah is appointed. The evidences of this principle is derived from the Sunnah and Ijma' of the Sahabah.

1. Evidences from the Sunnah

Many ahadith confirm that Muslims are forbidden from having more than one state and from having more than one ruler (Amir) in the whole world. Following are two *ahadith* related to this issue:

a. Imam Muslim reported on the authority of Abu Said al-Khudri that the Messenger of Allah (saw) said, **“When the *bay'ah* has been given for two Khaleefahs kill the latter of them.”** (Muslim)

b. Imam Muslim reported on the authority of ‘Abdullah ibn Amr ibn al-‘A’as that the Messenger of Allah (saw) said, **“Whosoever pledges allegiance to an Imam giving him the clasp of his hand and the fruit of his heart should obey him as long as he can and if another comes to dispute him you must strike the neck of that man.”** (Muslim)

2. The Ijma' of the Sahabah

In the books of *Al-Fasil-fi-al Milal* by Ibn Hazim, *Tarikh of al-Tabari*, *Al-'Aqd al-Fareed* of Al-Waqidi, *Al-Seerah* of Ibn Kathir, *Al-Sunan al-Kubra'a* of Bayhaqi and *Al-Seerah* of Ibn Hisham it is reported that Al-Habbab ibn al-Mundhir said when the Sahabah met in the wake of the death of the Messenger of Allah (saw) at the *saqifa* (hall) of *bani Sa'ida*, “One Amir from us and one Amir from you (meaning one from the *Ansar* and one from the *Muhajireen*).” Upon this Abu Bakr replied, “It is forbidden for Muslims to have two Amirs (rulers)...”

The Sahabah heard him and approved and consented; no one disputed the verdict, but submitted to it and accepted it as a law (indication of evidence from the Sunnah). The *Ansar* then conceded their claim to the Khilafah and al-Habbab ibn al-Mundhir was the first to give his





Introduction to the Systems of Islam

pledge of allegiance to Abu Bakr (ra).

The Ijma' of the Sahabah then took effect on the day of *al-saqifa* that it is an obligation for all Muslims to have one ruler only.

The Fourth Principle: The Khaleefah has the exclusive power to adopt the Divine Laws. He alone enacts the Constitution and various laws

This principle, derived from the Qur'an, the Sunnah and Ijma' of the Sahabah, can be extracted from two different angles:

- a. Obedience to the head of the Islamic State is an obligation on Muslims.
- b. Looking after the affairs of the Muslims is an obligation on the head of State.

The first point: Obeying the head of the Islamic State is an obligation on Muslims.

This has been clearly confirmed in many Qur'anic verses and *ahadith* to the point where the Shari'ah considered the obedience to the ruler as part of the obedience to Allah (swt) and His Messenger (saw). Therefore obeying the ruler entails a reward and disobedience entails punishment.

Following is an evidence from the Qur'an:

“O you who believe! Obey Allah, and obey the Messenger and those of you who are in authority.” [TMQ 4:59]

Evidence from the Sunnah:

Bukhari, Muslim, Abu Daud, al-Nisa'i and Ibn Majah reported on the authority of Abu Hurayrah (ra) that he heard the Messenger of Allah (saw) say, **“Whoever obeyed me he obeyed Allah; whoever**





Introduction to the Systems of Islam

disobeyed me he disobeyed Allah, whoever obeyed the Amir he obeyed me and whoever disobeyed him disobeyed me.”

Bukhari, Abu Daud, Ibn Majah and Ahmad ibn Hanbal reported on the authority of ‘Abdullah ibn ‘Umar that the Messenger of Allah (saw) said, **“The Muslim should hear and obey in whatever he liked or disliked as long as he is not ordered to commit a sin. If he were ordered to commit a sin he should neither hear or obey.”**

Bukhari, Muslim and Ahmad ibn Hanbal reported on Ubada ibn al-Samit’s authority that he said, “We pledged ourselves to the Messenger of Allah in complete obedience in wealth and woe, in ease and hardship and evil circumstances that we would not dispute with the people in authority unless a flagrant disbelief (*kufr bu‘ah*) for which we have clear evidence from the Shari‘ah is witnessed.”

These Qur’anic verses and *ahadith* from the Sunnah indicate clearly that obedience to the head of state is an obligation, whether his title were the Khaleefah, the Imam, the Amir of the believers or the person in authority. He must be obeyed for he is the one in authority over the Muslim Ummah.

If the Shari‘ah obliges Muslims to obey the people in authority with the Khaleefah as their supreme ruler his obedience would then be in matters he commands according to the Shari‘ah. He is not to be obeyed in matters that are sinful nor in the event of his changing of the divine laws in any way.

The second point: Looking after Muslims’ affairs is the duty of the head of the State

The head of the State is the guardian of the Ummah and the trustee of her affairs. He is, by Shari‘ah, entrusted with protecting and looking after the Ummah’s interests. That is why the Ummah gives him the authority to rule by what Allah (swt) has revealed so he works towards enforcing Islam in society and within the State as well as conveying the Islamic Message to the world.



Introduction to the Systems of Islam

Evidence from the Sunnah:

Bukhari, Muslim, Abu Daud and Tirmidhi reported on the authority of ‘Abdullah ibn ‘Umar that the Messenger of Allah (saw) said, **“Each one of you is a guardian and you are all responsible about your guardianship, the Imam is a guardian of the people and he is responsible for his guardianship of the people.”**

The Structure of the Ruling System of Islam

In Islam, the Ruling System (and its other systems for that matter) is not designed by man, but rather by the Creator of all things, Allah (swt). Therefore, as Muslims we must abide by this ruling system.

The ruling system Islam has given is one of unity. This is because the divine evidence has brought nothing else and forbidden us to adopt anything else. This ruling system of unity puts the power of ruling in one mans’ hands, i.e., the Khaleefah. No other person is allowed to share power with the Khaleefah. It is narrated by ‘Abdullah ibn Amr ibn al-‘A’as, **“Whoever gives allegiance to an Imam giving him the clasp of his hand and the fruit of his heart shall obey him as long as he can. If another comes to dispute with the Imam, strike the head of the other.”** (Muslim and Bukhari).

Also, the Messenger of Allah (saw) said, **“If two Khaleefahs are given the allegiance, kill the latter of them.”** Muslim and Bukhari

This proves that Islam prohibits having two rulers for the Muslims. Therefore, it is *haram* to form nation states with different rulers upon the Muslim lands. Therefore, the Islamic ruling system is one of unity and not of a federate structure.

In Islam, the ruling system is based wholly and solely on the divine text, i.e. the Qur’an, Sunnah and Ijma‘ of the Sahabah. The lives of the



Introduction to the Systems of Islam

Sahabah should be an area of study, for a Muslim is obliged to take laws from the Ijma' of the Sahabah.

Unlike all other forms of ruling systems, Islam does not allow man to legislate rules within this system by utilising his own mind. Legislation is left only to Allah (swt). Man only has to recognise, understand, and implement these laws. We, therefore, disregard anyone who suggests ideas, concepts, and theories alien to the Islamic ruling system such as Democracy, Islamic Socialism, Islamic Republic (as in Iran, Pakistan, Sudan, etc.), and so on. It is totally inappropriate, and tantamount to *kufir*, to say that Islam did not give us a definite, detailed, clear picture of what the ruling system of Islam is. This would lead one to be implicitly stating that Islam is incomplete. Also, those who claim that the Islamic form of ruling system is not applicable in today's world are delving in the cauldron of *kufir* ideas. Islam is a *deen* applicable for all times and places!

Allah (swt) through the Qur'an, Sunnah and the Ijma' has given us a clear picture of what the Islamic form of ruling system is.

Departments of Ruling in the Khilafah

Simply put, the Islamic ruling system consists of the following departments:

Khaleefah
Delegated Assistants (*Mu'awin Tafweedh*)
Executive Assistants (*Mu'awin Tanfeedh*)
Governors (*Wulah*)
Amir of Jihad
Judges (*Qudah*)
Administrative System (*Jihaas Idaari*)
Council of the Ummah (*Majlis al-Ummah*)

It should be noted that of these departments, three are actual rulers. A ruler is one who maintains the responsibility of implementing Islam,



Introduction to the Systems of Islam

within the State and has the authority of executing Islamic punishments upon those who have violated any Islamic law. The other bodies have no authority to enforce Islamic laws on the people without the permission of the rulers.

The three bodies of rulers are the Khaleefah, Delegated Assistants and Governors. As for the judges, they incorporate two positions of actual ruling which are the Chief of Judges (*Qadi al-Quda*) and the Judge of *Madhaalim* (complaints against the State); while the other bodies of people are responsible for carrying out the orders of these rulers.

Of course, the head of state is the Khaleefah. This distinction places restrictions on where, when, and how the Delegated Assistants, Governors, Head of Judges and Judge of *Madhaalim* may execute their rule upon the people.

As such, the rulers within the Islamic State must be Muslims, males, just, free, able, adult, and sane.

The Khaleefah

The word Khaleefah linguistically means ‘successor’ in the Arabic language. But, the Shari‘ah of Islam has given us another, more comprehensive definition of the word Khaleefah. The Prophet of Allah (saw) said, “**...there will be no more prophets after me, only *Khulafa‘a*.**” Bukhari

In this *hadith* the word *Khulafa‘a* is not referring to successors, but to heads of the Islamic State. The word Khaleefah is, therefore, taken to mean ‘that man who rules over a people by Islam,’ acting as the head of the State. The same Shari‘ah definition would apply if we used the word Imam, instead of Khaleefah, to indicate the head of State. And since in Islam, the *bay‘ah* is given only to a head of the State, both the words Khaleefah and Imam are pertaining to the head of the State.



Introduction to the Systems of Islam

The Process of Bay‘ah

The method of installing the Khaleefah is through the process of *bay‘ah*. The power to rule by Islam is given by the Ummah to the Khaleefah. Authority belongs to the Ummah and it deputises the Khaleefah to enact the Shari‘ah. This is done through a contract between the Khaleefah and the Ummah. The Ummah must obey as long as the Khaleefah implements Islam on them.

The process of *bay‘ah* may occur after a general vote given by all the Muslims of the Islamic State or it may occur after a vote among the *ahl al halli wal ‘aqd* (people of influence and authority). Voting is merely a means to determine the choice of the Ummah, it does not substitute the *bay‘ah*. Non-Muslims, children, and Muslims residing out of the State do not have the right to vote. If all the Muslims of the Islamic State are voting then the *bay‘ah al-in‘iqad* (pledge of acceptance, by which he becomes Khaleefah) is given to the man elected. However, if the vote occurs through the representatives, then a *bay‘ah al-in‘iqad* is first given by the representatives, after which a second *bay‘ah al-ta‘aa* (pledge of obedience) is given by the Ummah to the person elected. The silence of the Ummah over the elected Khaleefah can be considered as the *bay‘ah* of obedience. It is through this *bay‘ah* process that a person attains his position as Khaleefah. The candidates for the position of Khaleefah may, in addition to self nomination, be chosen by the Majlis al-Ummah. It is from these candidates that the Ummah chooses for itself a ruler.

Once the appointment is made, the Ummah then has no right to dismiss the Khaleefah, as long as he upholds the Shari‘ah and fulfils the conditions to be a Khaleefah. Since the contract made between the Ummah and the Khaleefah is for the Khaleefah to rule upon them with Islam, the Ummah has no right to dissolve the contract, as long as he maintains his part of the contract. Therefore, a Khaleefah has no term of office. He remains the head of State, as long as he is able to uphold the contract or until he tenders his resignation.

On the other hand, a Khaleefah may be dismissed for the following





Introduction to the Systems of Islam

Islamic reasons:

If he becomes an apostate (i.e. becomes a non-Muslim).

If he neglects the prayers and proposes for others to do the same.

If he becomes physically incompetent to handle the duties assigned to him in his contract, such as losing sight, hands, both legs, etc. However, losing one ear or his nose or his sexual organs does not impair his ability to perform his duties.

If he persists in debauchery and immoral behaviour (*fisq*), injustice in public behaviour, and negligence of the Islamic laws.

If he changes his sex, since women are not allowed to assume positions of ruling.

If he becomes a captive, under the *kuffar*, from where he cannot enforce his rulings upon the citizens of the State and freely maintain the operation of the State in addition to the absence of any possibility for his return.

If another person dominates him in his opinions and the Khaleefah is unable to exert his own opinion in the process of running the State. Here, the case would be that a second person is running the State, while the Khaleefah becomes symbolic.

In each of these situations, the case is brought to the highest court of the Islamic State i.e., the Court of *Madhaalim* (unjust acts, where complaints against the State are raised). The court arbitrates, of course, according to the Qur'an and Sunnah. The decision made by the Court of *Madhaalim* is binding on both parties.

The Delegated and Executive Assistants to the Khaleefah

Delegated Assistant

The delegated assistants (*Mu'awin Tafweedh*) are appointed by the Khaleefah to assist him in ruling the State. The evidence for this appointment is derived from the *hadith* of the Prophet (saw) in which he said, **“My two ministers (*wazirs*) from the people are Abu Bakr and ‘Umar.”** (Tirmidhi).

Islam, on the other hand, allows these ministers to go beyond a specific





Introduction to the Systems of Islam

function. The ministers whom the Prophet (saw) appointed were not specialised or assigned restrictively to a specific function. It is therefore preferable to use the word *Mu'awin* (assistant) instead of ministers, so as not to confuse it with the Western terminology of minister.

The delegated assistant is one whom the Khaleefah delegates to perform all functions in the way of general delegations. In the appointment of the Delegated assistant it is necessary for the Khaleefah to cite both the aspects of general ruling and being his assistant in the contract, because appointing him in only one aspect restricts his function as a *Mu'awin*.

Such was the case when Abu Bakr appointed 'Umar as his assistant, and when 'Umar took 'Uthman and 'Ali as his assistants, and when 'Uthman took Marwan ibn al-Hakam and 'Ali as his assistants. These delegated assistants are responsible to the Khaleefah and they inform the Khaleefah of the matters surrounding them.

The delegated assistants, therefore, have a general responsibility in ruling the State and must be appointed by the Khaleefah for this general responsibility. They are responsible to the Khaleefah for their actions and the Khaleefah must examine the delegated actions and disposals of these delegated assistants. We must remember that the contract for ruling is between the Ummah and the Khaleefah alone. It is the Khaleefah who is finally responsible for the proper implementation of Islam on the people.

Executive Assistant

The Khaleefah is allowed to engage himself in administrative matters. The Prophet (saw) did engage in administrative matters when he broke idols, organised the Jihad, and erased his title from the Treaty of Hdaybiyah. To facilitate matters, he may appoint executive assistants (*Mu'awin Tanfeedh*) to help him manage the administration of the State. Unlike delegated assistants, the executive assistants are only executors of the directives of the Khaleefah. They are not rulers. They may, also, be assigned to one specific area of work or administration.



Introduction to the Systems of Islam

Just as the authority of the *Mu'awin Tanfeeth* is limited so are the conditions for his appointment. The executive assistant carries out the orders and rules of the Khaleefah which are to be implemented, and then brings feedback to the Khaleefah, regarding the execution.

The Wali and the 'Aamel of the Provinces

Subdivisions of the *wilayaat* or Provinces are called '*amalat* or districts. Supervision and responsibility for these '*amalat* is assigned to an '*aamel* or sub-governor.

Having previously discussed the position of Khaleefah, we will contemplate here on the role of *wali* and '*aamel* who implement Islam upon their residents. This general jurisdiction of the *wali* obliges us to consider him as a ruler. He, therefore, has similar responsibilities to those which are assigned to the Khaleefah for the efficient operation of the State. However areas that might make him autonomous, such as finances of the State, the army, and the judiciary, as well as adopting laws other than those adopted by the Khaleefah, are not within his control since they might pose a threat to the unity of the State.

The *wali* himself may choose to further subdivide his region into '*amalat* and appoint '*aamels* to them. These subdivisions and appointments each assist in the implementation of Islam and the resultant tranquillity of the State. The Prophet (saw) said, to his appointees, **“Make it easy not difficult, make the people optimistic not pessimistic, do not make the people go away but make them come closer, and consult one another.”**

This is an indication for us to administer the Islamic State in a manner which will not put the people to unnecessary hardship, and thereby cause the people to come closer to Islam.

The appointment of the *wali* is carried out by the Khaleefah. The appointment is given by the Khaleefah on the provision that the *wali* rules within his jurisdiction by Islam and does not venture, at anytime, to



Introduction to the Systems of Islam

usurp the power of the Khaleefah.

The qualifications for both the *wali* and the *'aamel* are the same, since both have similar responsibilities. They are rulers and must therefore qualify for the conditions of rulers. They must be Muslim, male, mature, sane, *'adl* (just), free, and able to handle their responsibility.

The *wali* and the *'aamel* have full command in their region of appointment. In their respective regions they are responsible for all the various departments of administration. However, they are ultimately responsible to the Khaleefah, who can oversee their decisions, and dismiss them if their conduct is incorrect. The Police of the Islamic State are at the disposal of the *wali* or *'aamel*, in their efforts to establish the Shari'ah upon the people.

The Amir of Jihad

The directorates of the Amir of Jihad consist of four departments. These are :

1. The External Affairs (Foreign Policy)
2. The Military
3. The Internal Security
4. Industry

The Amir of Jihad is the director and supervisor of all four departments. The Khaleefah may delegate this position to a suitably qualified Muslim, but since he is the head of state, it is important that he takes on the role himself.

1. The External Affairs (Foreign Policy)

The Foreign Policy of the Islamic State

The foreign policy of the Islamic State covers the external policies of the State and its relationship with other nations and countries. The foreign policy in Islam serves three objectives:





Introduction to the Systems of Islam

1. To protect the entity of the State and the Ummah.
2. To facilitate the *da'wah* to other people and nations.
3. To organise the relationship of the Islamic State with other states.

When one considers these aims it becomes clearly apparent that the foreign policy of the Islamic State is not merely a *fard* (obligation) upon the Muslims to implement, but with the existing bloodshed, rape and destruction of Muslims around the world, like Bosnia, Kashmir, Palestine etc., it is a practical necessity.

It is an utmost duty upon the Muslim Ummah to convey the message of Islam to humanity. On His arrival from Khaybar, the Messenger of Allah (saw), addressing his companions (ra), said, **“Oh people, Allah has sent me as a mercy to all mankind; do not dispute with me like the disciples disputed with Isa (as) son of Maryam. The companions exclaimed : And how did the disciples dispute, O Prophet of Allah? He (saw) answered : He (Isa) called them to that which I called you; he who was sent to a near place was pleased and satisfied, but he who was sent to a far place became displeased and heavy footed.”** This is an indication of the importance of carrying the *da'wah*.

And Allah (swt) says,

“It is He who has sent the Messenger with the guidance and the deen of truth, that it may prevail over all other deens.” [TMQ 9:33]

The duty to spread Islam necessitates that the Muslims be in contact with what is happening all over the world. This contact requires an awareness of the many differing states, peoples and thoughts, because all of them are essential to the goal, i.e. the spreading of Islam.

Our goal as an Islamic Ummah is to spread Islam to all corners of the globe and this means we are compelled to work on an international level. In other words we must know the situation and major problems of the world, understand the motives and public opinion of the people, the various political actions and manoeuvres and above all, we must be



Introduction to the Systems of Islam

aware of what is happening in the international arena. This political awareness is of primary importance to the major states and is what politicians all over the world mainly concern themselves with.

The people of the Islamic State should have political awareness as one of their characteristics. If it is their duty to spread the Islamic call (*da'wah*), then this awareness must be made commonplace. We cannot begin to organise our relationships with the other states unless we achieve this awareness.

Hence, conveying the Islamic call is the axis around which the Foreign Policy of the Islamic State revolves, and is the basis upon which relationships with other states are built.

The Relationship of the Islamic State with Other States

The relationship of the Islamic State with other states should be built upon four approaches:

1. Firstly, the countries of the Muslim world are to be considered as being part of one country. Hence, these countries are not considered in the sphere of foreign policy. Instead the procedure will be to unify them all into one state. For example, if the State was established in Egypt, then all the other Muslim countries would be considered - not as foreign states - but as part of the Muslim Ummah. We would not recognise them as separate states. Therefore, we would not establish our embassies in them or vice versa. Instead we should call the Muslims in those countries to their duty which is to unite themselves to the Islamic State.

2. Those states with whom the Islamic State has economic, commercial, good neighbouring and/or cultural treaties; they are treated in accordance to the terms of the treaties. However, the economic and commercial relations with them must be confined to certain items that benefit the Ummah. It must not lead to the strengthening of those states on our account.

3. Those states with whom we do not have treaties; the actual





Introduction to the Systems of Islam

Imperialist states like America, France and Britain; and those states that have ambitions in the Islamic State, such as Russia. All these states are considered as potential enemies of war and possible invaders. All precautions should be taken with them.

4. Finally, those states that are actual enemies of war, such as Israel. These states must be treated as in a state of war and this must be the basis of all transactions.

The Basis and the Method for the Foreign Policy

The root of interaction between the Islamic State and the other states is the duty to propagate the call of Islam (*da'wah*). The method by which to achieve this is the declaration of Jihad. This was the method of Muhammad (saw) as soon as the Islamic State was established in Madinah. It must be stressed that the Muslims are not permitted to start fighting with the enemy without first presenting them with the opportunity to accept and embrace Islam, thereby becoming part of the Islamic State. This is the first process of the three stage method of delivering the call of Islam through Jihad.

If this offer is turned down, they are asked to pay *jizyah* (head tax) and to be part of the State. They would be treated as *dhimma* (non-Muslim citizen of the State), i.e. the State would be responsible for their security and protection. They would be ruled by the Islamic Shari'ah and their land would become Muslim land and part of the Islamic State.

If the enemy on the other hand refused both of these options, namely to reject the Islamic Belief and System or reject the System and the payment of *jizyah*, the Muslims would proceed to the third stage and declare war upon them. Muslim narrated on the authority of Sulaiman ibn Buraid that the Messenger of Allah (saw) said, **“If they refuse to accept Islam, demand from them the *jizyah*. If they agree to pay, accept it from them and hold off your hands. If they refuse to pay the *jizyah*, seek Allah’s help and fight them.”**

Allah (swt) says,





Introduction to the Systems of Islam

“And fight them (on) until there is no more tumult or oppression, and there prevails justice and faith in Allah, altogether and everywhere.” [TMQ 8:39]

This third and final stage of Jihad has various implications that should expose many of the misconceptions held about Jihad :

a. Jihad, contrary to the slander propagated by the West, is not barbaric. In fact, when the Muslims declare war, as offensive Jihad, the purpose is to remove any obstacle in the way of implementing Allah’s (swt) *deen*, and the fighting is regulated by the rules of the Shari‘ah. Therefore, in the third stage of Jihad after the first two options have failed, the Islamic army, when they enter and fight, are not allowed to kill women, children or the elderly. Nor will they fight civilians who are not supporting or participating in the fighting.

Indeed, Islam defines a specific code of conduct for the Muslim army, that ensures justice even in the battle field. These rules include : no destruction of trees or buildings unnecessarily, no ‘civilian targets’, no mutilation of dead bodies, no raping of women, no torturing prisoners of war, etc. This lies in stark contrast with the practices of the *kuffar* in war, where every conceivable act of barbarity and transgression is perpetrated against the people.

b. By principle, Jihad is offensive, i.e. the Muslims initiate it to spread the boundary and domain of Islam, and offensive Jihad is the responsibility of the State. The foreign policies of all the existing Muslim regimes, such as Sudan, Iran or Saudi Arabia are clearly in contradiction to this fundamental principle of Islam, for they recognise and accept the national borders and their integrity, as laid down by the ‘International Law.’

c. Jihad linguistically means to exert oneself to the utmost. Therefore, the word ‘jihad’ can be used to describe the effort put into studying, working or looking after children etc., but the Shari‘ah definition of Jihad is very specific and is defined by the classical scholars as, **“To fight the disbelievers (*kuffar*) to the utmost, to make the word**



Introduction to the Systems of Islam

of Allah (swt) the highest in all the lands (i.e. sovereign)."
Therefore, Jihad is linked by the Islamic Shari'ah to the physical fighting.

d. Since Jihad by principle is offensive and requires the State, that which is associated with it, i.e. defensive Jihad, is also integral to Islam. However, defensive Jihad, i.e. the repelling of *kuffar* who fight the Ummah or take her land, is not part of the foreign policy. Thus it is a duty that must be performed by the Ummah, whether they have a state or not.

2. The Military

The Army of the Islamic State

The issues of internal security, the ability to spread *da'wah*, and repel foreign attacks are taken care of by the army.

Allah (swt) has obligated us to spread Islam to the world and has specified the method as *da'wah* and Jihad, and that Jihad is *fard*. Accordingly, every male Muslim who reaches the age of fifteen is obliged to enlist in the army and undergo military training to prepare for Jihad. Allah (swt) says,

"And fight them (on) until there is no more tumult or oppression, and there prevails justice and faith in Allah, altogether and everywhere." [TMQ 8:39]

The Prophet (saw) said, **"And fight the people who associate (things) with Allah with your wealth, your hand and your tongue."**

The Structure of the Army

The army is divided into two sections. Firstly, there are the 'regulars', who are employed as soldiers of the State's army and who are paid salaries from the State's budget. Secondly, there are the 'reservists', who comprise of all the Muslims who are capable of fighting, and are mobilised when the demand for soldiers requires it.



Introduction to the Systems of Islam

It is generally the Khaleefah who is the leader of the army; he appoints the commander-in-chief, a general for each brigade and a commander for each division. The brigadiers and commanders appoint the remaining ranks of the army. Members of the general staff are appointed according to their military culture by the general chief of staff.

The army of the Khilafah is one army, which is located in specific camps. Some of these camps must be located in different provinces (*wilayaat*) and strategic locations, and some must remain permanently mobile fighting forces. The camps are organised in numerous groups, each one of which is given a number to accompany its name, such as the 1st Army, the 3rd Army, or it can be named after a province (*wilayah*) or district (*'imala*).

The Function of the Army

One of the functions of the army, in Islam, is to fulfil the obligation of Jihad - the physical fighting (in the field of battle) against the *kafiroon* (disbelievers), be it offensive or defensive, in order to make the Name (*deen*) of Allah (swt) dominant. Allah (swt) ordered the preparation for Jihad in the *ayah*:

“Make ready for them (the unbelievers) all you can of (armed) force and of horses tethered, that thereby you may strike fear into the hearts of the enemy of Allah and your enemy, and others beside them whom you know not. Allah knows them. Whatsoever you spend in the way of Allah it will be repaid for you in full, and will not be wronged.” [TMQ 8:60]

The Prophet (saw) showed the power of the State by marching the Muslim army inside Madinah before they went to Tabuk for war. This action frightened the enemy. As he (saw) said, **“I have been given the victory by the terror thrown in the hearts of my enemies even from the distance of one month travelling.”**

These functions of the army are all related to maintaining the external





Introduction to the Systems of Islam

security of the State.

The Islamic State's foreign policy is to spread Islam throughout the world. The method employed by the State to deliver Islam is through *da'wah* and Jihad. Therefore, since the Ummah has given the authority to the Imam or Khaleefah to carry this Jihad, it is important that the leader of the army be the head of state. The Prophet (saw) established relationships with others on the basis of spreading Islam. He formalised the Treaty of Hudaibiyah in order to allow himself the opportunity to spread Islam throughout the Arabian peninsula. The Prophet (saw) was the head of state in Madinah and he (saw) directed the army to all the battles that took place, during his time. After that, the *Khulafa'a Rashidoon* also were the ones to give the orders for where and when the army should fight. It becomes clear from these points that the head of state is the person responsible for the leadership of the army.

Giving the Army Islamic and Military Culture

The army is usually the tool that opens up other countries to the *da'wah* of Islam. Thus, the army personnel have to be intellectually elevated. Meaning, that they have to be well educated about Islam and be able to convey the message to other people. Furthermore, the personnel have to be politically aware so that they remain focused and are not manipulated by the opponents.

Iman of the Army Personnel

The army is an integral part of delivering the message of Islam to the world. Its people must, therefore, be highly educated in Islam, and with firm *iman*. The army must place emphasis on building people with these characteristics within its ranks. An army with strong *iman* will surely be able to defeat its opponents. We find this to be the case in the time of the Prophet (saw). Muslims were outnumbered in many of the early battles, but with the help of Allah (swt) still achieved victory. This we saw in the battle of Badr where there was a 3 to 1 ratio and in the



Introduction to the Systems of Islam

battle of Ahzab, where there was a 4 to 1 ratio.

3. The Internal Security

The department of Internal Security oversees everything connected with security inside the Islamic State, utilising the military forces for this purpose.

The internal security, as well as the external security, is preserved by the army. The functions of the (police) are under the control of the army. The Prophet (saw) appointed Qays ibn Sa'ad as the head of security. He was there to protect the Prophet (saw) when he was in Majlis. It is preferable for the internal security force to maintain the procedures of the regular army, so that it will remain organised, efficient, and co-ordinated as in a regular army. The internal security force has the function of surveillance, preserving law and order, and to execute the laws adopted by the State. The Prophet (saw) appointed 'Abdullah ibn Mas'ud as the leader of *assas* (surveillance). Surveillance, by this part of the army, does not mean to invade the privacy of others. Rather, its usage is for general surveillance. Since maintaining the internal security is an action the State is responsible for, it has no right to levy payments on the citizens of the State for executing this function.

4. The Industry

Preparation for the foreign policy will require a strongly equipped army. Therefore, the Islamic State will endeavour to obtain the latest technology in warfare, including nuclear capability, space programmes and computer technology, to be ready to fight the enemy in a like way as she is fought. The economy and industry in the Islamic State will be similarly geared towards sustaining the army and the effort of Jihad.

The department of industry directs all affairs connected with industry, including heavy industry, such as the production of motors engines and car bodies; metallurgical industries, electronics and light industries; and factories of private and public ownership connected with the military industry. All factories of whatever type should be established on the



Introduction to the Systems of Islam

basis of complementing the military policy.

It is under the guidance of the department of the Amir of Jihad that the Islamic State will implement its foreign policy and propagate the *deen* of Islam to the rest of mankind. By these means, and the help of Allah (swt), the State will be able to achieve the dominance of the word of Allah (swt) throughout the world.

The Judiciary

The judicial system in Islam is solely based on the Shari'ah. We must be mindful of the fact that justice cannot be fully served until and unless Islam is applied in its totality. To do otherwise, would mean leaving parts of Allah's commandments and accepting the rule of man as better able to cope with the issue at hand. This not only leads to the disruption of the society's well-being but is also an acknowledgement that Allah (swt) is not truly the Sovereign. We find in the Qur'an, Allah (swt) says to the Prophet (saw) :

“But no by your Lord they can have no (real) faith until they make you judge in all disputes between them and in their souls find no resistance against your decisions but accept them with the fullest conviction.” [TMQ 4:65]

The details of the Islamic judicial system are discussed elsewhere (see the Judicial System), but it is useful to discuss here the relationship of the ruling system with the courts.

The Judge of the Court for Unjust Acts (*Qadi al-Madhaalim*)

This category of judges within the ruling system of Islam consists of judges who settle disputes arising among the people and the State. This judge has jurisdiction within a court called *Mahkamat al-Madhaalim* (the Court of Unjust Acts) in the Islamic State. In essence, this judge of the Court of Unjust Acts is appointed to remove all unjust acts within the Islamic State, whether they are committed by the Khaleefah, governors, or any other official of the State. In cases of disputes between



Introduction to the Systems of Islam

the people and the officials of the Islamic State, the judge of this court has the right to dismiss the official of the State once his negligence of the Shari‘ah or injustice committed upon the people is established.

As examples, this court may investigate all matters executed by the Islamic State involving discrimination upon citizens, improper application of the Shari‘ah, improper interpretation of the Shari‘ah or the Constitution of the Islamic State, negligence by the Khaleefah of the opinions given to him, forcing a tax unduly upon the citizens of the Islamic State, etc.

An interesting situation arises when a case is studied involving the Khaleefah’s negligence of the Shari‘ah. The *Qadi al-Madhaalim* will have to either pass a judgement in favour of the actions of the Khaleefah or against him. If it is in favour of the Khaleefah, then the Khaleefah’s mandate will remain, and will, in fact, render the case as being proper and not negligence. If, on the other hand, the judge decides against the Khaleefah, which entails negligence of the Shari‘ah, the Khaleefah must abide by the judgement of the judge. If he fails to do so, the judge will be authorised to remove the Khaleefah from his position on the grounds of negligence of Shari‘ah.

The Administrative System

The administrative system consists of that body of people which executes the Islamic State’s orders upon the citizens and manages the Islamic State’s affairs. Since the Islamic State must implement the Shari‘ah upon all of its citizens, it becomes necessary to have an administrative system to accomplish this. Many rules in Islam compel the Islamic State to have an administrative body for their implementation. As such, the rule for collection of *zakat*, which necessitates the Islamic State to employ personnel for its proper implementation, is one example. Any style or tactic used would be permissible, as long as it accords with the Shari‘ah. But, the important point is that ‘the job gets done’. Therefore, it is incumbent upon the Islamic State to use the most efficient style to implement the rule of Islam, as long as they fall within the bounds of the Shari‘ah.





Introduction to the Systems of Islam

We know that the Prophet (saw) managed the affairs of the Ummah, during his period in Madinah. He (saw) appointed many administrators to carry out various functions so that the Islamic State would run efficiently. As an example, he appointed 'Ali ibn Abi Talib (ra) as a scribe for treaties which the Prophet (saw) concluded with other nations.

The Prophet (saw) gave the management of his seal (the one he used to imprint his signature on official documents of the State) to Al-Harith ibn Auf al-Mazi. Ibn Abi Fatimah was designated to compile the statistics of the *ghanima* (spoils of war). Hudhayfa ibn al-Yaman was the writer for the numbers of cultivated fruits in the Hijaz area of the Arabian peninsula. 'Abdullah ibn Arqam was appointed to calculate the number of people in the tribes and was further assigned the task of management of water in the Islamic State. In the twentieth year of the *Hijrah*, 'Umar ibn al-Khattab, as the second Khaleefah, initiated the *deewan* (a type of record) as a list of names of soldiers and other essential facts. This method of keeping a *deewan* was borrowed from the Persians who had adopted this style for keeping records of their soldiers, battle gear, and other essential information. A similar technique was employed by 'Umar (ra), since it was a *mubah* (permissible) means.

Regarding the appointments to these administrative departments, it is permitted to have any citizen of the Islamic State, male or female, Muslim or non-Muslim, as long as he or she is suitably competent to be a part of this administrative system. It would be important to have a suitable management structure to run the administrative system.

We may recall here that the Khaleefah has an entourage of assistants which carry out administrative functions. As discussed previously, they are the Executive Assistants (*Mu'awin Tanfeedh*). The difference between the general administrative body and the Executive Assistants is that the latter is a caretaker of the Khaleefah's administrative tasks, while the former is dealing with administration of the larger Islamic State. Accordingly, it is necessary that the Executive Assistants be Muslims, whereas the general administrators may be Muslims or non-Muslims.

We now have a general idea of the functions of the administrative





Introduction to the Systems of Islam

body of the Islamic State. Its task is to execute the rulers command in a competent and efficient manner. It aids the Islamic State in applying the laws of Allah (swt) upon this earth. Of course, one can only theorise on paper the advantages of an administrative system when there is no Islamic State.

Shura

It is of utmost necessity to comprehend the concept of *shura* (consultation), as used in Islam, and what it actually means before indulging in a detailed discussion on Majlis al-Ummah, which is the main body that participates in *shura*. Allah (swt) states in the Qur'an:

“Pardon them and ask forgiveness for them and consult with them upon the conduct of affairs, and when you have decided (upon a course of action), place your trust in Allah.” [TMQ 3:159]

“And those who answer the call of their Lord and establish worship, and whose affairs are a matter of counsel.” [TMQ 42:38]

The two *ayat* (verses of Qur'an) mentioned above are directly related to the issue of consultation. *Shura* denotes engaging in mutual consultation or mutual discussions regarding a particular matter i.e. taking people's opinion. Taking opinions occurs on the part of the Khaleefah or any Amir or responsible person be it a ruler or a leader. As for the declaration of the opinion to the person in charge, be it a ruler or a leader, it is just a *naseeha* (advice).

Before addressing the application of *shura*, as taken by the Messenger of Allah (saw) in relation to our affairs nowadays, we need to study the idea of taking an opinion, and remove any ambiguity existing in the minds of the Muslims. Realistically, an opinion can be taken regarding :

1. Matters of Shari'ah (legislative matters).
2. Matters of Intellect or Technicalities.
3. Opinions which directly lead to actions in *mubah* issues.





Introduction to the Systems of Islam

1. Matters of Shari'ah (legislative matters) :

As for matters of Shari'ah, there is no *shura* at all. In order to reach the Islamic opinion in any Shari'ah matter, proper *ijtihad* must be conducted, meaning no one's opinion should be taken in matters related to *wahi* (the revelation), i.e. *haram* and *halal*. This can be seen in the action of the Messenger (saw) in the Treaty of Hudaibiyah. In that incident he (saw) did not consult the companions and refused to listen to their complaints regarding the terms of the treaty, saying, **"...and I will not disobey His (swt) commands."**

2. Matters of Intellect or Technicalities:

For matters of intellect or technicalities only those with the knowledge of that specific field would be consulted. For example, in the Battle of Ahzab, the Prophet (saw) received news of a dangerous confederacy, consisting of 10,000 people, aiming to besiege Madinah. The Muslims in Madinah decided to fight against the invading enemy from inside their town, and they manned all the buildings surrounding Madinah. However, there was one area left open, where Salman al-Faresi suggested that a trench be dug in that place, as the Persians used to do in similar situations. The Prophet (saw) accepted the advice, and he himself took part in digging that trench.

3. Opinions which directly lead to actions in the Mubah issues :

Finally, opinions which directly lead to actions in the *mubah* affairs of Islam where no expertise is required to arrive at a conclusion, and are apart from the commands of Qur'an and Sunnah, may have the Ummah's input. This is the domain of the Majlis al-Ummah. In this case, the Ummah's wishes would be sought so that the Ummah's involvement remains active. Allah (swt) states in the Qur'an:

"Pardon them and ask forgiveness for them and consult with them upon the conduct of affairs, and when you have decided (upon a course of action), place your trust in Allah." [TMQ 3:159]

This final area, in which *shura* may be sought, is the area in which the Majlis al-Ummah plays an active role, i.e. in the *mubah* issues. At





Introduction to the Systems of Islam

this point, when this opinion is sought, it becomes *mashura*. Thus, *mashura* means taking the opinion of the majority in Majlis al-Ummah concerning *mubah* matters, which becomes binding upon the ruling apparatus to implement. An example in which the Majlis al-Ummah would play a role could be choosing the place of where a school or hospital should be built in a community.

Majlis al-Ummah (Council of the Ummah)

The Majlis al-Ummah is part of the ruling structure of Islam. It deals with matters which are *mubah* and do not require an expert to arrive at the correct conclusion. These decisions of the Majlis al-Ummah are termed as '*mashura*'. The majority's opinion is the binding opinion, in this case, since there is no set right or wrong in the *mubah* matters. The Khaleefah is therefore obliged to uphold the opinions of the Majlis al-Ummah, as long as the opinions are in the legal area of opinion for the Majlis al-Ummah. This is substantiated by the *hadith* of the Prophet (saw) : **“If both of you (referring to ‘Umar and Abu Bakr’) agree on a *mashura*, I would not go against it..”**

Structure and Functionality of Majlis al-Ummah

The persons who represent the Muslims in voicing their opinions to the head of the State are called to the Majlis al-Ummah. It is allowed for the non-Muslims to be in certain sessions of the Majlis, for the purpose of presenting complaints about oppression by the hand of the ruling apparatus or to complain about any problems, which they encounter with regards to the implementation of Islam upon them.

The members of the Majlis al-Ummah are elected by the people, and there is no gender distinction in who can be a member. As long as the candidate carries the citizenship, is sane and is in his/her post-puberty years, then he or she qualifies.

Pertaining to the structure of the Majlis al-Ummah, there can be two main committees. One to oversee the central government and one for the provincial government. Within these main committees exist sub-



Introduction to the Systems of Islam

committees which are assigned specific tasks based on the ability of the individuals.

Checks and Balances

The nature of Islam is to preserve justice and societal harmony, and to uproot and eliminate institutional oppression if and when it presents itself. Sovereignty belongs to Islam's legislative sources, and the aim of Islam's legislative sources is to secure and uphold the societal ideals, while satisfying the individual needs of each human being in the society. Islam granted the people the authority to implement the Shari'ah rules whereby these aims and objectives would be maintained. The people in turn appoint one person (The Khaleefah) to rule them by Islam, and they are permitted to use force to remove the Khaleefah, in case he clearly went against the Shari'ah.

One of the branches of the judicial system is called *Mahkamat al Madhaalim* (Court of Unjust Acts). The primary role or function of this judicial branch is to settle disputes between the people and the Khaleefah. The order or finding of a judge in the judicial branch cannot be stayed, but rather it must be implemented, even if the order was to remove the Khaleefah himself, or anyone that he has deputised. Failure to implement the order or finding of a judge in *Mahkamat al Madhaalim*, provides a license to the people to remove the Khaleefah, even by force if necessary.

One of the functions of the Majlis al-Ummah is to create a platform whereby the people can voice either their satisfaction or their dissatisfaction and complaints to the government. The *Mahkamat al Madhaalim* would be presented with the complaints from the Majlis al-Ummah or the individual in the State could take his complaint to *Mahkamat al Madhaalim* directly. Everyone is subject to Islam's legislative sources and as such there is no elite class in the Islamic society, and anyone who is under the jurisdiction of the Islamic State, be they Muslim or non-Muslim, must have their rights protected. Therefore, Islam's method of preserving justice and social harmony, and uprooting and eliminating oppression is realistic and practical.

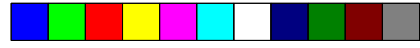


Introduction to the Systems of Islam

Another method of establishing ‘checks and balances’ on the government is the process of nominating the Khaleefah. The Khaleefah, as one option, may be elected from the choices presented by the Majlis al-Ummah. Thus, the Majlis al-Ummah makes sure that the individual elected to the post of the Khaleefah is a practising Muslim who fulfils the requirements. Consequently, an individual looking to serve his own interests cannot become the Khaleefah.

Furthermore, another element that is an integral part of establishing a mechanism of checks and balances within the system is *taqwa* (fear of Allah). The ruler carries out every action based on the concept of being questioned by Allah (swt) on the Day of Judgement. Thus, the ruler would make sure that he fulfils his part of the contract as ruler of the Muslim Ummah so that he may face Allah (swt) without fearing His (swt) punishment, due to negligence or serving his own interests.

Thus, we can see that Islam provides a system of government which is just, because it implements only Allahs (swt) laws rather than man-made laws. It is only when Muslims understand the mechanisms of ruling which Islam provides that they will have confidence in it, and realise the flaws and weaknesses of other systems. May Allah (swt) help us in our duty to establish it!



Introduction to the Systems of Islam





Introduction to the Systems of Islam

Summary: Ruling in Islam

The situation of those in authority is of utmost importance for the people of any society. This is because every decision they make and every rule they implement has repercussions which affect the whole population. So, when those in authority have failings, the whole society becomes characterised by these failings.

Today, the whole world is subject to man-made laws. Man who is limited in his knowledge, prone to errors and subject to prejudice and greed. As a result of this, the rules which govern the world reflect these aspects of man's character - leading to oppression of the weak, injustice and corruption. People in one part of the world are allowed to starve, while in another, surplus produce is burnt or dumped in the sea. We are subject to taxes we do not want and cannot afford to pay. And we are told what we can and cannot do by a handful of politicians who are no better than and usually much worse than ourselves.

The Islamic ruling system is the only one which gives a way out from these problems. Instead of being subject to man-made laws, where one person is made to bow before another, our lives and society are governed by the law of Allah (swt) the Supreme.

Here, it is the people who have authority to ensure that the ruler implements Allah's law, solely and in its entirety, and that he never follows his own whims and desires, so becoming a dictator.

It is the job of the Ruling System of the State to make sure that all the administrative matters within its boundaries run smoothly and facilitate the easy living of the subjects, whether Muslim or not, within the Islamic framework.



Introduction to the Systems of Islam

As well, the State will be the effective means of delivering the call of Islam to all the nations of the world. It has a powerful army to facilitate this task, and also to defend its frontiers from the likes of the aggressors who currently plague the Muslim world; the problems in Bosnia, India and Israel will be no more than a painful, but distant memory.

All the systems of Islam that are collected here are tied together to form a perfectly balanced and co-ordinated whole. Each is dependent for its functioning on the others, and none would be complete if considered on its own. You can see therefore how the Ruling System of Islam ties them all together to give a way of life that is unsurpassed in the history of humanity.





The Economic System

Facts About the Economic System

Islam has a unique system of taxation where there is no taxation of the poor. There are only three types of regular taxes levied from those people who are able to pay:

1. *Jizyah* - Is a tax on mature male non-Muslim citizens who are able to pay it. This is much less than any tax on Muslim citizens.
2. *Ushr* - Is a tax levied on unconquered land under the jurisdiction of the State, at the rate of one tenth of the produce if the land is irrigated by rain, or one twentieth if it is artificially irrigated.
3. *Kharaj* - Is a tax levied on conquered land, whose rate is fixed by the Khaleefah.

There are no income taxes.
There is no Value Added Tax (VAT).
There are no Death Duties.
There is no Road Tax.

All these examples are included among the taxes in the West where it is the poor that suffer the most.

The Khaleefah 'Umar ibn Abdul Aziz at one stage could not find a poor person to give *zakat* to during his rule (7th Century CE).

In the entire history of Spain, it was economically at its most



Introduction to the Systems of Islam

prosperous during the period of Islamic rule. Never before or since has it been so successful.

Under Islam, Africa sent food to relieve famine in Madinah. The Khaleefah - 'Umar ibn al-Khattab sent the following letter to Amr ibn al-'A'as, the governor of Egypt regarding the means of transporting the supplies :

“Arrange to dig the canal from the River Nile up to the Sea even if you have to spend the entire treasury of Egypt in the undertaking.”

Zakat is not part of the Islamic economic system.

Public resources such as sources of water like rivers and lakes, sources of energy like electricity, and public utilities like parks, roads and railways cannot be privatised according to the wishes of the government. They remain public property as originally classified by Islam according to their nature. They will always remain public and cannot be owned by individuals who may charge excessively and prevent the vital requirements of the people getting to them, as happens in the West.

It is compulsory on the husband to work to earn *nafaqah* (provision) for his family, but if he cannot do so for any genuine reason, it is the responsibility of the State to provide tangible basic needs of food, clothing, shelter; and intangible needs of education, health and security.

Hoarding of wealth is prohibited, even if you are willing to pay *zakat* on it. This makes it available for the markets, boosting the economy and preventing the wealth from merely making a circuit amongst the rich.

Currency in the Khilafah can only be based on gold and silver. Thus it will be of real value itself, providing stability in the economy. It cannot be reproduced or destroyed, which would cause devaluation and inflation.



Introduction to the Systems of Islam

The Islamic system has 5 types of company structure : *anan*, *abdan*, *mudharaba*, *mufawadha* and *wojooh*.

1. *Anan* (Company of Equals) - Partnership between two people, both contributing capital and effort.

2. *Abdan* (Company of Bodies) - Company in which two or more persons participate by their effort only, without their capital.

3. *Mudharaba* (Company of Capital and Effort) - A company in which one part provides the capital while the other provides the effort.

4. *Wojooh* (Company of Faces) - A company involving two or more parties who provide the effort with another party who guarantees the financial support.

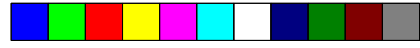
5. *Mufawadha* - This is a company which combines any of the other 4 types of company structures permitted by Islam.

Stocks and share companies (Plc's) are not allowed in Islam as they do not fall into any of the permitted categories, having an incorrect company structure, and so are invalid.

The Islamic economy focuses on ensuring the effective distribution of created wealth and resources, rather than amassing these in useless stockpiles. Thus the satisfaction of the basic necessities of food, clothing and shelter for all citizens be they Muslims or non-Muslims is the priority.

If you find derelict land anywhere you may make use of it without anyone's permission.

In the 8th and 9th century, Iraq under Islam had a population of 30 million (compared to 18 million today). 80% were farmers with modern irrigation systems from the rivers Tigris and Euphrates. The ratio of yield of seed for wheat in the Muslim world was 10:1 at this time



Introduction to the Systems of Islam
compared to only 2.5:1 in Europe.





So, You Want to Buy a House...?

The desire for economic security is a fundamental aspect of human nature. In society, the distribution of resources and commodities is regulated by the governing authority, which runs affairs according to the particular ideology that the rulers have chosen for the purpose - in our case, Capitalism. Accordingly, the people are restricted and controlled by the systems which prevail over them, and must fulfil their economic needs within the framework of these systems.

The issue of our housing is an important aspect of the economic system that we are subject to. We all need a house to shelter from the elements, and as a base for our everyday activities. But, if you think for a moment about your own situation living in the West, housing throws up many problems....

The price of even modest accommodation is staggering. If you take a house suitable for an average family (like your own), the cost of buying it would range from about £50,000 to £100,000 or more, depending on its location. This figure of course, goes far beyond the actual cost of the materials and labour required to build it. In fact, it is usually artificially inflated to create a source of business for banks and building societies from people who have to deal with them in order to buy a house.

Consider yourself. You have to provide for your family - food, clothing, bills, education etc....After all these are taken care of, does your income put you in a position to afford to buy a house? Almost certainly not!

So what are the options available to you?



Introduction to the Systems of Islam

Renting : This will give you housing, but would you feel satisfied with living with your family in rented accommodation? Most people would not. After all this gives no security for your future - you may have to move from place to place, depending on the whims of a landlord. This affects your job, your children's education and so on. The landlord may choose to raise the rent as he pleases.

As well, a large proportion of your income would go towards something for which you have no permanent possession. And since you do not actually own the place, you will have no incentive to spend on it to furnish and decorate it as you like - to turn the house into a home. In all, renting is unsatisfactory - you can never really see a rented home as your own home.

Mortgage : This option seems to be the only feasible alternative. In fact this is the system that most people use in your predicament. In theory, you own the house you live in, paying for it slowly as your income allows, and it appears to solve many of the problems with renting.

Unfortunately, the reality of mortgage does not match its theory. It is riddled with even more problems than renting.

Suffering the Pains of the Mortgage Gamble :

1. With a mortgage, you don't really own your house. You have to give the regular monthly payments on time, and if you miss even one, you can be subject to repossession of your home. This is whether it is your initial payment, or your last!

2. Your payments do not mainly contribute to the value of your house. Rather you are paying a large proportion towards the interest on the loan you have taken.

3. The payments are subject to the whims of the mortgage company - they can increase or decrease the rates of interest at will, without any discussion with you.





Introduction to the Systems of Islam

4. Most people never live to actually pay off their mortgage completely and thus really own their house. Thus, they never have anything to pass on to their children.

5. House prices are subject to such fluctuation that the value of the house could drop within a matter of years to even as much as half of the value you bought it for! So you may be paying a debt which you could not recover even if you sold your house!

However, more important than any of these reasons, is Islam's opinion on mortgage:

Getting a mortgage (based on interest) is definitely and clearly *haram* (forbidden) to Muslims. The paramount reasons being that,

1) The Muslim has to borrow money on interest. Allah (swt) and His Messenger (saw) have forbidden the taking and giving of interest on money. Allah (swt) says in the Qur'an,

“Those who benefit from interest shall be raised like those who have been driven to madness by the touch of the devil; this is because they say: ‘Trade is similar to interest’ while, Allah has permitted trade and forbidden interest.” [TMQ 2:275]

Allah (swt) also said,

“O believers, fear Allah and give up the interest that remains outstanding if you are believers. If you do not do so, then be sure of being at war with Allah and His Messenger. But if you repent, you can have your capital. Neither should you commit injustice nor should you be subjected to it.” [TMQ 2:278-279]

Jabir narrated, “The Prophet (saw) cursed the receiver and the payer of interest, the one who records it and the one who witnesses it and he said, **‘They are all alike’** .” (from Muslim, Tirmidhi and Ahmad). Abu Hurayrah narrated that the Prophet (saw) said, **“Riba has seventy segments, the least serious being equivalent to a man committing**





Introduction to the Systems of Islam

adultery with his own mother.”

2) The contract of purchase does not satisfy a fundamental condition in Islam. In Islam, if you buy a house, you own the house. In the mortgage agreement, you do not actually own the house but the financial institution owns it until you pay all of your mortgage. You can be kicked out if you fail to keep up with your mortgage payments and all is lost! Thousands of people lost their homes in this way over the past few years, and thousands more will no doubt follow.

We can see therefore, that this simple issue of housing causes us many dilemmas. However, the Economic System of the Islamic State has solutions to these problems.

The Islamic Alternative

In the Khilafah, it is the right of every individual to have shelter. The Prophet (saw) said: **“The son of Adam has no better right than that he would have a house wherein he may live and a piece of cloth whereby he may cover his nakedness and a piece of bread and some water.”** It is therefore the responsibility of the State to ensure that everybody has accommodation to live in.

So, if you are unable to provide accommodation or sustenance for yourself or your family, the Islamic State will provide these for you free of charge, for as long as you remain in that position.

Because of this, the State would devise a deliberate policy to ensure that affordable accommodation is available through extensive home building both by the State and by private individuals who may want to build for profit. The State achieves this responsibility by the implementation of schemes that take full account of individual circumstances, needs and ability when deciding the type of help to give citizens. Thus, if you want to buy a house, the Islamic Economic System provides you with various mechanisms of helping you to do this. These include:



Introduction to the Systems of Islam

1) **Gift from the State:** The Khaleefah can give land to you for private use which could include home building. By such grants, it makes it easier for you to provide shelter for you and your family. Such a grant was given to Bilal (ra) by the Prophet (saw) as the ruler of the Islamic State. The *Khulafa'a* who followed the Prophet (saw) continued with such grants. The State can also give direct financial assistance to the poor and needy for housing purposes, and indeed it is compulsory for the State to provide this for them.

2) **Interest-free loans from the State:** If you are able-bodied and working, the State can provide interest-free loans for housing. This is in response to the State's responsibility for provision of shelter to all citizens.

3) **Payment by instalments:** As an alternative to interest free loans, the State can offer to you accommodation for sale with affordable means of payment.

The above are actions that the Khaleefah can undertake to provide housing as a matter of duty to citizens of the Khilafah whether Muslim or non-Muslim. In addition to these, there are other means through which you may get a source of funding for housing. The Khaleefah would encourage these private sector sources in order to facilitate its responsibility. These include:

1) **Qurd hassan from the public:** These are interest-free loans from the rich. You could approach wealthy people in the State like businessmen, to secure such a loan. The rich would be encouraged to provide interest-free loans for housing.

2) **Deferred payment:** Owners of existing properties can sell them to you for a fixed price in the future. The price can either be the same, more or less than the current price, and you could delay payment to such a time when you are able to pay.

3) **Awqaf:** These are philanthropic institutions set up by individuals to provide housing and other schemes. They give these up for the benefit





Introduction to the Systems of Islam

of the public, for the sake of Allah (swt). You could apply to these institutions for housing.

There is no concept of repossession of property in the Islamic State. In any of the above means of funding for buying a house, as soon as the contract is agreed, the house becomes entirely your own property. You are free to sell it or keep it as you like, and no one is permitted to take it from you. All that you are responsible for is your debt to the creditor.

Thus, the Islamic State provides a comprehensive Economic System which solves the problem of buying a house.





Islam and the Economic Question

In order to address the Economic System in Islam, we first of all need to clarify the position of Islam in relation to the quest for material well being. This is because the word *dunya* (life), which is associated with material wealth or worldly matters has become a dirty word for many Muslims.

The separation of *deen* from *dunya* (i.e. the manifestation of secularism) is a Western-Christian concept that has recently become widely internalised amongst Muslims. Consequently, seeking to increase in economic or worldly matters is frowned upon, while continuous engagement in prayer and other personal *ibadat* is regarded as rewardable. As such, many Muslims get confused and conduct a double life. On the one hand, money talks; it gives status and makes life comfortable, so they seek it vigorously. On the other, they feel guilty, thinking that their effort should be spent on 'religious' duties.

This is due to a misunderstanding of the position of the economic question in Islam. There is no doubt that Islam is opposed to monasticism and views the economic activities (based upon the Shari'ah) of man as quite lawful and sometimes even obligatory and necessary. We find many injunctions in Islam that allude to this. For example, Allah (swt) says in the Qur'an:

"Disperse through the land and seek the bounty of Allah." [TMQ 62:10]

He also says,



Introduction to the Systems of Islam

“Allah has permitted trade” [TMQ 2:275]

and even more directly, Allah (swt) says,

“Seek the other world by means of that which Allah has bestowed upon you, and do not be negligent about your share in this world.”
[TMQ 28:77]

These are all in reference to economic activity.

In the Sunnah, we find that one of the most commonly said *du‘as* that the Prophet (saw) taught us is: **“Our Lord give us the good in this life and the good in the hereafter.”**

But despite this, we find expressions in the Qur‘an which state:

“The life of this world is but a delusion” [TMQ 3:185]

“The mutual rivalry for piling up the good things of this world diverts you from the more serious things” [TMQ 102:1]

and many others, stating that man has lust and greed for wealth [89:20] and that he is violent at this greed [100:8] and that he becomes boastful and proud [11:10] and so on (all references to the Qur‘an).

This apparently sounds like a contradiction in terms. But actually, what we are taught by Islam is that the real objective of our existence is to worship Allah (swt) through righteous conducts (i.e. obedience to the Shari‘ah) by living as humans in this world. So all those things that are necessary for this life become essential for man.

It is one thing to say that material well being is important and even compulsory but it is quite another to say that it is the ultimate goal and centre of thought and action in life. This is where the confusion arises about the Islamic economic question.





Introduction to the Systems of Islam

The fundamental difference between Islamic economics and all materialist (i.e. Capitalist/Communist) ones is precisely this. The materialists view that economic well being is the ultimate end of human life, while Islam says that these things may be necessary and indispensable, but cannot be the true purpose of life. Economic endeavours only become an allurements or delusion if man loses sight of his real purpose in their pursuit.

The right path to follow therefore is to fully engage into worldly economic life in the manner prescribed by Allah (swt) and His Prophet (saw), both at a societal and individual level. The Prophet (saw) said: **“Work for your worldly life as if you were going to live forever, but work for the life to come as if you were going to die tomorrow.”**

The Economic Problem as Defined by Islam

Unlike the current world view as pushed by the Capitalist West, Islam considers that the main economic problem that mankind will ever have is that of distribution of wealth and not of production. In the eyes of the Capitalist West, there is relative scarcity of resources available in the world, and people’s demands for these resources are endless. Hence each nation and in fact, the world, should concentrate on more and more production. The higher the amount of wealth produced, the higher the number of people that will satisfy their demands through the process of economic activity, or so the theory goes.

Islam distinguishes between basic needs which include food, clothing and shelter, and luxurious wants which include all those things that are not necessities in life. It views that there are enough resources to satisfy the basic needs of all people all the time and to satisfy some of the luxurious wants of people, and that the economic problem is that of correct distribution of wealth and not merely involving increasing of production. There are enough resources to feed, clothe and house everybody in the world fully as can be seen by the food mountains of Europe and the excesses of the few rich in each country, including the



Introduction to the Systems of Islam

Third World countries. In accordance with their Capitalist philosophy of maximising profit, we find governments paying farmers to produce less as in the EC countries, or even to destroy what has already been produced as happened in poor Latin America where in the past a huge amount of coffee was burnt to maintain a certain price level. Far more wealth leaves the poor countries of Africa for the rich west than vice versa due to unjust economic deals. Even at the height of the Ethiopian famine crisis in the late eighties, the country was exporting millions of dollars worth of resources to the West. Allah (swt) says in the Qur'an,

“It is Allah who created the heavens and the earth, and sent down from heaven water wherewith He brought forth fruits to be your sustenance. And He subjected to you the sea at His commandment; and He subjected to you the rivers and He subjected to you the sun and the moon constant upon their courses, and He subjected to you the night and the day, and gave you of all that you asked Him. If you count Allah’s bounty, you will never number it; surely man is sinful, unthankful.” [TMQ 14:32-34]. In another ayat He says,

“Verily, your Lord does provide sustenance in abundance for whom He pleases and He does straiten it, for He does know and regard all His creatures.” [TMQ 17:30].

These verses among many others show that Allah (swt) has pooled in this universe all the needs and beneficial things for man, and has provided sufficient resources to satisfy the material needs of man.

In Islam, a distinction is made between economic science, which is to do with the means of production, and the Economic System which is concerned with the problem of distribution of wealth, namely the rules by which wealth can be acquired, invested, used and disposed of. It is through the Economic System that is specific to Islam that wealth is distributed equitably, while economic science is not particularly specific to Islam as such but can be acquired from any other ideology or developed as seen fit.



Introduction to the Systems of Islam

Objectives of the Islamic Economic System

The objectives of the Islamic economic system can be classified as follows:

- 1) To satisfy the basic needs of each and every individual in the Islamic State completely,
- 2) To provide the citizens of the Islamic State with the means to satisfy their luxurious needs, and
- 3) To achieve the above two points through a naturally workable system with due incentives for economic activity and an equitable system of distribution.

The Origin of Ownership

Ownership constitutes one of the important incentives for engaging into economic activity as the owner of wealth has the right to use or dispose of it. The means of acquiring such rights is one of the fundamental principles through which the objectives of the Islamic Economic System are achieved.

In the Islamic Economic System, it is understood that the real owner (Creator) of all wealth is Allah (swt). We only 'own' wealth by proxy as guardians. Some of us acquire wealth by engaging in the production process and hence have a direct access to wealth. These include the factors of production as defined by Islam. Others have an indirect access to wealth simply because Allah (swt) as the real owner of wealth has stipulated that those with direct access to wealth through engagement in the production process must pass some of it on to them as He made clear in the Qur'an:

"Give to them from the property of Allah which He has bestowed upon you." [TMQ 24:33]



Introduction to the Systems of Islam

This usually takes the form of *zakat*, *kaffara*, *sadaqat al-fitr*, inheritance, etc. which are given to the poor, the needy and later generations. It is the duty of the government to ensure that such wealth is duly transferred by law.

Types of Property

Islam has defined three types of property within the Economic System. These are : Individual Property, Public Property and State Property.

1. Individual Property

Allah (swt) has permitted human beings to utilise capital, whether by consuming, using or exchanging it. Islam has made ownership a legal right for the individual, and it does not impose a limit on the amount of wealth that one can own. Accordingly, people may own moveable property, such as livestock, money, cars and clothes, or immoveable property such as land, houses or factories.

However, the Shari'ah controls the means of ownership such that people acquire the right to wealth in a just manner, and it also regulates the ways in which it is disposed of.

Means of Ownership

There are a variety of ways in which ownership of wealth can be achieved. Work is one example of this, whether it be for ones self or for others in exchange for a wage. This includes any type of permitted work, such as farming, mining, trading etc. Other means of ownership which Islam has permitted include inheritance, grants of the States property to citizens, gifts, blood money or dowry.

Islam restricts the means in which wealth can be earned or invested by forbidding pursuits such as gambling, fraud, theft and bribery, or



Introduction to the Systems of Islam

trading in wine, pigs, crosses and other forbidden items.

2. Public Property

This is defined as the commodities which Islam has made the property of Muslims as a whole, such that individuals are allowed to utilise them, but are forbidden from owning them as their own property.

These commodities come under three main categories :

a) The utilities of the community without which the everyday life of the community cannot properly function. Under this category comes things like water or oil reserves. Muhammad (saw) said, **“The people are partners in three things : water, pastures and fire.”**

However, the order is not restricted to these three things, but it includes everything that is a common need for the whole community. All machinery used for such purposes is similarly regarded as public property, like that required for drawing water for public use, the pipes for transporting water to consumers, or hydro-electric power stations and their pylons and distribution cables etc.

b) Commodities that by their nature cannot be an individuals property like the seas, rivers, public parks, mosques and public highways. The Messenger of Allah (saw) said, **“Whoever reaches Mina first has the right to it.”**

This category includes trains and other forms of public transportation, or sewerage drains along the public roads; they cannot be an individuals property for they belong to the public.

c) Natural uncounted minerals. These include the many minerals, such as salt, magnesium or copper, which are vast in quantity. They are the property of all Muslims and individual or corporate possession of these things is forbidden. The mining, manufacture, storage or distribution of these minerals is not given to individuals or companies on an exclusive basis. It is necessary that they remain the common property of all



Introduction to the Systems of Islam

Muslims. The State as the representative of the Muslims should itself mine them or sub-contract their collection, and all revenues should be kept in the *Bait al-Mal* (the State treasury). There is no difference, as regards the law, between the minerals whether they are in open mines like salt and antimony sulphide (mascara) or if they are deeply hidden underground and difficult to mine, like gold, silver, iron, uranium etc. The Shari'ah reason for this derives from the narration of Abaydh ibn Hamman al-Mazni that he requested the Messenger of Allah (saw) to allot him certain property in the Ma'reb, which he (saw) gave to him. When he turned back, the Messenger of Allah (saw) was asked, "O Messenger of Allah, do you know what you have given him? You allotted to him unaccounted water." The narrator said, "He (saw) took it back from him."

As regards small amounts of minerals like ornaments of gold or silver, it is allowed for individuals to own them. As an example, the Messenger of Allah (saw) allotted Bilal ibn al-Haris al-Mazni the minerals of Qabaliyah in al-Hijaz. Bilal had asked the Messenger of Allah (saw) to allot it to him therefore he (saw) did so and made him the owner.

The Way of Utilising the Public Property

Since the Public Property is the property of all Muslims, it is accordingly the right of every individual to enjoy its utilisation. If the commodities of this property are such that every person can utilise them directly, like water, pasture, electricity, public roads, rivers and seas, then he is allowed to do so by himself.

However, if the commodities of Public Property are such that they are not easy for every individual to make use of directly, like oil and minerals, then it is for the State to mine them and collect their revenues in *Bait al-Mal* and for the Khaleefah to spend from it in ways that are useful to all Muslims. It is possible that he decides to undertake the distribution of the products and revenues in a variety of ways :

a) It can be spent on the running and mining of Public Property commodities, as well as on public buildings, staff, advisors, experts,





Introduction to the Systems of Islam

machinery and factories.

b) It can be spent upon the Muslims since they are the common owners of the commodities. He can distribute amongst them things like water, gas, oil or electricity without charge or he can grant them money from their revenues according to the situation of Muslims for their general betterment.

c) He can take from it revenue to spend on jihad and what the jihad requires such as ordinance factories, establishing the army and other expenses of *Bait al-Mal* which are obligatory for the State to provide for the people.

3. The State Property

This includes every commodity of land or building which is connected to the right of the public and is not included in the Public Property. So the State Property consists of things that are liable to individual possession such as land, buildings and moveable things. Included within this category are state office buildings, or state money. The public has a right to these and therefore their running and control over use is given to the Khaleefah (i.e. to the State) because he has the responsibility to exercise his powers regarding everything that is associated with the public right, like deserts, mountains, river banks, uncultivated lands not owned by people, buildings and property which the State has purchased and made suitable for dwelling, or has captured from enemies in war like state department buildings, schools, hospitals and the like.

The State has the right to give of its property to individuals, such as lands and buildings, because the Khaleefah can give them to the people on an ownership and utilisation basis, or on the basis of utilisation only, or people can be permitted to cultivate dead land and thereby acquire its ownership. Whichever way the State Property is used, it is for the good of the citizens.

Through these ownership principles, Islam ensures that everyone gets what is rightfully due to him from his Creator unlike, for example,





Introduction to the Systems of Islam

the Capitalist system where only those who take part in the production process have the right to wealth. At the same time, it gives full incentives to individuals to fully participate in the economy by not imposing a limit on how much they can own. As well, it guarantees the rights of the people over the wealth that Allah (swt) has endowed upon them, and prevents greedy individuals from exploiting and monopolising it at the expense of others.

Economic Enterprises, Riba (Interest) and Hoarding

Interest rates form the backbone of the Capitalist system in many ways. It is used as a tool to regulate economic growth and monetary supply by acting as an 'incentive' for those who have surplus money to save/hoard. In Islam both interest and hoarding are prohibited. Allah (swt) says in the Qur'an:

“And those who hoard up gold and silver and do not spend in the way of Allah, announce to them a painful chastisement.” [TMQ 9:34]

He also says,

“Allah has permitted trade and forbidden interest.” [TMQ 2:275]

Owners of capital therefore have to invest it either in the form of private business or partnership.

The most fundamental criteria that must be met by all companies of partnership are that there must be offer and acceptance between two or more parties, and that once they become partners they have equal say in the running of the company. In addition to these criteria, the manner of sharing profits and losses is dependent on the type of company and agreement made. In the *Anan* where partnership is formed by the wealth of two or more parties, any loss suffered by the company would be shared among the partners in proportion to the capital they put in. In



Introduction to the Systems of Islam

the *Abdan* where partnership is based on services provided by the partners, loss is shared according to the salaries/wages of the partners. In the *Mudharaba* where partnership is based on capital from one party and labour from another, loss is incurred by the owner of capital while the provider of labour loses his wage/salary. From these elementary rules and structures, many other forms of company can be formed. In all cases, profit is shared according to mutual agreement independent of the amount of capital or service/labour provided.

Through this arrangement, continuous business investment keeps employment levels high and both the rich and the poor have the potential to get richer.

The Role of the State

The government plays an important role in the Economic System of Islam.

Islam makes it the responsibility of the State to provide food, clothing, shelter, education, health and security to every individual. It is also the responsibility of the State to enable citizens with the means to get luxurious needs in addition to these basic needs by themselves. The State achieves this through the management of public property, through the use of income from other sources and through provision of a good economic environment so that people satisfy their needs due to their involvement in economic activity.

The Economic Policy of the State

The fixed economic policy of a country, like the Islamic world, emanates from the general concept about the universe, man and life, i.e. the Islamic '*aqeedah* and whatever is derived from the '*aqeedah* in terms of rules and concepts. Since the Islamic rules are fixed and since they provide a solution for the case of welfare for mankind, it would be ineffective for the Muslim world to design and plan a non-fixed economic policy, nor a policy alien to Islam. Its economic policy



Introduction to the Systems of Islam

must be based on the Islamic *'aqeedah*, i.e. the economic policy of the Islamic State should be based upon nothing but Shari'ah laws derived from the Holy Qur'an and the Sunnah, and whatever these two sources have guided to in Ijma' of the Sahabah (consensus of the Companions) and Divine *Qiyas* (analogy).

The Islamic economic policy aims at dealing with the essential needs of the individual, enabling him to improve his lifestyle and achieve prosperity as an individual. The economic policy provides the individual with the means to work towards achieving prosperity, by maintaining always the high values (laid down by the Shari'ah) as the dominant factor in the relationships between individuals.

Therefore, the economic policy that should be adopted by the Islamic State is not with the aim of just increasing the GNP (Gross National Product), nor creating what is called 'Social Justice', or state Socialism. The policy should be to ensure the correct distribution of resources, amongst all members of the Ummah, guaranteeing thereby the basic needs for all people, and allowing every individual to satisfy his luxurious needs as much as possible, within the boundaries of the Shari'ah.

However, the distribution of resources and wealth necessitates having the means to generate them and improve their methods of growth. The land, for instance, needs to be cultivated with the aim of increasing the output. On this basis, the Islamic State must incorporate a programme of economic development.

Economic Development

The ways of increasing the wealth are a separate issue from providing the needs, as it deals with generating the wealth and not with the human needs, so it differs from one country to another. In Muslim countries, it is approached and dealt with chiefly by finding ways in which to improve the agricultural products, to launch an industrial revolution, so that industry becomes the main method used in economic development and growth, and to increase commercial productivity. This approach may be divided



Introduction to the Systems of Islam

into four sections :

1. The agricultural policy
2. The industrial policy
3. The financing of projects
4. Creating an external market

The Agricultural Policy

This is based on increasing the yield and variety of farm produce, and usually follows two methods : a) finding means of increasing productivity of the land, and b) increasing the farming lands as a method of expansion.

These take place by using modern and sophisticated machinery, chemicals and by providing high quality seed. The State should provide grants (as opposed to loans) to the farmers who are unable to buy what they need in terms of machines, seed and chemicals, and it should also encourage those who are able, to buy such materials.

The expansion takes place by encouraging the revival of barren land and cultivating it. The State should grant feudal lands which are improperly used or left unused, to farmers who are able to work but have no land or little land, and from lands that are under its control. Anyone neglecting his land for three consecutive years would be forced to give it up to the State, which would allocate it to people who would make use of it. Imam Abu Yusuf narrated that : *“Muhammad ibn Ishaque related to me that ‘Umar ibn al-Khattab said addressing the people on the pulpit : ‘Whoever receives a dead land, (it) would belong to him and whoever constructs a boundary wall, has no right over it after three years. This was because the people used to enclose land which they did not cultivate.’”* (Kitab al-Kharaj).

By following these two methods, an increase in farm produce would be achieved, and the aim of the agricultural policy would be realised.

There are, however, issues to be considered while implementing such



Introduction to the Systems of Islam

a policy. Once increased productivity is ensured, improving the quality of the produce has also to be considered. The policy of improving productivity has to be achieved by modernising the machinery; this necessitates the launching of an industrial revolution to match the ambitious agricultural programme, with industry providing the main means of progress.

Therefore, the agricultural policy should have three main aims in its bid to improve productivity:

1. Improving food products, with the aim of satisfying the needs of the people, and to remove the spectre of famine in case of drought, failing crops or economic embargo. Efforts should be made to improve and increase productivity of food products in both agricultural and animal produce.

2. Increasing productivity in clothing materials such as cotton, wool and silk, for these are basic necessities that should be made available without having to resort to imports and without creating a shortage in case of economic embargo.

3. Improving the production of goods which would have a market abroad, whether they were textiles or food products, like citrus fruits, dates etc.

Development projects like the building of dams, canals, wells and others are to be given priority if they were indispensable, for the aim is not only to launch an agricultural revolution, but an industrial one, without neglecting the agricultural but always working towards increasing production; the aim also is to achieve material progress, and this cannot be realised without an industrial revolution.

The Muslim world is underdeveloped with an economy based solely upon agriculture and other natural resources, and there are scarcely any industries. Therefore, an immense effort is needed to put the industrial revolution into motion. The schemes of the colonial powers should be abandoned, for they aim at keeping the Islamic world relying



Introduction to the Systems of Islam

solely on agriculture by encouraging such a policy and impeding its industrial progress to keep it dependent on the West, who provide most of the machinery and are the only source of maintenance.

It is worth mentioning here a basic economic principle in Islam that says, "Anything that reaps benefit to the Ummah should be provided for if funds were available, provided that it is not indispensable." This means that if the State had funds available, then the project should be funded, but if the State did not have funds, it should not impose taxes upon the people in order to finance the project, nor borrow money for it, even from its own citizens.

The Industrial Policy

The main aim of the industrial policy is to make the country an industrial one. The direct route towards achieving such an aim is to first of all manufacture the machines; then other industries can be introduced. The priority would be given to build factories to manufacture machines. There is no other way to turn the country into an industrial force. Only then can industries which rely on the machines produced (i.e. manufactured) locally, be established.

To claim that the manufacturing of machines takes a long time and that we should begin by introducing the light industries, is baseless and a recipe for disaster; it is a plan schemed by the West to impede the main initiative of the Islamic world, and to keep it concentrating on consumer goods industries and as a market for Western industries.

It is also wrong to believe that this venture is unfeasible because it requires industrial personnel which are not available. Firstly, Muslim countries have a large surplus of trained and qualified personnel who have no jobs due to unavailability of technology and industry in their own countries. These people would be used by the Islamic State for participation in the industrialisation process. Additionally, industrialised countries have a surplus of industrialists, engineers and technicians who can be contracted while the Muslim youth are trained to acquire such knowledge.



Introduction to the Systems of Islam

Therefore, efforts should not be wasted in light and consumer industries while the drive towards achieving the industrial revolution is still under way. Thus, the first step would be to manufacture the machines. This policy should be pursued simultaneously and not stage by stage. We should not wait until we reach one stage before we start another; because these obstacles that would delay our progress are imaginary.

What the Muslims possess nowadays in terms of consumer industries should be maintained as they are, without attempting to expand, but rather the concentration should be upon launching the industrial revolution. The import policy can remain in force according to the Islamic economic policy, until such machines are locally manufactured. Even the state industries like mining would have to follow the same strategy. The State, being the only legal owner of such industries under Islamic law (such as oil, minerals and other natural resources) would not buy machines to extract minerals, for this would divert its efforts from manufacturing such machines and thus impede the industrial revolution.

The State would rather buy the raw materials and maintain the existing factories and plants until such time as the machines can be locally manufactured. The huge profits from such resources of the Muslim Ummah, instead of being usurped by the Western nations and the corrupt rulers of Muslim countries, would be diverted towards providing the basic needs of the people and funding the industries.

Financing the Projects

The economic policy in Islam has undoubtedly determined the projects which the State should adopt, and those which the individuals should adopt. The agricultural policy falls into the private sector, and there is no place for the public sector in this area, except in offering farmers grants and financing building projects and developments, like dams, canals and channels.

The industrial policy is open to the private sector as well, except





Introduction to the Systems of Islam

where the industries are linked to resources that fall under the public ownership, like oils, basic minerals etc. Such industries must fall under the public (i.e. state run) sector. Naturally, these projects, whether public or private, require financing.

As far as the private sector is concerned, it is up to the individual, the company or the partners to finance their projects in any way they deem fit by legal means (i.e. by what the Shari'ah permits).

As for the public sector, it should not resort to overseas loans to finance its projects, for this leads to increasing foreign influence, and also to increasing poverty, which is the result currently seen in Third World countries, whose economies are crippled by such loans. Besides, such loans are generally subject to interest, which is forbidden in Islam. Therefore, the State should finance its own projects even by imposing taxes upon those who can afford it, in order to raise sufficient funds to launch the industrial revolution. The Islamic verdict on taxation projects should apply if such measures were to be taken, such that poor people would not be subject to the taxation.

Projects could also be financed by purchasing machinery on easy terms, even if it means paying more for the machines in the long term than their actual prices; this should be on a sales basis, and not on a usury transaction.

Establishing the Foreign Markets

Marketing goods is one of the major factors that generate wealth. Many countries have taken great care, past and present in finding markets for their goods and products. Many economic empires have been established on such a basis. It is essential therefore for the Islamic State to market its goods and products. However, this should not be an aim but a means to helping the purchase of goods necessary for the industrial revolution, to acquire hard currency or to send the Muslim youth to acquire the necessary education such as civil engineering, medicine etc.



Introduction to the Systems of Islam

On this basis, the policy of establishing foreign markets should be pursued, i.e. on a commercial and industrial basis. Attention should not be focused on the trade balance with the different countries. It is insignificant for our exports to be less, more or equal to our imports, as long as the objectives of the Economic System, the foreign policy and other obligatory considerations of the State are achieved, by being commercial and industrial at the same time, whether the trade balance were to our advantage or not. However, it should be noted that the basis followed by the Islamic State in its trading is different from any other in the world. All other countries deal on the basis of where the goods originate from and not where the businessman comes from. The State bases its trading on the traders origin, not on the origin of the manufactured or produced goods. This should be taken into consideration while establishing trading relations. In this way, the Islamic State will not for example, be involved in any trade with countries who are hostile to it, or at war with it. The businessmen of the State are its citizens, and they deal with others on the basis of free trade on goods that are legal according to the Shari'ah; whereas other businessmen trade according to the foreign policy of their country.

This method of trading, if pursued, would help generate and increase the wealth.

In these ways, the economic policy of the Islamic State will build it up as a powerful economic force, where it will supply the basic needs of its people, and enable them to fulfil their luxurious needs as much as possible, while undermining all the corruption, inequality and unfairness that is manifest in the Western and Socialist economic systems.

Sources of Revenue for the State

There are various types of taxes and revenues by which the State may fund its operations. In all cases of taxation, these can only be levied from those who can afford to pay. Thus, there is no taxation of the poor, which is seen in the Western nations in the form of, for example



Introduction to the Systems of Islam

VAT or council tax. The sources of revenue for the state include :

1) Taxation

There are three main regular taxes that the State levies from its citizens (excluding the *zakat*, which is a part of the *ibadah*).

a. *Jizyah* - Is a tax on mature male non-Muslim citizens who are able to pay it. This is much less than any tax on Muslim citizens.

b. *Ushr* - Is a tax levied on unconquered land under the jurisdiction of the State, at the rate of one tenth of the produce if the land is irrigated by rain, or one twentieth if it is artificially irrigated.

c. *Kharaj* - Is a tax levied on conquered land, whose rate is fixed by the Khaleefah.

Non-Muslims do not pay any tax except the *Jizyah*. The Muslims pay taxes on condition that they are levied upon that which is surplus to the individuals conventional needs.

As well as these regular taxes, the State has the right to collect additional tax from the Muslims when the funds of the *Bait al-Mal* are inadequate to cover the expenditure required to undertake all the functions which the Shari'ah has obliged the Muslims to perform, such as provision of food, shelter and clothing to all the citizens, or to meet the needs of emergencies like floods, or earthquakes. The State is not allowed to impose a tax upon the people for a function which the Shari'ah has not obliged the Muslims to undertake. Thus, the State is not allowed to collect fees for the courts or departments or administrations, or for accomplishing any interests such as building new dams or other facilities when they are not essential.

2. Other Sources

There are a variety of other sources of revenue for the state. These include the Following :

a. *Fa'i* - Property captured from the enemy without fighting.



Introduction to the Systems of Islam

- b. *Ghanima* - Booty captured from the enemy after fighting.
- c. *Khumus* - The fifth part of the booty.
- d. Revenue from Public Property, such as natural resources.
- e. *Thoghoor* - Customs levied at the States borders.
- f. Revenue from State Property like land, buildings etc.
- g. *Rikaz* - A fifth of hidden treasures and small minerals.
- h. The wealth of people dying without heirs.

The *Bait al-Mal* (State Treasury)

All of the revenues of the State are collected in the *Bait al-Mal*, from where the various functions of the State are funded. The matters for which the funds are allocated are all decided by the view of the Khaleefah and his *ijtehad*.

The expenditure of the *Bait al-Mal* is centred around the following six categories :

1. The *Bait al-Mal* has a special account in which the money of *zakat* is collected. The eight categories of people entitled to partake of the *zakat* funds are supplied from this account.
2. The poor, the needy, the travellers, the debtors and jihad are funded from other sources of revenue whenever there are insufficient funds in the *zakat* account. When there are inadequate funds even from these other sources, the debtors are not to receive assistance. The poor, the needy, the travellers and jihad must be funded from the extra taxes collected for this purpose; and if required - to prevent them falling into corruption - they are to be funded from loans raised by the State for this purpose.
3. The *Bait al-Mal* must fund those people who perform certain duties or services for the state, such as employees, rulers or soldiers. If there are insufficient funds for this purpose, taxes must be collected immediately to meet their expenses, and loans should be raised if it is feared that corruption might ensue.
4. The *Bait al-Mal* shall fund the essential services and utilities such as the roads, mosques, hospitals and schools. If there are insufficient



Introduction to the Systems of Islam

funds, taxes must be collected to cover their cost.

5. Non-essential services and utilities are funded by the *Bait al-Mal*, but when funds do not allow, these are not financed and are accordingly delayed.

6. The necessary measures for dealing with disasters, such as earthquakes and floods, must be financed by the *Bait al-Mal*; if there are insufficient funds, loans should be raised immediately, and will be repaid later from the taxes.

In cases where the State must resort to taking out loans to fund necessary activities, these will be primarily from its wealthy citizens. Foreign loans, which may allow the kaffir to have some kind of authority over the Muslims or control of her affairs, will not be undertaken.

It is absolutely forbidden to open banks in the Islamic State. The only bank permitted in the Islamic State is the state bank which is a department of the *Bait al-Mal*. It does not deal in *riba* (interest) and its function is to provide financial loans in accordance with the Shari'ah rules and to facilitate financial and monetary transactions.

Currency in the Islamic State

The Muslims at the time of the Messenger of Allah (saw) had taken units of gold and silver as the basic monetary currency and used both of them simultaneously. They used the Byzantine dinars and Persian dirhams as their currency and did not forge their own currency from the time of the Messenger of Allah (saw), until 'Abdul Malik ibn Marwan came. In his period of leadership 'Abdul Malik issued a special Islamic currency and made it of a particular shape and type and patterned it with distinctive markings. He based it on the unit of gold and the unit of silver with the weight of the Shari'ah dinar and dirham.

Islam has enunciated divine laws with respect to gold and silver; it considered them to be gold and silver elements and currency and coins, and the prices for things, or the wages for work, and it prohibited their hoarding and attached to them specific and unchanging laws. It prescribed



Introduction to the Systems of Islam

zakat on them; it considered them to be two forms of money, and it assigned the *nisab* (minimum amount of money for *zakat*) in dinars of gold and dirhams of silver. And when Islam imposed *diyyah* (blood money), it made the payment to be by this currency and prescribed an amount in gold, that is one thousand dinars and an amount in silver, that is twelve thousand dirhams. And when Islam obliged the cutting of a hand for theft, it laid down the amount on which the thieves hand is to be severed as one quarter of a dinar of gold, or three dirhams of silver. Similarly, when it laid down rules for exchange in currency matters, it defined them in terms of gold and silver.

The connection of Islam with these Shari‘ah rules for gold and silver as two currencies and as a means for exchange and as a price for goods is by the agreement of the Messenger of Allah (saw) who made gold and silver alone the standard unit of currency by which the prices of goods and the wages of work are estimated.

This indicates that Islam considers currency as gold and silver, because all the rules which are connected with currency have been connected with gold and silver.

Therefore, it is essential for Muslims to have their currency in gold and silver, and it is the duty of the Islamic state to make its currency gold and silver and to work on the basis of gold and silver as it was during the time of the Messenger of Allah (saw) and his Khulafa‘a after him. It is the duty of the state to mint dinars and dirhams in a shape and style unique to the Khilafah, and to fix the weight of dinars equal to the Shari‘ah dinar as the weight of one *Miskal* (or 4.25 grams for one dinar), and to fix the weight of one silver dirham as the “weight of seven” (i.e. every 10 dirhams has the weight of 7 *Miskal*).

The basis of gold and silver as currency is the only way to solve currency related economic problems and the high inflation rates that are common in the world, and to produce currency stability for rates of exchange and progress in international trade. Only by taking gold and silver as the standard, can the American control and the control of the dollar as an international currency, be demolished in international trade





Introduction to the Systems of Islam

and world economies. By returning to gold as the basic currency, the dollar will lose its influential status in the world.

The Ideal Economic System

The most fundamental aims of the economy of any nation is to provide an adequate supply of goods and services for its citizens and to enable each citizen to acquire and use them to raise their standard of living. This requires that wealth be created in the form of usable goods and services and that people get the means of owning and/or using these goods or services.

The degree to which these aims and objectives are met and the efficiency with which the citizens of the State participate depend on the specific rules of engagement, namely the economic policy which the nation implements.

Apart from the general ideological framework upon which the economic system is based, the key ingredients for the economic success of any nation include:

- 1) Confidence in and stability of the system.
- 2) Workability of the system by providing appropriate economic incentives for wealth creation and distribution.
- 3) A just method of distribution (i.e. circulation of wealth).

Although only the Capitalist economic system is practised in the world today, the Islamic Economic System gives the best rules of engagement in economic activity and would be the most successful towards raising the standard of living of any nation.

Confidence and Stability

Economic activity by its very nature is risky as those who partake in it directly can gain or lose wealth. Hence in all economic systems, there is always an understanding by those who participate that they may lose



Introduction to the Systems of Islam

their capital or effort. However, there are other phenomena that adversely affect the economic life of a nation by artificially creating an atmosphere of insecurity, and thereby reducing the level of economic activity. These arise because of the specific economic system implemented, for example in the Capitalist system, we find :

i) Booms and Busts: In the Capitalist system, periods of good and bad trade have become evident from the records. Although opinions differ widely among economists on the conditions responsible for trade fluctuations, a common feature is that the root cause of these conditions stems from the foundations of the Capitalist economic system.

ii) Runaway Inflation: The fact that money continually loses its value has become an intrinsic part of Capitalist economies. Here again there are many opinions from economists as to what causes runaway inflation. But the recipe for runaway inflation lies at the heart of established financial controls in the Capitalist system.

iii) Money market crashes: These occur irregularly in the form of sudden exaggerated changes in foreign exchange rates and sudden falls in share prices.

The most fundamental characteristics of the Capitalist economic system which forms the root of these phenomena are speculation and false representation. These are manifested in, for example, the artificial creation of money.

As such, there is nothing to prevent governments from literally creating money at will. Excessive creation of paper money which cannot be represented by real wealth is the root cause of inflation. Further, governments and banks refer to this blandly as increasing money supply, i.e. they have printed more money while the assets the money represents remain constant.

In addition, high street banks can lend money that is not existent by crediting peoples accounts on paper. This false representation that is meant to keep the system going actually creates more artificial money.

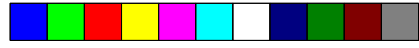




Introduction to the Systems of Islam

In Islam it is prohibited for the State to artificially alter the supply of money which is based on real tangible assets (gold and silver). Therefore there is no increase in money supply beyond real increases in wealth and accordingly inflation is not a problem. In such an environment businesses have far greater stability and bust/boom, inflationary/recessionary cycles will not occur. In Capitalist economies governments often use instability in money supply as a form of additional taxation upon the people. As the value of their earnings or assets and savings rapidly plummet there is a massive transfer of value to the government/banking system that controls the currency. The ex-Yugoslavia and Russia are recent examples of economies where governments used hyper-inflation for these ends. That inflation may be 2-6% in many western countries is little comfort as it is still eating of the wealth of the people.

In conclusion, the above points clearly outline certain fundamental differences between the Capitalist economic system and the Islamic Economic System. The inherent failing of Capitalist economies can be seen today throughout the world, even in the Muslim countries, where it has been forcibly applied by corrupt rulers. The details of Islamic economics should fill us with confidence that Islam provides solutions to the 'economic problem', which the world around us currently faces.



Introduction to the Systems of Islam





Summary: Economics in Islam

Many of the problems faced by the world's populations have their roots in the field of economics. As a result of mis-management of the distribution of the vast resources that the earth produces, we see widespread poverty, starvation and homelessness. Most of the wealth is retained in the hands of a tiny minority, who maintain their grip by corruption and oppression of the people.

This is the case even in so-called 'civilised' nations like Britain and the USA. The evidence is clear for all to see on the streets of inner cities where extravagant buildings tower above while their doorsteps are full of homeless people who have no other place to sleep.

In the Muslim countries the situation is even worse. The puppet regimes in countries like Saudi Arabia, Pakistan, Egypt, Morocco - the list goes on, are controlled by a few tiny families who, driven by their own greed and selfish desires, bow to the whims and fancies of the Western powers. While they are installed in palaces, the populations live lives of hardship where even day to day existence is a struggle.

All this while organisations like the IMF and the World Bank, the tools of economic colonisation, milk the wealth of the Muslim Ummah without any resistance.

The only way out of this dire situation is to bring about the economic justice of Islam. The Economic System of Islam is a comprehensive mechanism for the fair distribution of the wealth of the world. It does not discriminate between rich, poor, Muslim or non-Muslim. Its only concern is to eliminate the oppression which ensues from the corruption of man-made rules.



Introduction to the Systems of Islam

Study the history of the Islamic State and see how under its rule, its citizens enjoyed prosperity and security. Human beings were cared for - they were housed, well fed and their lives were elevated to a standard of dignity. Contrast that with the predicament of people today.

The beauty of the Islamic way of life has been hidden away from us for decades. It can be enjoyed again by the Muslims and non-Muslims alike, when the Systems of Islam are implemented once more.





The Social System

Facts About the Social System

The primary role of a married woman is as a wife and a mother. The primary role of the man in the context of the family is as a provider.

A woman may participate in the election of a Khaleefah, she may also sit on the Majlis al-Ummah (peoples consultative assembly). She may also be a judge, a scholar or hold any position of authority other than ruling. Thus it is forbidden for a woman to be the head of state or a governor (*wali*).

In the West the issue of fornication and adultery is glamourised. It is the main theme of most films, novels and songs. That is in its pure form, and in its popular euphemism, 'love'. In Islam we give no respect to adulterers and fornicators. In Islam adulterers and fornicators are punished.

'A'isha (ra) the wife of the Prophet (saw) narrated 2,210 *ahadith*. These cover issues ranging from politics to economics as well as the personal actions of the Prophet (saw) at home. Most of them are taken as a source of Islamic law.

Islam protects the family integrity and thus protects society; it eradicates the scourge of adultery. Any person who has committed adultery has only two options:

1. To accept the punishment in this life, which is public stoning to



Introduction to the Systems of Islam

death (carried out by the State), or

2. Burn in Hell by a fire that is seventy times hotter than the fire of this world.

Islam fulfils and organises all the instincts of human beings, including the procreational instinct. Thus the relationship between man and woman is based on marriage. If a man desires another woman he should marry her. Islam allows the marriage of up to four women at one time, as long as all are treated justly and equally.

The illegitimate child born out of wedlock is completely innocent but is not entitled to take inheritance from the father as the man is not his legal father from the Shari'ah point of view. Similarly the child does not bear the sin.

It is forbidden for a man to dress or behave in the way of a woman, or for a woman to dress or behave in the way of a man. If someone is found to be doing this in public, they are subject to punishment by the Islamic State. Abu Hurayrah (ra) reported that the Prophet (saw) cursed the man who wears the woman's clothes and the woman who wears the man's clothes. Ibn 'Abbas reported that the Prophet (saw) cursed the man who imitates the woman and the woman who imitates the man, when he (saw) said, **“throw them out from your houses.”**

All forms of sexual perversion and deviancy, e.g. homosexuality and child abuse are forbidden in Islam and there are severe punishments for them.

Islam provides a tranquil environment for men and women, where the honour and modesty for both are preserved in the society. Islam accomplishes the issue of modesty by 'lowering the gaze' of men and women and not merely by the donning of a garment.

The woman is considered an honour in Islam. The Prophet (saw) said, **“Whoever dies protecting his honour dies *shaheed* (martyr).”**



Introduction to the Systems of Islam

Islam forbids for an unmarried couple to be alone in seclusion together. Jabir narrated that the Messenger of Allah (saw) said, **“Whoever believes in Allah and the Last Day, he should not be in seclusion with a woman without a *mahram*, for the third is always the *Shaitan*.”**

The relationship between husband and wife in Islam is that of companionship and friendship, as opposed to a partner - as in a business.

In inheritance, daughters are entitled to only half that of the sons, whilst the obligation of providing food shelter and clothing to the woman and family falls fully on the husband.

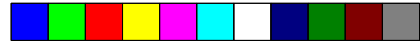
The husband has no right whatsoever over the wealth of his wife without her consent, even if she is very wealthy and he is very poor.

Allah (swt) says in the Qur'an :

“And among His signs is this, that He created for you companions from among yourselves, that you may dwell in tranquillity with them, and He put love and mercy between your hearts. Verily in that are signs for those who reflect.”[TMQ 30:21]

Neither man or woman inherently have more value in the eyes of each other, the society, state or Allah (swt). However, as different creations they have different roles to carry out on earth, just as the sun has a different role to the moon.

“And it behoves not the sun to overtake the moon, nor can the night outstrip the day : Each (just) swims along in its own orbit.”
[TMQ 36,39]



Introduction to the Systems of Islam





Introduction to the Systems of Islam

So, You Want to be a Parent?

The joys of parenthood are many. Think of returning home from a hard days work to be greeted by the smiling face of your beautiful baby. Think of the day your child said your name for the first time. Or the moment when you saw them take their first steps across the room...

These are the kind of memories that every parent will cherish for the rest of their lives. But the sweet innocence of a new born baby cannot last forever, and your thoughts as a parent soon turn to matters of the future. What kind of a person will your son or daughter grow up to be? What kind of friends will he or she come to know? Will they fulfil your hopes and expectations, and become respectful, obedient, upstanding individuals?

Growing up in the West

Regardless of the plans and ambitions you have for your children, the reality of growing up in the West will give you more to worry about than you might care to imagine. From the time of infancy right up until adulthood, you have a lot more problems to deal with beyond just making sure your child is well fed and looked after. There are a multitude of horrors that you will be faced by living in the West, especially where your children are concerned.

When young, many children are subject to the likes of child abuse, abduction and neglect. The increasing breakdown in family structure has exacerbated these problems, and paved the way for a host of others in later life. In their youth and young adulthood, a new set of dangers lurk ahead, such as the risk of underage pregnancy and abortion, single



Introduction to the Systems of Islam

parent families, drugs, date-rape and homosexuality. While all the youth are not involved in or subject to such activities, they most certainly will come across them at some stage in their lives. In any event these problems are so prevalent in our environment, that they cannot be ignored or blamed on a few individuals.

Given these kinds of worries, are you confident that your child won't be influenced? What if he or she turns out to be a delinquent? Or worse still, a homosexual?

So why all the problems?

So why do these social problems arise in the so-called 'civilised' surroundings in which we live? The reasons for this are twofold :

1. The organisation of the social system :

Have you ever looked at children's TV programmes, like 'Neighbours' and 'Eastenders'? Or have you glanced at the teenage magazines your daughter or little sister brings home with her every week? This type of media provides role models for your children and sets the trend as to how everyday life should really be. They frequently portray the kind of social issues mentioned above - they are filled with boyfriends, girlfriends, lesbians and adulterers!

But more importantly, the fact that these are freely available on the airwaves or in your local newsagents reflects an underlying government policy that tends towards liberalism and licentiousness. According to British law, homosexuality, adultery and one night sexual relationships are perfectly legal. Is it any wonder that so many youngsters follow in the same footsteps?

2. Lack of parental responsibility :

Of course, you cannot blame only society for the shortcomings of a generation of wayward youth. The parents are just as much to blame.



Introduction to the Systems of Islam

After all, if the parents themselves take their values from the same environment, what do you expect they will teach to their children?

Fundamentally, both of these issues arise from the same source, that is, the mentality of freedom. Under the guise of 'freedom' people are subjugated to their own whims and desires. The politicians legislate laws to govern over you on the basis of their own preferences. With so many members of the cabinet being self-confessed adulterers, how confident do you feel that the way they run your affairs and build the society around you will be suitable for your son or daughter to grow up in?

As well, with freedom comes **lack of responsibility**. If a parent really believes in freedom, what stops him or her from abusing or neglecting their children? The answer is, very little.

What is worse, is that the whole process works both ways. A child will act according to the values and ideas he has been brought up with. Thus, more often than not, children of the West disrespect and disobey their parents. And the same selfish mentality that motivates them to do this, is the reason why you might find yourself stuck in an old people's home just when you need their support...

The Islamic Social System Solves the Problems of Parenthood

In Islam, the mentality of freedom is replaced by responsibility. This responsibility is not merely towards yourself and your own desires, rather it is the responsibility to Allah (swt) your creator. The Social System of Islam, which deals with the relationship between men and women and the issues that arise between them, defines clear guidelines for a stable and harmonious family structure. It is upon this basis that your relationship as a parent with your child is built, and it is this that provides the environment in society which can enable you to ensure that your child will grow up to be someone you are proud of.



Introduction to the Systems of Islam

The primary duty to bring up your child lies on the neck of **you** as the parent. Allah (swt) says,

“Oh you who believe, save yourselves and your families from the Hellfire, whose fuel is men and stones.” [TMQ 66:6]

This *ayah* defines what your ambitions for your son or daughter should be. Your primary concern should be that he or she attains the Paradise and is saved from the Hellfire. Only after this is it worth considering what kind of education or career they should pursue. After all, if your aims for your child lie solely in the bounties and pleasures of this life, you will give them little in the way of preparation for the life to come, which is the ultimate destination for both of you.

The essence of achieving success in this endeavour lies in education of your child with the correct Islamic understanding. You must teach them about the true belief in Allah (swt) and His Messenger (saw), and how they should fulfil their obligations as a Muslim. And this you must do in such a way that they have complete conviction in what they are doing.

This includes teaching them about the rational proofs of the Islamic *'aqeedah*, the prayer, the fasting, the duty of *da'wah* and jihad, the conduct of a Muslim - in short, all the things which are *fard* (obligatory) upon them and *haram* (forbidden) for them. For it is only when one is inculcated with the mentality of obedience to the commands and prohibitions of Allah (swt) that anyone can hope to attain the Paradise.

How can you make sure that this duty is fulfilled? The first thing to do is to take a look at yourself. Are you ready to save yourself from the Hellfire? Unless you are, how can you hope to prevent your child from arriving at such a fate? If you are going to educate your child with knowledge of the *deen* (i.e. Islam), you must know it yourself. And then, if you are to be a good example to your child, you must practice Islam fully in your own life. This is the first stage in fulfilling your responsibility as a parent.





Introduction to the Systems of Islam

Ibn Majah narrated that the Prophet (saw) said, **“Teach your children and teach them properly.”**

Ibn Jurayr narrated that the Prophet (saw) said, **“Order your children to abide by all the commands of Allah, and to avoid all the prohibitions, and by that you protect them from the Hellfire.”**

Once you have equipped your child with an understanding and conviction in Islam - the basic and most vital preparation that you could give, he or she will be ready to face all that the world can offer.

The Effect of Society on Your Child

In this country, as effective as the training and guidance that you give your child may be, as soon as they are out of the security of your watchful eye, other forces come into play to undo all your good work. However, in the Islamic State, the Social System ensures that the negative images we see in the West are absent.

It ensures that the image of women is portrayed as one of honour, respect and dignity. Thus, there will be no pornography in the newspapers, on the television, in the cinema or anywhere else. No one will look at your daughter as a ‘sex object’, and your son won’t be under the delusion that being ‘gay’ is perfectly normal and acceptable!

As well, public life in the Islamic State will be based around separation of the sexes. Thus, the free mixing between men and women in the West that leads to so called ‘sexual liberation’ will not occur. Instead of wasting their lives in bars, night-clubs and discotheques, young people will be encouraged to involve themselves in more meaningful endeavours.

These are just a few of the areas in which the Social System will have beneficial effects on the upbringing of your child. Think of all the worry that an Islamic Social System will save you!



Introduction to the Systems of Islam

Rights and Duties of the Parent and the Child

As a parent the Islamic Social System gives you clear cut duties towards your child which you must fulfil, and similarly, it gives you rights that your child must return to you. Neither is 'free' to use and abuse as he or she feels fit. Thus, a stable family structure is realised, built upon mutual respect and good relations.

Your Life as a Parent in the Islamic State

Let us look at how things would be different under Islam :

Childhood

This is the period when you find yourself most in control of your child's life. He or she is entirely dependent upon you for support and guidance. Islam gives your child rights over you that you must fulfil. These include :

1. Choosing a good mother/father :

Even before your children are conceived, your duty towards them has already begun. 'A'isha narrated that the Prophet (saw) said, **“Choose the correct mother for your seed, and get married to a good woman.”** Al-Hakim

2. Providing food, shelter and clothing :

This is your duty as a parent. Abu Daud narrated that the Prophet (saw) said, **“It is enough sin for a person that he ignores those whom he is responsible for.”**



Introduction to the Systems of Islam

3. Teaching them the *deen* :

Ibn ‘Abbas narrated that the Prophet (saw) said, **“Act upon the obedience to Allah and avoid the prohibitions of Allah, and order your children to abide by the commandments of Allah and to avoid the prohibitions of Allah, and by that you protect yourself and them from the Hellfire.”** Ibn Jurayr

When you take care of these issues, you not only fulfil your responsibilities to your child, but they are a source of great reward for you in the life to come.

Youth and Adolescence

This is when the real problems start. Your child develops a mind of his or her own, and for the first time starts to do things that you did not necessarily ask them to do.

But if you compare youth in the West to youth who have been cultured by the environment of the Islamic Social System, you will find that most of your fears are allayed. Here their duties as a son or daughter become apparent :

1. No Dating :

The media paints an image for youth that if they don’t have a boyfriend or girlfriend, there must be something wrong with them. In Islam, if you have a boyfriend or girlfriend, there is something wrong with your lifestyle. The policy of segregation not only ensures that the temptation to do this is minimised, it also guarantees the preservation of dignity and respect for both men and women. Instead, Islam recommends you to get your children married as soon as they are able (i.e. mature). Allah (swt) says,

“Do not come near zina (fornication or adultery), for it is a shameful deed and an evil, opening the road to other evils.” [TMQ 17:32]



Introduction to the Systems of Islam

Bukhari narrated that the Prophet (saw) said, **“Whoever is able to marry should marry, for that will help him lower his gaze and guard his modesty.”**

2. Obedience to parents :

Respect and obedience towards parents is enjoined upon all Muslims throughout their lives. Islam forbids your children to insult, abuse or even speak in a harsh tone towards you. Allah (swt) says,

“And we have enjoined upon man to be good to his parents. In travail upon travail did his mother bear him. And in years twain was his weaning : (Hear the command) Show gratitude to Me and your parents : To me is (your final) goal. But if they strive to make you join in worship with me things of that which you have no knowledge, obey them not.” [TMQ 31:14-15]

Effect of the Media

Anorexia, depression and suicide. These are a few among many of the problems which arise in young people as a direct result of the way in which the media portrays the ‘ideal body.’ The achievement of this is beyond most ordinary people, yet young people find themselves forced to strive to conform to these unrealistic goals. In Islam, the emphasis is upon the character of the individual and his or her *taqwa*, as opposed to physical attributes.

Allah (swt) says,

“O mankind! We have created you male and female, and have made you nations and tribes that you may know one another. Lo! the noblest of you in the sight of Allah, is the best in conduct.” [TMQ 49:13]



Introduction to the Systems of Islam

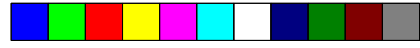
Adulthood

When your child achieves adulthood, the roles are effectively reversed, and it is time for your child to repay the kindness and benevolence that you have given them. In the West, aged parents are seen as a nuisance. Hospitals and residential homes are full of old and lonely people who pay the price of an individualistic society. In Islam, the responsibility to look after you in your old age lies on your children. Allah (swt) says,

“And do good to your parents. Should one of them, or both, attain old age in your care, never say ‘oof’ to them or scold them, but (always) speak to them with reverent speech, and spread over them humbly the wings of your tenderness, and say, “Oh my sustainer! Bestow Your grace upon them, even as they cherished and reared me as a child.” [TMQ 17:23-24]

Conclusion

Bringing up your children in the West is an uphill struggle. With all the confused messages that they receive, from their parents on the one hand and the rest of the society around them on the other, it is no wonder why so many of our youth are going astray. The key to the problem lies in the reorganisation of the values and role models which are prevalent in the world around you, which affect the way in which your child develops and behaves. Thus, it is only under the guidance of the Islamic State, and the social stability that it offers, that you can be sure of a happy, stable and successful family life.



Introduction to the Systems of Islam





Introduction to the Systems of Islam

The Islamic Social System

The Social System in Islam is concerned with men and women, and the regulation of the way they interact with each other, whether in the private or public arenas.

There has always been much confusion among people in the West as to the roles that men and women play in life. In the past, women were seen as inferior beings to men, and have even been compared to animals and regarded as 'without souls', or just items of property. And in the present day, womens movements and organisations struggle against the establishment to achieve the same status and rights as men.

These kinds of conflicts arise between men and women, because it is left to human reason to define what is the nature of men and women, and what roles they are supposed to play in life. However, it is impossible for limited human minds to understand fully the intricate nature of men and women, and their different emotions and characteristics. As a result of this, erroneous ideas arise about how men and women should interact with each other. Their roles remain undefined, and the result is chaos in society.

Many problems stem directly from this lack of clarity, whether concerning the roles of men and women in relationships, in families or in the workplace. This is why there is discrimination against and oppression of women, family breakdown, sexual harassment, prostitution, child abuse, homosexuality - the list of the consequences of an ill-defined social system is almost endless.



Introduction to the Systems of Islam

Men and Women in Islam

Islam defines very clearly exactly what are the roles of men and women in life, and gives detailed guidance as to how they should interact with each other in every sphere of life. These definitions and roles come from Allah (swt) the Creator of human beings. As a result they perfectly accord with human nature and there is no scope in Islam for either men or women to be left to oppress or discriminate against each other.

Mankind is regarded as consisting of human beings, who have the same instincts, like the survival, spiritual or procreational instincts, and organic needs such as the need to eat, sleep, breathe etc. They share these regardless of their gender. As such, men and women are both creations of Allah (swt) and in this respect are absolutely equal in status. Islam defines the purpose of life for human beings as being purely a worship to Allah (swt).

“I have not created jinn and human beings except as a worship unto me.” [TMQ 51:56]

This worship is fulfilled by living in obedience to the commands and prohibitions of Allah (swt), and the extent to which a person has done this will be judged on the Day of Judgement, to determine whether they are to gain the reward of Paradise or the punishment of Hellfire. This applies equally to both men and women, with neither having any preference over the other. In the eyes of Allah (swt) men and women have equal status. Allah (swt) says,

“And their Lord has accepted of them and answered them, ‘never will I suffer to be lost the work of any of you be you male or female, you are members of one another.’” [TMQ 3:195]

It is acknowledged however, that Allah (swt) created man and woman with a different *fitrah* (nature) which gives them different roles to play in life. This is because there are some attributes that are exclusive



Introduction to the Systems of Islam

to men or women, that cannot be shared by the other; for example, women bear children and breast-feed them, but while men are physically stronger, they are unable to do these. One of the many errors found in the man-made system, is that 'equality' has taken the same meaning as 'sameness.' Thus, women and men are forced to compete with each other to fulfil the same roles.

The Shari'ah of Islam prevents this. In some areas, which are not gender specific, men and women follow the same rules, as in the prayer, the giving of oaths or the fasting, except where there is an acknowledgement in the differences of their nature - so in times of menstruation, the woman does not pray, and when pregnant, the woman need not fast (although the missed days are made up later). But in others, which are gender specific, men and women have different roles to play and rules to follow, e.g. motherhood or fatherhood. Thus instead of competition between men and women, there is harmony and tranquillity.

Objectives of the Social System

There are three main objectives of the Social System in Islam. These are :

1. To define the roles of men and women.
2. To organise the relationship between men and women and to solve the problems that arise from this relationship.
3. To regulate the family structure.

All the rules and laws which human beings are subject to in order to fulfil these objectives are defined by the Shari'ah. Some roles are unique to men and women and some apply to both.

The Man

A man can take different roles with regard to his relationship with



Introduction to the Systems of Islam

those around him. Islam defines different rights and duties for the man depending on which capacity he is acting in. Some of the roles he could have are as :

1. Grandfather
2. Maternal/ Paternal Uncle
3. Father
4. Brother
5. Son
6. Husband
7. Maternal / Paternal Nephew
8. Unrelated man.

Some examples of the different rights and duties incumbent upon the man depending on his capacity are :

a) The father must provide food, shelter and clothing for his children, until such a time that they are mature, and able to support themselves, after which his support becomes a charity.

‘A’isha (ra) narrated that Hind bint Utbah came to the Messenger of Allah (saw) and she said, **“Oh Rasul Allah, Abu Sufyan is a miserly man and I have nothing from him except what I take for myself.”** The Prophet (saw) said, **“Take what is sufficient for you and your child with justice.”** *Kitab al Umm*, Imam Shafi‘i

b) The son is obliged (i.e. it is *fard*) to obey the mother or father in those areas which are *mubah* (permitted) and are the right of the parent, e.g. to serve them or look after them, and is *mandub* (recommended) to obey them in areas which are the choice of the son, e.g. who to marry, what to wear etc. It is forbidden for him to obey his parents if they order him to disobey Allah (swt).

“And we have enjoined upon man to be good to his parents. In travail upon travail did his mother bear him. And in years twain was his weaning : (Hear the command) Show gratitude to Me and



Introduction to the Systems of Islam

your parents : To me is (your final) goal. But if they strive to make you join in worship with me things of that which you have no knowledge, obey them not.” [TMQ 31:14-15]

c) It is forbidden for an unrelated man to gaze at a woman with lustful intentions.

Jarir ibn ‘Abdullah reported, **“I asked Allah’s Messenger about the sudden glance (that is cast) on the face (of a non-mahram). He commanded me that I should turn away my eyes.”** Muslim

The Woman

The woman too can take different roles. Her duties vary depending on which capacity she acts in.

Among the roles that a woman can take, these are some of the important ones :

1. Mother
2. Maternal/ Paternal Aunt
3. Grandmother
4. Sister
5. Daughter
6. Wife
7. Maternal / Paternal Niece
8. Unrelated woman
9. Wet-nurse (i.e. mother by breast-feeding)

Here are a few examples of what some of these roles may entail:

a) The mother has more right of obedience and respect from her children than the father.

Abu Hurayrah related that a man came to the Prophet (saw) and asked, **“O Rasul Allah, which of all the people is best entitled to kind treatment and good companionship from me? He answered,**



Introduction to the Systems of Islam

‘your mother.’ The man asked, ‘Then who?’ He said, ‘Your mother.’ ‘And after her?’ He replied, ‘Your mother.’ ‘And after her?’ He replied, ‘Your father.’ ” Bukhari and Muslim

b) The daughter needs the permission from her *waliy* (guardian), who is usually her husband or father, to leave the house. Baihaqi narrated that the Prophet (saw) said, **“It is not permissible for a woman who believes in Allah and the Last Day to allow someone into her husband’s house if he is opposed, or to go out if he is averse.”**

c) The maternal aunt has more right of custody over her young nephew or niece, than any other relation apart from the mother and father.

Muhammad (saw) said, **“The *khala* (maternal aunt) has equal rights after the mother.”** The *hadith* was regarding custody of a child.

Each role that the man or woman may fulfil has its own details and explanations. However, by fulfilling the roles that each has with regards to the other people around them, harmony will prevail within the family structure. Disputes which may arise will be solved by the Shari‘ah, whether they are within the family structure, or in the society as a whole.

Principles of the Social System

The main principles which preserve the relationship between men and women according to the Islamic Shari‘ah are:

1. Men and women must cover their *awrah*.
2. Men and women are segregated, and mixing between them is allowed only in specific areas.
3. It is not allowed for an unrelated man and woman to be together in a secluded place (*khalwa*).
4. Men and women must lower their gaze towards each other and preserve their modesty.
5. It is not permitted for a woman to travel alone for more than 24



Introduction to the Systems of Islam

hours away from a secure place (i.e. without a *mahram*).

6. Marriage is a valid institution for unrelated men and women to have intimate companionship with each other. Marriage may be dissolved by divorce.

7. Islam defines the roles of motherhood, fatherhood and children.

Covering the *Awrah*

Awrah is the term used by Islam to indicate the areas of the body on a man or woman which must be covered up in the presence of other people. This is an act which preserves the modesty and dignity of those who conform to it. There are different degrees of *awrah*, and the extent to which they must be covered depends on the relationship that the Muslim has with the people around him or her.

The Dress Code of the Man

The *awrah* of the man can be divided into two categories :

1. *Awrah Ghalida* (hard *awrah*) : this encompasses the private parts and the back side.

2. *Awrah Khafifa* (soft *awrah*) : this encompasses the other areas from between the navel to the knee.

The *awrah* of the man to another man :

It is forbidden for the man to uncover any area of either of these parts of his soft or hard *awrah* in public, or in private when other men are present.

The *awrah* of the man to the woman :

The same applies when the man is in the presence of any woman, including his near relatives. However, it is permitted for a man to show any part of his *awrah* to his wife.

Evidence: Abu Said al-Khudri said that the Prophet (saw) said, “A



Introduction to the Systems of Islam

man's *awrah* is between his navel and his knees."

The Dress Code of the Woman

The *awrah* of the woman is divided into two areas :

1. *Awrah Ghalida* (hard *awrah*) : This is between the chest (including the breast) and the knee.
2. *Awrah Khafifa* (soft *awrah*) : This is all of the body except for the face and the hands.

The *awrah* of the woman to a man:

The soft *awrah* must be covered at all times when the woman is in the public areas or when an unrelated man may be able to see her, like the street or the market-place. The clothes that she wears cannot be tight, and reveal the shape of her body, as this does not constitute the adequate covering of her *awrah*. If an unrelated man has looked at even as much as one hair on her head, then he has seen her *awrah*, and has committed a sin (unless there is a valid Shari'ah reason for doing so, e.g. medical treatment etc).

If the woman is in the private places, like her home, but is in the presence of her male *mahram* (non-marriageable relatives) or other women, she must cover her hard *awrah*, but may show her soft *awrah*.

The only person in front of whom the woman can show all of her body, including the hard *awrah*, is her husband.

'A'isha (ra) narrated that Asma, the daughter of Abu Bakr came to the Messenger of Allah (saw) while there were thin clothes on her. He turned his face away from her and said to her, **"O Asma! When a girl reaches the menstrual time, it is not proper for her that anything should remain exposed except this and this."** He gestured at her face and palms. Abu Daud





Introduction to the Systems of Islam

Al-Tabarruj (the adornment)

There is a specific dress code that the woman must conform to when she is in public areas, as well as covering her *awrah*. This concerns the issue of adornment. She must wear an outer garment, which consists of:

1. *Khimar* - this is a head covering which conceals all of her hair, and reaches down to cover her chest.

2. *Jilbab* - This is a barrel shaped outer garment which covers the whole body, and does not reveal the underlying shape or definition. This may be in one piece or two pieces. Allah (swt) says,

“Oh Prophet, say to your wives and your daughters and the women of the believers that they let down over them their jilbab (over garment); this will be more proper, that they may be known, and thus they will not be annoyed.” [TMQ 33:59]

As well, the woman is forbidden from wearing bright colours or any style of clothing that will attract attention to her. This applies for jewellery, make-up, or anything which may make a noise when she walks. She is also not allowed to put on perfume that can be smelt when she is in public places. However, if she wears make-up or clothes which do not attract undue attention, she may wear these in public.

In the private areas, while in the presence of other women or her *maharim* (non-marriageable relatives), but not if in the presence of unrelated men, she may wear whatever clothes and make-up that she chooses, as long as they conform to the Islamic conditions (like covering the hard *awrah*, not imitating the clothes of the disbelievers, etc.). Allah (swt) says,

“And tell the believing women to lower their gaze and be modest, and to display of their adornment only that which is apparent, and to draw their veils over their bosoms, and not to reveal their adornment save to their husbands or fathers, their husbands



Introduction to the Systems of Islam

fathers, their sons, their husbands sons, their brothers or their brothers sons, or their sisters sons, or their women, or the slaves whom their right hand possesses, or male servants free of physical needs, or small children who have no sense of shame of sex; and that they should not strike their feet in order to draw attention to their hidden ornaments.” [TMQ 24:31]

These are some of the aspects of the social system, as relating to the woman or the man in their individual capacities. However, the Shari‘ah gives details about the rules regarding areas where men and women interact with each other.

Segregation Between Men and Women

In Islam, the basic principle of the interaction between men and women is segregation. This means that in all areas of life and in all places whether private or public, contact between men and women is generally prohibited. Many evidences establish the principle of not mixing between the sexes, and there are many *ahadith* which clarify that this is the case in both public and private areas:

Abu Daud narrated the following *ahadith*: The Prophet (saw) said, **“The best row for men is the front row, (furthest from the women’s row) and the best row for women is the back row and the worst is the front row (just behind the men).”** Ibn ‘Umar said, **“The Prophet prohibited men from walking between two women.”** The Prophet (saw) saw men and women outside the mosque moving side by side in the crowd. He stopped the women saying, **“It is not proper for you to walk in the middle of the path, you had better walk along the walls.”**

This means that the Muslims should avoid contact with members of the opposite sex, whether Muslim or not, as a general rule. However, there are exceptions to this general rule, where the mixing or interaction between men and women is permitted in certain situations.



Introduction to the Systems of Islam

For example, it is permitted for men and women who are *mahram* to each other to mix freely for any purpose that Islam permits. As well, there are certain areas where it is permitted for non-*mahram* men and woman to interact with each other, such as for the purpose of *da'wah* (invitation to Islam) or education. However, the type of mixing that can occur here is not free, and is restricted by the Shari'ah to be within certain guidelines and boundaries, and the Muslim must be sure to understand these before any type of mixing takes place.

The *ahkam* (rules) to do with mixing also vary with regard to the kind of place in which the mixing occurs.

The Public and Private Life

In an Islamic society, there are two types of areas where men and women come into contact with each other, which are quite different in their descriptions and in the *ahkam* (rules) which relate to them. The nature of the interaction between people in them may involve the mixing among men, among women, and between men and women. These are :

The Public Areas - These consist of areas wherein anybody can be present without permission, e.g. the mosque, the streets etc.

The Private Areas - These are areas where permission is required to enter them, such as houses. In such areas, it is forbidden to enter without permission, or even to look inside. Sahl ibn Sa'ad narrated, **“A man peeped through a round hole into the dwelling place of the Prophet (saw) while he had an iron comb with which he was scratching his head. He (saw) said, ‘Had I known you were looking (through the hole) I would have pierced your eye with it (the comb). Verily, the order of taking permission to enter (a dwelling place) has been enjoined because of that sight (that one should not look unlawfully at the state of others)’.”** Bukhari



Introduction to the Systems of Islam

Islam defines rules which regulate relationship between men and women.

The Private Life

This concerns the conduct of people when they are in the private areas. Here, the principle is that mixing between unrelated (non-*mahram*) men and women is forbidden as a general rule. However, the Shari'ah gives permit for mixing to occur under certain special circumstances. In all these cases, a woman must have a *mahram* (non-marriageable relative) in her presence. The areas include:

1. **Medicine** : It is allowed for men and women to mix for the purpose of seeking medical treatment.

2. **Studying** : It is allowed for men and women to be present in the same class if the purpose of their mixing is learning about Islam or other types of education permitted by the Shari'ah.

3. **Marriage** : It is permitted for men and women to be present in the same place for the purpose of performing, witnessing or celebrating a marriage.

4. **Food** : Men and women may eat together in the same place.

5. **State Arrest** : In any issues involving the affairs of the State, it is permitted for the police on the authority of the Khaleefah, to enter into a private place where women may be present, if this is required for them to conduct their business.

6. **Duress or Compulsion** : At times of absolute necessity or emergency, such as earthquakes, war or hurricanes, the necessary mixing is permitted for men and women in order to remove any danger or threat.



Introduction to the Systems of Islam

The Public Life

This concerns the conduct of people when they are in the public areas. Here again, the principle is that mixing between unrelated (non-*mahram*) men and women is forbidden as a general rule. However, the Shari'ah gives permit for mixing (in the sense of presence in the same area) to occur under certain special circumstances. In all these cases, it is not a condition that a woman has a *mahram* in her presence. The areas can be broadly categorised to include :

1. **Every day life affairs** : This involves the unavoidable interaction between men and women in areas like streets, mosques, markets, hospitals, businesses, offices, airports, while performing the Hajj etc.

2. **Da'wah** : For the purpose of inviting non-Muslims to Islam, or teaching the Muslims about the *deen*, men and women may be present in the same public area, e.g. public halls, lecture rooms etc.

3. **Seeking Knowledge** : For the purpose of education, men and women may study in schools, universities, colleges as long as they are public places that do not require permission for entry.

In all these cases, where men and women are present at the same time, there must not be free mixing, where both sexes are mingling with each other. Rather, the men and the women must be separated, such that for example, the women are at the back of the room and the men are at the front. The general rule is that any contact between members of the opposite sex is minimised as much as possible, so any contact between members of the opposite sex must be necessary to the business at hand. Thus in the Islamic State, for example, in the trains or buses there would be separate areas for men and women.

In any case, the activities which are occurring must be *halal* (i.e. permitted) in nature. Accordingly, mixing between non-*mahram* men and women for the purpose of amusement, leisure-activities or entertainment is strictly prohibited. Thus issues such as boyfriend/





Introduction to the Systems of Islam

girlfriend relationships, dating, or enjoying leisure and company with unrelated women is *haram*. However, Islam does see these types of activities as acceptable, but only when regulated within the framework of marriage.

Khalwa - Seclusion

Khalwa relates to the presence of a non-*mahram* man and woman being on their own together without the presence of a *mahram* or any other person. This could happen in a private place, or a public place. In either case *khalwa* is forbidden from Islam, and both the man and woman involved are sinful.

Khalwa in a Private Place : This could occur in any place that requires permission for entry, such as a house or bedroom in a residence building.

Khalwa in a Public Place : This could occur in any public place whose nature is that no other people would be likely to pass by or come there. An example of such a place would be in a forest or an isolated room in a university.

Muhammad (saw) said, **“If a man and a woman are alone together in an isolated place, then the third is *Shaitan*.”** Bukhari narrated that the Prophet (saw) said, **“No man should stay with a lady in seclusion except in the presence of a *mahram* to her.”** A man stood up and said, **“O Rasul Allah! My wife has gone out intending to perform the Hajj and I have been enrolled in the army for such and such a campaign.”** The Prophet (saw) said, **“Return and perform the Hajj with your wife.”**

Modesty and Lowering the Gaze

Part of the provision of maintaining the dignity and honour of men and women in Islam is in the regulation of the way they are regarded by each other. It is forbidden for the Muslim man to look at any woman





Introduction to the Systems of Islam

with lustful intentions, except for his wife. The same is true for a Muslim woman with regard to other men.

Rather, the emphasis is on lowering the gaze away from members of the opposite sex at times when they are present, like in the streets or the market place. Allah (swt) says,

“Say to the believing men that they should lower their gaze and guard their modesty, that will make for greater purity for them, and Allah is well acquainted with all that they do. And say to the believing women that they should lower their gaze and guard their modesty.”
[TMQ 24:30-31]

Jarir ibn ‘Abdullah reported, **“I asked Allah’s Messenger about the sudden glance (that is cast) on the face (of a non-mahram). He commanded me that I should turn away my eyes.”** Muslim

This reflects the principle that the way that Muslim men and women view each other is completely different to the way of the West, where women are seen as sex objects, and respect of both men and women in this context is almost non-existent. Indeed, if it does exist at all, the criteria upon which it is based mainly concerns the superficial physical attributes. Allah (swt) says,

“And the believers, the men and women, are protecting friends of one another, they bid to honour and forbid dishonour, they perform the prayer, and they pay the alms, and they obey Allah and His Messenger. Upon them Allah will have mercy.” [TMQ 9:71]

This aspect of the Social System of the Islamic State will prevent exploitation of women in pornography, or the use of their bodies as an enticement for people to buy products. Additionally, in the media as a whole, whether on television, magazines, newspapers or films, neither men nor women will be portrayed in roles where they reveal their *awrah*, or involve in activities that are forbidden in Islam.

Thus the sexual bombardment from the media that is faced by people



Introduction to the Systems of Islam

in the West, and the distorted image of men and women that this builds in the mind, will be absent in the Islamic State.

Not Travelling Alone for More than 24 Hours

It is forbidden for a Muslim woman to travel on a journey which lasts for more than 24 hours, unless she is in the company of a *mahram*. It is the role of her *mahram* to ensure that her safety, honour and welfare are protected.

Muslim reported that the Prophet (saw) said, **“It is not allowed for a woman to travel for a day without a *mahram*.”**

Relationships and Marriage (*Nikah*)

Islam recognises that one of the basic instincts that appear in men and women is the urge to procreate and feel attraction to members of the opposite sex. Unlike monastic religions, which condemn sex as a ‘sin of the flesh’, relations between men and women are seen by Islam as a beautiful and perfectly acceptable means of fulfilling the procreational instinct that is to be enjoyed to the full. However, it forbids the sexual excesses of the liberal west and thus removes the dangers and problems in society which such so called ‘freedom’ inevitably entails, like single parent families, unwanted pregnancies and abortion. Rather in Islam, relationships between men and women are based upon responsibility and mutual respect. Allah (swt) says,

“And among His signs is this, that He created for you mates from among yourselves, that you may dwell in tranquillity with them, and He has put love and mercy between your hearts. Undoubtedly in this are signs for those who reflect.” [TMQ 30:21]

Intimate relationships of any kind between unrelated men and women are forbidden outside the framework of marriage. This ranges from





Introduction to the Systems of Islam

everything between ‘socialising’ with members of the opposite sex, to *zina* (fornication). Adultery is forbidden and punished severely, and any forms of sexual deviancy like child abuse, homosexuality, incest or bestiality are similarly forbidden. Allah (swt) says,

“Do not come near zina (adultery or fornication), for it is a shameful deed and an evil, opening the road to other evils.” [TMQ 17:32]

Marriage

Marriage is highly recommended in Islam, with men and women being encouraged to marry as soon as they are able (i.e. physically mature and capable of supporting a wife). It is in fact seen as an act of worship, and every act of fulfilment between husband and wife is a charity.

Anas (ra) narrated that the Prophet (saw) said, **“When a man marries, he has fulfilled half of his *deen*, so let him fear Allah regarding the remaining half.”**

Marriage is regarded as a companionship between men and women, as opposed to a partnership. The objectives of marriage are two :

1. To enjoy the company of a member of the opposite sex.
2. To have children thereby guaranteeing the continuity of the human race.

The contract of marriage is called *nikah*, and it is a contract between a man and a woman of which all the conditions must be fulfilled for it to be correct and valid. These include:

1. Offer and acceptance
2. No compulsion or duress
3. Two witnesses
4. *Waliy amr* (guardian of the bride)
5. Payment of *mahr* (dowry, not necessarily money) from the man



Introduction to the Systems of Islam

to the woman

6. The man and woman are not *mahram* to each other
7. The woman is not in her *'iddah* (waiting period)
8. The man and woman are eligible for marriage (e.g. woman is unmarried)

The Muslim woman must only marry a Muslim man, and it is forbidden for her to marry a man of any other belief. Regarding the marriage of believing women, Allah (swt) says,

“They are not lawful for the disbelievers, nor are the disbelievers lawful for them.” [TMQ 60:10]

However, it is permitted for the Muslim man to marry a non-Muslim woman from the People of the Book (Jew or Christian), provided that they are chaste and unmarried. Allah (swt) says,

“Lawful unto you in marriage are not only the chaste women who are believers, but chaste women among the people of the Book revealed before your time, when you give them their due dowers and desire chastity, not lewdness nor secret intrigues.” [TMQ 5:5]

Within the framework of marriage, the Shari‘ah has defined different roles and duties that men and women have. They complement each other perfectly, such that the life between man and woman is filled with harmony and tranquillity.

The Concept of *Maharim* (non-marriageable relatives)

One of the conditions of marriage is that the partner must not be from the forbidden categories (*maharim*).

The *maharim* of the man include : his mother, the wives of his father, his sons wives, the two grandmothers, his daughters, his grand-daughters, his sisters, his paternal and maternal aunts, his great aunts, his nieces,



Introduction to the Systems of Islam

his wife's mother, his mothers by breast feeding and their mothers and daughters and his sisters by breast feeding.

The *maharim* of the women become clear given the opposite understanding of the *maharim* of the man given above.

In all these cases, while it is forbidden for marriage to occur between them, it is permitted for them to mix freely in the private and public areas. Allah (swt) says,

“Forbidden unto you are your mothers, and your daughters, and your sisters, and your father's sisters, and your mother's sisters, and your brother's daughters and your sister's daughters, and your foster mothers, and your foster sisters, and your mothers-in-law, and your step daughters who are under your protection (born) of your women unto whom you have gone in - but if you have not gone in unto them, then it is no sin for you (to marry their daughters) - and the wives of your own sons who spring from your own loins. And it is forbidden unto you that you should marry two sisters together, except what has already happened of that nature in the past. Lo! Allah is ever Forgiving, Merciful.” [TMQ 4:23]

The sister in law of a man cannot be married by him while he is still married to her sister. However despite this, he cannot mix freely with his sister in law as he can with the other *maharim*. Similarly, the woman cannot mix freely with her brother-in-law.

‘Aqabah ibn Amir narrated that the Prophet (saw) said, **“Do not go near women when they are alone.”** A man from the *Ansar* said, **“What about the husband's elder and younger brothers?”** The Prophet (saw) said, **“Intimacy with them is to be avoided as death.”**

Rights and Duties within Marriage

Allah (swt) says,





Introduction to the Systems of Islam

“Men are the protectors and maintainers of women, because Allah has given the one more strength than the other and because they support them from their means. Therefore the righteous women are devoutly obedient and guard (in the husband’s absence) what Allah would have them guard.” [TMQ 4:34]

Ibn ‘Umar narrated, the Prophet (saw) said, **“Each of you is a guardian and is responsible for his ward. The ruler is a guardian (over his people) and the man is a guardian of the members of his household, and the woman is guardian and is responsible for her husband’s house and his offspring, and so each of you is a guardian and is responsible for his ward.”** Bukhari and Muslim

‘A’isha (ra) narrated that the Prophet (saw) said, **“When a wife spends food of her house without spoiling, there is for her its reward for what she gives away, and there is also reward for her husband for what he earns, and the like (reward) for the storekeeper - none of them diminishing anything from the reward of another.”** Bukhari

These evidences, among others, define the basis from which come the understanding of the rights and duties of the husband and wife to each other within the framework of married life. These are outlined below.

The Husband

The main duties of the man are :

1. *The guardianship of the wife and children* : This means he must ensure their security and protection, and must always act in such a way as to safeguard their interests.

2. *The maintenance of his wife and children* : He must spend from his own means to ensure that the basic material needs are provided for them, which include bringing her all she needs to fulfil her duties as a wife. His wife is not obliged to give him any of her own money for this



Introduction to the Systems of Islam

purpose, even if she is wealthy and he is poor. However, she may do so if she wishes.

3. *Shelter for the wife and children* : The husband must provide adequate housing for his family.

The main rights of the husband from his wife are :

1. *Obedience and taking permission* : The wife must obey her husband in all areas which are permitted from Islam, like to assist him or give him comfort. Also, the wife must take permission from her husband when she wants to leave the house, or when she wants to invite people into the house.

2. *Divorce* : It is the right of the husband to divorce his wife if he is unhappy with the marriage. If the husband dies, or divorces his wife, she must observe the '*iddah* (waiting period) before she can marry again. In the case of his death, this is four months and ten days, and in divorce, it is when three intervals between her menstruations have finished (as long as she is not pregnant).

3. *Looking after his money and children* : The wife must ensure that the children are properly cared for and educated with knowledge of Islam and that the husband's money is spent in a just way.

4. *Custody of the Children* : It is the right of the husband that if his marriage ends, he takes custody of the children **after** they have reached seven years of age.

The Wife

The main responsibilities of the wife are :

1. *Obedience and taking permission of her husband.*

2. *Looking after her husbands wealth* : This includes his money, property etc.





Introduction to the Systems of Islam

3. *Welfare of her husband* : She must ensure that her husband's needs are taken care of.

4. *Looking after the children.*

The main rights of the wife from her husband are :

1. *Companionship* : It is the right of the wife that her husband gives her companionship and maintains an environment of love and affection for her.

2. *Spending and shelter* : The husband must look after her material needs, provide shelter for her, and give her anything she needs to fulfil her role as a wife. This includes providing things for her which she can use to adorn herself and make herself beautiful.

3. *Khul'a (Right of divorce)* : The wife can ask for separation from her husband if she is unhappy with the marriage. There are three reasons for which she can do this : a) He harms her directly, e.g. beating her, b) He harms her indirectly, e.g. not providing for her or her children, c) She hates him.

4. *Custody of the children* : It is the right of the wife if the marriage ends to have custody of the children as long as they are below the age of seven.

From these descriptions, it can be seen that the details of these rights and duties for both men and women complement each other perfectly. In Islam, there is no issue of struggle for rights, or disputes between the roles that each fulfils. These are all defined by Allah (swt), so obedience to them means that men and women are freed from oppression and dominance by members of the opposite sex.

Indeed, Islam obliges that husband and wife make the utmost efforts to keep a beautiful and co-operative relationship with each other.





Introduction to the Systems of Islam

Abu Hurayrah (ra) reported that the Prophet (saw) said, **“The most perfect of the believers in faith is he who is best of them in conduct, and the best of you are those who are best to their wives.”** Tirmidhi

‘Abdullah ibn Amr reported that the Prophet (saw) said, **“The whole world is a provision, and the best object of benefit of the world is the pious woman.”** Muslim

Motherhood, Fatherhood and Children

Part of the family structure involves the birth of offspring. Once a married couple have children, the strong familial bond and the relationship they have with their child is defined and regulated according to the Shari‘ah. Both the mother and father have responsibilities to their children, and the children too have responsibilities to their parents.

The Role of the Mother

The role of the wife as a mother not only includes rearing and protecting the children, but also to teach the children the true *deen*.

The Prophet (saw) said, **“Every child is born on the *fitrah*, its parents later on making it a Jew or a Christian or a Pagan.”** Anas reported that the Prophet (saw) said, **“Be generous to your children, and excel in teaching them the best of conduct.”** Ibn Majah

The reward for the mother for the sacrifices she makes and the efforts she spends for the sake of looking after and rearing her children are great.

Anas narrated that Salamah, the nurse of Ibrahim said to the Prophet (saw), **“O Messenger of Allah, you brought tidings to men but not to women.”** He said, **“Did your women friends put you up to**



Introduction to the Systems of Islam

asking me this question?” She said, “Yes, they did.” He (saw) said, “Does it not please any of you that if she is pregnant by her husband and he is satisfied with her that she receives the reward of one who fasts and prays for the sake of Allah? And when the labour pains come none in heaven or earth knows what is concealed in her womb to soothe her. And when she delivers, not a mouthful of milk flows from her and not an instance of child’s suck, but that she receives, for every mouthful and every suck, the reward of one good deed. And if she is kept awake by the child at night, she receives the reward of one who frees seventy slaves for the sake of Allah.” Tabarani.

The Role of the Father

The emphasis here for the father with regard to his children is that he should provide for them all the material support that they require until they are able to fend for themselves. Islam encourages kind treatment of the children by the father, and recommends good relations be kept between them.

A man named al-Aqr‘a ibn Habis visited the Prophet (saw) and was surprised to see him kissing his grandsons, Hasan and Husayn. “Do you kiss your children?” he asked, adding that he had ten children and never kissed one of them. The Prophet (saw) replied, “That shows that you have no mercy and tenderness at all. Those who do not show mercy to another will not have Allah’s mercy shown on them.”

Ibn ‘Abbas narrated that the Prophet (saw) said, “There is no Muslim, whose two daughters reach the age (of maturity), and he is good to them as a companion, and they do not cause him to enter Paradise.” Ibn Hibban.

The Role of the Children to their Parents

Islam enjoins that children are respectful to their parents and treat



Introduction to the Systems of Islam

them with kindness and affection. The child must obey his or her parents. This obedience falls into two categories:

1. Issues which are the right of the parent : These include areas which are of the concern to the parents themselves such as to serve the mother or father. For a woman whose father is her *waliy* (guardian) it is the father's right that she seeks his permission to go out of the house, and she must obey this and all the rights he has as her *waliy*. In all these cases, it is *fard* (obligatory) for the child to obey.

2. Issues which are the right of the child : These include areas which are the concern of the child him or herself, such as what they should eat, who they should marry, etc. In these cases, it is *mandub* (recommended) for the child to obey the parents.

However as is the case when the husband orders his wife, if the parent orders the child to obey them in something that is a disobedience to Allah (swt), like to do something *haram* or to neglect a *fard*, then it is neither obligatory nor recommended for the child to obey. Rather, in these cases, it is *haram* for the child to obey. Allah (swt) says,

“And we have enjoined upon man to be good to his parents. In travail upon travail did his mother bear him. And in years twain was his weaning : (Hear the command) Show gratitude to Me and your parents : To Me is (your final) goal. But if they strive to make you join worship with Me things of that which you have no knowledge, obey them not.” [TMQ 31:14-15]

Conclusion

This is an outline of the Social System of the Islamic State. The Shari'ah clearly defines the way that men and women should interact with each other and how they should regulate their relationships. Such guidelines are largely absent in societies of the West, be they governed by Capitalist or Socialist ideologies. Instead, the need to put down a policy for interaction between men and women is ignored as if it is



Introduction to the Systems of Islam

unimportant. The consequences of this in society are disastrous.

It leads to exploitation of men and women in all areas of society. Social problems are rife, such as prostitution, widespread abortion, sexually transmitted diseases, rape, adultery, pornography - where both men and women lose all dignity and honour. These are but a few of the issues that arise in any society which has a man-made social system.

Under Islam, the correct roles for men and women are defined by Allah (swt) the creator of men and women. The mentality of 'freedom' that prevails in the West is replaced by one of responsibility and mutual respect. This notion is apparent in the way in which men and women behave in their social conduct.

These roles, and the systems which regulate them are manifested not only in the conduct of the individuals, but are also implemented by the ruling system, such that there becomes a complete harmony between the behaviour of the people and the functioning of the environment around them. This has the effect of elevating the situation of the people from the lowest levels, to one where the dignity and honour of all human beings is preserved and respected (as would be the case in an Islamic State).



Summary: Social System in Islam

In the so-called 'civilised world', the roles of men and women are defined by the concept of freedom. While this is held by many to be the only just way, the real proof of its success can be seen in the society at large.

Society pressures women to conform to certain roles, which by their nature destroy their honour and dignity; yet still they believe themselves to be liberated. 'Fashion' dictates that they must undress themselves to be acceptably attired. Their bodies are used like commodities to sell cars and chocolate bars. Pornography is commonly seen as a right, rather than exploitation. Women find themselves competing with men, and struggling to fulfil the same roles.

The air of sexual freedom, too has its consequences. Rape, abortion, and prostitution are everyday occurrences in the news. Adultery, sex before marriage and homosexuality are perfectly acceptable, while those who reject them are seen as 'backward.' Tens of thousands of women are forced to bring up children on their own, while at the same time worrying about how to provide for themselves.

In reality, the idea of 'freedom' is replaced by 'irresponsibility.' The effects are disastrous.

Islam does not leave men and women free to dominate or abuse each other. By their nature, men and women are different, and they obviously have different roles to play in life. These roles are defined by the only one capable of doing so, Allah (swt) who created men and women.

Islam gives women honour, dignity and protection. Muslim women



Introduction to the Systems of Islam

never had to fight for their rights - these are guaranteed by their belief. Nor do they have to compete with men. Instead, the rights and duties of men and women to each other complement them perfectly. Relationships are regulated by marriage, responsibility and a stable family structure, where the men are the providers and protectors.

Even a brief study will show you how the Social System of Islam ensures that the whole society has an atmosphere of dignity and mutual appreciation between the sexes, where the lives of men and women are regulated in a beautiful harmony.





Introduction to the Systems of Islam

The Education System

Facts About the Education System

In the Islamic State, schools, institutions and universities which were previously set up and run by the foreign imperialists and their agents, such as Aitcheson College, Lahore, St Joseph's School, Dhaka, St Johns Institution, Kuala Lumpur etc. will be shut down. These are institutions deliberately set up to inculcate young Muslims with non-Islamic ideas to implant in their minds awe and adulation of the Western way of life.

The Islamic State will have its own media department which it will use to propagate Islam and the Islamic values throughout the world and refute all the lies and misconceptions that have been propagated by the disbelievers. All the latest technological and scientific means of communications, such as satellite, electronic mail, teleconferencing etc. will be tapped, used and explored by the State in its quest to educate the citizens of Khilafah. Foreign media sources like BBC World Service, CNN, Voice of America etc., which exist in the Muslim world to confuse, attack and divert Muslims from Islam will be banned.

Mass media, TV, Radio, newspapers, books and conferences are the existing means which can be used within the Islamic State. No permission is required to set up any of the above, provided what they propagate is within the bounds of Islam.

Today the Muslim world is plagued by astonishingly high levels of



Introduction to the Systems of Islam

illiteracy, e.g. Pakistan and Bangladesh. The Messenger of Allah (saw) tackled head on the issue of illiteracy amongst Muslims. He (saw) made the ransom of each prisoner at Badr to teach ten Muslims how to read. The Islamic State would strive to ensure every Muslim thus turns into either a scholar (*mujtahid*) or an informed learner (*muttabi'i*).

During most of Islamic history, every major city within the Khilafah possessed public and private libraries. Libraries such as Cordoba and Baghdad boasted collections of over 400,000 books.

Arabic became the most important scientific language due to translation of works of Aristotle, Plato, Pythagorean school, Greek astronomy, Ptolemy and Euclid. Muslim scholars discussed and refuted many of the ideas of these scholars, e.g. Imam Ghazzali's '*Tahafut al-Falasifah*' ('Refutation of the Philosophers') and Ibn Taymiyya's '*Kitab ul Ibtal*' ('Book of Invalidity').

The Muslims use of the Zero, which was previously absent in mathematical sciences enabled great advances, solving problems that for centuries remained unsolved.

Muslim mathematicians devised and developed algebra, and the concept of algorithms were thought up (and named after) Al-Khwarizmi, a famous Muslim scholar who lived in the Islamic State.

The Khilafah State would ensure the provision of free education to every male and female (Muslim and non-Muslim) at both primary and secondary levels. Education at higher levels would be encouraged and the State would help in funding those who wish to do so as much as possible.

The Khilafah State would set up libraries and laboratories in other than the schools and colleges in order to enable those who wish to take up further studies to do so, in various subjects such as *fiqh*, *hadith* and *tafseer*, or medicine, civil engineering, pure sciences etc.





Introduction to the Systems of Islam

MEDICINE : Muslim physicians developed many surgical instruments to perform operations, as well as describing countless other aspects of medical science, such as :

Al-Razi used alcohol as an antiseptic, and found a treatment for smallpox in the 10th century.

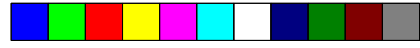
Ibn Sina diagnosed and treated meningitis in the 11th century, and his textbook of medicine (*Al-Qanun*) was used as a standard reference in Europe for centuries after.

Ibn al-Nafis described the minor circulation of blood in the 14th century.

The words 'Retina' and 'Cataract' derive from Arabic. Muslims were expert in ophthalmology, and explained the workings of the eye, and devised surgical procedures to remedy cataracts during the 13th century (all CE).

Science flourished under the Islamic Education System. The Muslims were the most advanced in the world in fields such as : mathematics, geometry, optics, astronomy, medicine, physics, natural sciences, engineering and many others.

The Khaleefah Harun al-Rashid would punish parents who had not ensured that their children had learned to read and pronounce Arabic. He also provided financial incentives for any who would teach, learn, propagate or debate issues of the *deen*.



Introduction to the Systems of Islam





What's Happening to Our Children?

All parents worry about their children's future. We have a vision that our offspring will be successful in life, and will possess the characteristics of a good person. We hope they will, along with becoming accomplished in their careers, be dutiful, obedient and respectful of their parents.

Therefore, we are particular about their attendance and attitude towards school. As well as this we ensure that they attend after school lessons in the mosque. We do all this because naturally we feel that the education of our children is of the utmost importance.

Despite our concerns, we see more and more of our youth falling far short of our expectations. The lifestyles of so many are characterised by misbehaviour, disrespect and selfishness. They live by their own rules, with little or no consideration for others. Why has this happened?

Let us see exactly what your children are being exposed to under a non-Islamic education system. Consider a typical day in the life of a Muslim child (perhaps your child) in a western school. You drop off your child, feeling satisfied that they are about to enter an environment that is safe and secure. Is your assumption accurate? Do we really know what happens to our child once the classroom doors have been shut?

Perhaps the first lesson is geography. Your child will be taught about the different countries : its resources, population, peoples and culture, language, its national flag etc.... And many of these will inevitably be of



Introduction to the Systems of Islam

Muslim countries. It all seems quite harmless until you realise that Islam does not recognise most of these countries as legitimate countries. Islam looks to the Muslims as one nation not separated by these national identities which have been designed to cause disunity amongst the Muslims. Allah (swt) says,

“And hold fast all of you together to the rope of Allah and do not be divided.” [TMQ 3:103]

Your child may develop an identity other than that of Islam - an Asian, Arab or Black identity, or a Bangladeshi, Pakistani or Indian identity, rather than being Muslim, slave of Allah, unified by the belief in Allah.

Maybe the next lesson in the daily routine will be science. You expect your child to gain an understanding in science that will further his/her future career. But it is easy to forget that many of the ideas taught in this subject are in direct contradiction to the Islamic belief.

After all, many theories, hypotheses and speculations, which have no firm foundation on evidence and which are subject to dispute among experts are taught as if they are established facts.

The Theory of Evolution suggests that humans evolved from apes. The principle of Conservation of Energy proposes that energy is eternal (cannot be destroyed or created, but just transformed). Humans are put in the same category as animals (differing by being just a more advanced animal). The water cycle is presented as a self-subsisting system. All of these ideas contradict basic Islamic principles e.g. that Allah (swt) is the Creator and the sustainer of everything.

Attitudes in Western science threatens the very status of the Creator. Which of these false and baseless ideas is your child being taught today? How will these ideas affect your child's belief in Allah?

What about your child's history lessons? The only history that is taught is that of the West; its wars, its political development, its





Introduction to the Systems of Islam

achievements, discoveries and inventions etc... Islam is not considered as having any important history, having little effect on the world. Its glories are portrayed as just an episode of world history that is now over. Moreover it is taught as a religion that subjugates and oppresses the innocent. Your child will learn more about the Romans than of the Muslims. They will learn more about the wars and battles fought in the way of Capitalism rather than the wars fought by the Muslims in the way of Allah.

What about Physical Education (PE lessons)? Islam obliges Muslims to conform to a code of dress that proffers modesty. Allah (swt) says in the Qur'an :

“O children of Adam! We have indeed sent down to you clothing to cover your shame and for beauty, and dress of piety - that is best.”
[TMQ 7:26]

Your child may be told to wear clothing that does not cover them adequately according to Islam. Are you aware that most of the showers are communal, where children are completely naked?

In your child's religious education (RE) lessons Islam is compared to the likes of religions such as Christianity, Judaism, Hinduism, Sikhism etc. The uniqueness of the Islamic belief is not presented but is diminished. Even labelling Islam as a religion is not accurate since Islam is a comprehensive way of life, covering all aspects from personal worship to governing life's affairs in a state.

The corruption does not end in the classroom. In between lessons, your child spends much of his/her time in the playground or common room, where children discuss the latest pop-stars, films, actors and actresses, footballers; idolising them to the point of emulating them. No longer are Muhammad (saw) and the Sahabah (ra) seen as the role models, but they have been replaced by the likes of Madonna, Michael Jackson, Take That, Gazza etc...

Even in the dining rooms, the food that is prepared does not conform





Introduction to the Systems of Islam

to the Islamic dietary requirements (e.g. non-*halal* meat, pork etc.)

Perhaps you are considering a Muslim school for your children. Will this solve your problem? Will your child be guaranteed protection against corruption? Unfortunately the National Curriculum has by law to be taught in any school for it to gain permission to operate. Most of the above dangers will apply to any school that teaches from the same curriculum.

Moreover, education does not only happen in the school. Society itself plays a major role in educating your child. It can be thought of as a bigger school : instead of using blackboards, teachers and classrooms, society employs television, radio, advertising, billboards or children's magazines to educate your child with un-Islamic practices. Your child may grow increasingly alienated from you, the parent, and Islam. He or she may become more aware and accustomed to non-Islam.

Islam

How will the Islamic State differ in the education of your child? Will your child grow to know his/her *deen* without corruption?

Firstly, your child's education would be free since it is the State's duty to provide, as a basic necessity, free education for every male and female at primary and secondary levels. Every citizen of the State must be provided with education of that which is needed in all aspects of life. There would exist an Islamic curriculum with the objective of building the Islamic mentality and Islamic disposition (i.e. inclinations) in your child. So not only would your child's actions be shaped by Islam but also their likes and dislikes would be in accordance with Islam. They should as a result of school understand the *halal* and the *haram* and follow them with enthusiasm.

Let us consider a similar scenario as above. Your child arrives at a school in the Islamic State, and begins the day by greeting his/her colleagues and teachers with the greeting of Islam. Your child has the



Introduction to the Systems of Islam

first lesson, perhaps a science subject. It could be a selection of the experimental or pure sciences. It would be taught with the Islamic ‘*aqeedah* (belief) as the basis and an overriding guide. You as the parent, could rest assured that ideas such as the Theory of Evolution would not be taught; humans would not be considered as advanced animals; the Big Bang Theory would not be taught as fact. Allah (swt) says,

“But most of them follow nothing but conjecture. Truly conjecture can be of no avail.” [TMQ 10:37]

Whereas science in the West is seen as a contradiction to belief in God, within the Islamic State science would be a confirmation of the existence of Allah. Your child would come home and explain that he/she learnt about the water cycle : how Allah (swt) causes water to rise as vapour from the seas by evaporation and form clouds; then Allah (swt) would cause these clouds to give rain once they were over the lands; and Allah (swt) would cause the rain-water to gather and return back to the seas to once again start the cycle. Nothing that is taught would be in contradiction to Islam. Allah (swt) says,

“Lo in the creation of the heavens and the earth, and the difference of night and day, and the ships which run upon the sea with that which is of use to men, and the water which Allah sends down from the sky, thereby reviving the earth after its death, and dispersing all kinds of beasts therein, and in the ordinance of the winds, and the clouds obedient between heaven and earth, these are signs (of Allah’s sovereignty) for people who have sense.” [TMQ 2:164]

Your child’s next lesson may be a cultural subject such as languages, geography, history or *fiqh*. In geography, your child would be familiar with the Islamic atlas. He/she would learn about the vastness of the Islamic State; how the Muslims are unified in one land under one leader. How its resources are managed according to Islam; its citizens, whether Muslim or non-Muslims working together under one system. Your child would learn to be proud of being part of the leading nation.



Introduction to the Systems of Islam

In languages your child would learn the language of the Qur'an, not French or German (these could be studied in higher or further education). Your child would not have to go to additional out of school Arabic lessons. He/she could read and understand the Qur'an, or refer to books in Arabic.

In history, your child would be exposed to the rich Islamic history. He/she would study the different *Khulafa'a* and their achievements; the famous scholars and the roles they played; the discoveries and inventions that were made; the conspirators against Islam and how they were dealt with; the positive influence of the Khilafah upon the world. Your child could show how the achievements of the Muslims of the Islamic State placed them hundreds of years ahead of their contemporaries (who were in the Dark Ages). They could give accurate accounts of the battle between Salah al-Deen and the Crusaders, or the life stories of the Sahabah (ra).

Your child would gain a sound knowledge of the *fiqh* (jurisprudence). They would be able to provide detailed evidences for rules in Islam. They may even be able to correct your own actions as advice to the parents. They would understand the respect and obedience that Allah (swt) requires from the child to the parent. Allah (swt) says,

“Your Lord has decreed that you worship none but Him, and that you be kind to parents. Whether one or both of them attain old age in your life, say not “oof” to them, nor repel them but address them in terms of honour.” [TMQ 17:23]

School break times and lunch times would be a time to enjoy the company of other Muslims with good etiquettes, filled with conversations about famous Muslims: leaders, scholars, mathematicians, scientists and others who would be excellent role models. They would not learn to swear or learn of ill practices, and would possess the most pleasing mannerisms.

In the bigger school - society, there would be also a consistent

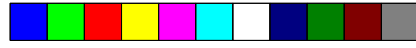


Introduction to the Systems of Islam

education of Islam through the State's media. Through television, radio and children's magazines only Islamic ideals and values would be passed.

All these measures would guarantee the nurturing of a fine generation that could be the leaders of the Khilafah. And your child could contribute to this.





Introduction to the Systems of Islam





The Objective of the Education Policy in Islam

Islam's policy regarding seeking knowledge and education has always been aimed at building the Islamic mentality and the Islamic disposition (tendencies or inclination), which together form the Islamic personality. Islam develops a comprehensive understanding about life. And through this understanding, it shapes our actions, it also shapes our likes and dislikes. Children would, therefore, not only perform their Islamic duties, but they would do so with pleasure. Islam has dealt with both of these matters and linked them directly to the *'aqeedah* (creed), so some of its texts deal with the thought (the mentality) and other texts deal with the tendencies (the emotions).

An example of the former is reflected in the saying of the Messenger of Allah (saw): **“The reflection of one hour is better than the worship of seventy years.”** And an example of the latter is reflected in Allah's (swt) saying,

“Say if your fathers and your sons and your brethren and your wives and your tribe and the wealth you have acquired and merchandise for which you fear that there will be no sale, and dwellings you desire are dearer to you than Allah and His Messenger and striving in His way, then wait till Allah brings His command to pass, and Allah guides not wrongdoing folk.” [TMQ 9:24].

And also reflected in the Messenger of Allah (saw) saying, **“No one amongst you becomes a believer until I become dearer to him than himself.”**



Introduction to the Systems of Islam

All this is to make the Muslim's mind as well as his/her feelings based on the '*aqeedah* of Islam. Therefore, any knowledge which if acquired would help achieve the Islamic personality would be adopted and anything which leads to other than this would be rejected and would not be included in the Islamic State's curriculum. A Muslim should not occupy his mind with philosophical opinions because they contradict the Islamic '*aqeedah*, and his desires should not lean towards a life of disintegration, opulence and mixing, for these are not Islamic tendencies. This is quite the opposite to the established Western education system, where children are made to feel uncomfortable with Islamic tendencies. It now remains to be seen how Islam practically enforces the Islamic personality, and protects from exposure to non-Islamic (*kufir*) culture.

Islamic Curriculum Within the Khilafah

The education of the Islamic Curriculum can be divided into two types; the sciences and the culture. Experimental sciences and their branches include such subjects as mathematics and medicine, and cultural subjects include things such as languages, history and *fiqh* (jurisprudence). Experimental sciences and their branches would be adopted and included in the curriculum, according to the need for them and without any restrictions. As for the cultural subjects, these would be taught in the primary and secondary terms following a specific policy, which would not contradict Islam and its rules. As for the higher education, these cultures would be adopted and studied like any other science as long as they do not lead to a deviation from the policy and the aims of education. As for the arts and industries, such as commerce and economics, shipping etc... these would be part of the sciences and would be taught as such. As for the sciences which are derived from a certain culture when affected by a specific viewpoint such as painting and sculpture of animate objects, these would be rejected since they contradict the Islamic viewpoint (painting and sculpturing of any living soul being *haram*).

Students would study the Islamic culture in depth at all levels, this



Introduction to the Systems of Islam

includes the *fiqh* and the foundations of *fiqh*, the commentary (*tafseer*), the *hadith* and the Arabic Language and its literature, as well as the Islamic History. They would also study natural science, chemistry, civil engineering, medicine, biology, pharmacy etc... Special colleges would be set up for this purpose at university level. Other subjects such as philosophy, sociology, foreign history, foreign languages and their literature; these would be restricted and would not be taught at primary and secondary levels, for they contain aspects of cultures which contradict the Islamic viewpoint. However such studies, together with the Western Capitalist, Communist and Socialist concepts, as well the doctrines of the People of the Book, the Buddhists, the Hindus, the Qadianis, the Bahais and the concepts of nationalism and patriotism, although being restricted, would only be studied at university level with the sole aim of demonstrating their falsehood and triviality. Therefore, the minds of the Muslims would only be nurtured by the Islamic culture and the experimental sciences and whatever does not contradict the Islamic '*aqeedah*. This would ensure the development of the Islamic mentality and disposition in the Muslim individual, achieving therefore an Islamic personality. The Muslim society would therefore remain distinct in its thought and behaviour and protected against deviation and disintegration.

Education Services of the Islamic State

Many in the West are mesmerised by the standard of education provided. This section hopes to outline services an Islamic State would provide.

The State would ensure the provision of free education to every male and female at both primary and secondary levels, and it would also endeavour to provide free education to everyone at university level. This is so because providing every single citizen of the State with the education he or she needs in all aspects of life is an essential necessity, therefore it is the State's duty to provide it (especially now that the primary and secondary education have become basic necessities rather



Introduction to the Systems of Islam

than luxuries). It is therefore an obligation upon the State to ensure that every individual is educated to such levels. As for the higher studies, some of these are also a necessity, such as medicine and study of the mining industry for instance, and the State should provide such education; whereas what is considered to be non essential studies such as literature, the State should provide such studies if funds were available.

The State would also set up libraries and laboratories for experimental fields of study, in other than the schools and colleges in order to enable those who wish to take up further studies to do so, in various subjects such as *fiqh*, *hadith* and *tafseer*, or medicine, civil engineering, chemistry etc....

All the above would allow the Ummah to host a sizeable number of *mujtahideen*, scientists and inventors. It has been reported that during the Islamic rule, a single street of Baghdad used to be a venue for many *mujtahideen* and scientists. The cities of Samarqand, Bukhara, Damascus, the cities of Hijaz, Al-Qayrawan, Cordoba and others used to be crowded with universities and students, which at the time reflected the might and the high profile of the greater Islamic State which was the leading power in every domain, be it military, economic or otherwise.

The Muslims' Educational Institutions

(1) **Al-Katatib:** Which is the plural of *kuttab*, is the place where the Qur'an writing and calculating are taught. These *katatib* were present throughout the reign of the Islamic State in the cities and villages.

(2) **The Mosques:** The scholars and the *hadith* experts used to hold study circles in the majestic central mosques, where they used to sit and teach or debate matters of *fiqh*, *tafseer*, language and *hadith*; these used to be attended by their pupils.

(3) **The Qur'an centres:** The first to establish a separate centre for the teaching of Qur'an was the receptor Rasha ibn Nathif al-Dimashqi,



Introduction to the Systems of Islam

and that was in Damascus in the year 400 Hijri.

(4) **The Hadith centres:** The first to establish a centre specialising in the teaching of *hadith* was al-Malik al-Adil Nureddine Mahmud al-Zanki, in Damascus as well.

(5) **The Schools:** These were established in the fifth century of Hijrah in Damascus; there was a school for every subject such as the school of civil engineering in Damascus and the school of medicine.

(6) **The Universities:** These were established in the middle of the fifth century Hijri. Al-Hakam ibn Abdul Rahman established the university of Cordoba which was one of the most famous centres of education at the time. Other universities were established in many places such as the Mustansiryya university in Baghdad. Students from all over Europe sought admission to these types of institutions.

These universities educated many scholars who played an influential part in what the world of science has reached today in terms of inventions, such as Al-Khwarizmi, Ibn al-Haytham, Ibn Sina, Jabir ibn Hayyan, Al-Razi and others.

Measures Taken to Prevent Exposure to Kufr

With regards to education within the Islamic State, schools and universities, whether private or public (i.e. run by individuals or by the State), would be allowed to operate if they fulfilled two conditions:

1. That they adopt the State's curriculum without any amendments
2. That they were not owned by foreigners, i.e. citizens of other countries.

The owners of private schools and colleges must be citizens of the Islamic State. Therefore, schools and colleges such as the American Universities in Beirut, Istanbul and Cairo would be shut down, so would



Introduction to the Systems of Islam

be the French missionary schools of Frère Woody Lasal, and the French college of Lahore, the British Councils, the Shamlan Institute of Alya in Lebanon, the German Colleges and all the other schools and colleges in Muslim lands, owned by foreigners, would have to be shut down and not be allowed to operate even if they adopted and adhered to the State's curriculum.

One important issue that cannot be overlooked is the means of educating and culturing the Ummah outside of educational establishments, which play a vital role. Such things include the radio, television, newspapers, magazines, books and conferences. All these means will be used by individuals without permission from the State. No licence would be required to publish a newspaper or a magazine, nor to publish a book or to hold a public talk, for all these are permitted for individuals. However, if anyone published a book, or a speaker held a public talk, that contradicts the teachings of Islam, they would be liable for punishment (although no action would be taken against the newspaper or the magazine since what the author writes, and journalists publish, would be credited to themselves and they are restricted by the Islamic '*aqeedah* and Shari'ah, thus being accountable for what they publish).

The rule which applies to the foreign schools and colleges applies also to the foreign newspapers, magazines and radio stations; these would be prevented from operating within the Islamic State. Newspapers like The Times and magazines like Time, would be banned, and radio stations like the BBC World Service, and the Voice of America would be shut down, for these represent the views of the enemies of Islam and Muslims. They would be banned on the basis of looking after the affairs of the people. All the books and publications which contain un-Islamic culture, would be treated similarly. As for the scientific books, these would be allowed to circulate after they have been examined and once it is certain that they do not contain anything that contradicts the Islamic culture.

Currently, such measures are unheard of, though badly needed, as there is no Islamic State at present. So Muslims are at the mercy of

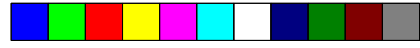


Introduction to the Systems of Islam

secular policies enforced by the *kufir* governments, which have been placed there in a deliberate attempt to confuse and falsely indoctrinate the minds of the Muslims. This can only mean that it is of vital importance for Muslims to re-establish the Khilafah, that will guarantee the provision of Islamic education.

When the State takes these measures, it will once again provide the atmosphere amongst its citizens of academic excellence and the striving to achieve it. It will be at the forefront of science, technology and education, producing universities and scholars sought after by the world.





Introduction to the Systems of Islam





Summary: Education in Islam

The youth of this generation are the leaders and governors of the generations to come. Thus, their education, the way they think, the values and ideals they hold - all these are of vital importance in shaping the future of the world. If you take a look around you now and see the situation of the younger generations, do you have confidence that their future will be in safe hands?

In the Islamic State, the Education System is geared towards building the Islamic personality in all the students. This prepares them to live their lives in accordance with the orders and prohibitions of Allah (swt). They will be taught all they need to know about the various aspects of Islam, such as social conduct, prayer, Islamic law etc.

As well they will be motivated to achieve excellence in the fields of science and technology, commerce and the arts. These will be taught within the framework of Islam, such that the hypothetical ideas which are propounded as facts in the West, like evolution of humans from apes and matter and energy being eternal, will not corrupt their minds.

The concepts taught by the Education System of Islam are based entirely on reality, and they motivate the ones carrying them to apply their minds to this reality and discover its true nature. The study of living things, the oceans, the planets - all these will point to the fact of Allah's existence and omnipotence.

In this way, the educational curriculum will ensure that Islam, science and the affairs of life will not be seen as separate and unconnected worlds, but will be regarded as a holistic and intricately interwoven unit.



Introduction to the Systems of Islam

In the society as a whole, which teaches people as much as any school, by means of the television, magazines and radio; unacceptable images of sex, violence and crime will not exist in the Islamic State as an influence over the people. Rather, these unfruitful pursuits will be replaced with stories of the Prophet (saw) and his Sahabah (ra), or other lessons in the Islamic way of life.

You will see how implementation of the Islamic Education System established those living under it, whether Muslim or not, at the forefront of science and technology, and how it built personalities that stood forth in justice.





The Judicial System

Facts About the Judicial System

In an Islamic law court only one judge is responsible for any trial. He has the authority to pronounce judgements based on the Qur'an and Sunnah. Other judges may only advise or assist, if requested to do so by the presiding judge.

There is no jury system in Islam. A person's fate is not left to the whims and prejudices of twelve highly fallible people who were not witnesses in the case and may even be criminals themselves!

Islamic punishments can only be administered when the evidence is proven to be definite and all relevant conditions are met (for example four witnesses to prove adultery). If there is any doubt over the evidence the whole case is thrown out.

There are three types of judge in Islam :

1) *Qadi 'Aam* - responsible for settling disputes among the people, e.g. everyday issues over land, car crashes, accidents etc.

2) *Qadi Muhtasib* - Responsible for resolving disputes that arise between the Ummah and any people who harm the society at large, e.g. shouting in the streets, cheating in the market etc.

3) *Qadi Madhaalim* - who deals with disputes between the people and the State officials. He can dismiss any ruler or government official, including the Khaleefah.



Introduction to the Systems of Islam

The second Khaleefah ‘Umar ibn al-Khattab (Amir of the Muslims between 634-644 CE) was the first to set up jails and prisons in Makkah.

Under the Judicial System, every person, Muslim or non-Muslim, male or female, defendant and accused has the right to appoint a representative or proxy.

There is no distinction between civil and criminal courts as we see today in Muslim countries, e.g. Pakistan where both parts of Islam and parts of *kufir* are applied. The Islamic State will only use the sources of Islamic law, i.e. the Qur’an and the Sunnah (and whatever derives from them), as its reference.

Islamic punishments will be executed without delay or hesitation. No-one is to be punished except by a rule of court. In addition, any means of torture is not permissible.

Under the Islamic system a person aggrieved of a crime has the right to forgive the accused or demand compensation (i.e. *qisas*) for a crime - except for *hadud* laws, which are the right of Allah (swt).

The Islamic punishment of hand-cutting only applies if seven conditions are fulfilled. These are :

- 1) Two witnesses (with no contradiction or error in their testimonies)
- 2) The value of the stolen goods must exceed 1/4 of a *dinar* in value (4.25g of gold)
- 3) Cannot be food (if the thief was hungry)
- 4) Cannot be from the thief’s family
- 5) Goods must be *halal* in nature (e.g. not alcohol)
- 6) Must be stolen from a secure place
- 7) Must be no doubt on the goods (i.e. the thief definitely has no right over it, e.g. money from the public treasury)

Throughout the entire 1300 years of Islamic rule only around 200 people had their hand cut off for theft.



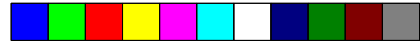
Introduction to the Systems of Islam

Any person has the right to take the leader to court, speak to him or criticise him if he has done any transgressions towards him or her. This was the case when a woman in the time of 'Umar ibn al-Khattab corrected him over a mistake he made about the value of the dowry.

The honour of a citizen is a sacred trust upon the Ummah. The punishment for accusing another Muslim of being unchaste without producing four witnesses to substantiate the claim is 80 lashes.

There are four categories of punishment in the Islamic Judicial System:

1. *Hadud* - The right of Allah (swt), e.g. fornication (100 lashes), apostasy (death).
2. *Al-Jynayat* - The right of the individual. He/she may forgive the criminal, e.g. murder, bodily harm.
3. *Al-Ta'azir* - The right of the community - those issues that affect the every day life of the general public, e.g. littering, cheating in the market.
4. *Al-Mukhalafat* - The right of the State - issues affecting the running of the State, e.g. breaking the speed limit.



Introduction to the Systems of Islam





So You Think You're Safe, do You?

How safe do you feel walking in the streets of your local area? Do you worry when you are travelling around on your own? What about your mother, or your sister? When you are out, are you concerned about the empty house you have left behind?

If so, it would not be an unusual thing. Crime is a major problem in Western society, with there being 5.6 million *officially reported* crimes per year in Britain. It is continually on the increase to the extent that nobody can feel secure anymore about their property, honour or even their lives. In fact, such concerns have become part and parcel of everyday life.

However, this dangerous tendency cannot be left entirely unchecked, lest society spirals into an abyss of disorder and chaos. It is for this reason that the institution of the judiciary exists, as a means of dealing with and eradicating crime. But are you confident with the British legal system, for example, in curbing and regulating crime?

In the West, if criminals are caught, the punishment administered is at the discretion of the judge. He, a limited human being just like yourself, is the one who evaluates the severity of the crime, and taking into consideration the opinions of previous judges, gives the sentence that he chooses. Thus, you can see that people who have committed the same crime might receive entirely different punishment.

This is why a 15 year old rapist was ordered by the courts to pay a fine of £500, while a man was fined £1200 for dropping an empty packet



Introduction to the Systems of Islam

of crisps!

Imagine you were victim to one of the more common crimes, such as burglary. In the unlikely event that the perpetrators were caught, how well do you think you would fare in the prosecution? Let us examine some of the possible eventualities.

Ideally speaking, the case would consist of the plaintiff, the defendant, the judge and the evidence. The purpose of the whole affair would be to ascertain the truth of the guilt or innocence of the accused, and to punish or release him accordingly. However, in the British judiciary there are many more factors which impede this objective....

Money Talks

With the legal world being so full of technical jargon, loopholes in the law and 'old boy networks', your chances of successfully presenting your claims on your own are practically zero. Thus, you need a barrister or solicitor to act on your behalf. But, to your expense, to attain the services of one will cost you money...a lot of money. And the more money you have to spend, the better the lawyer you can buy.

So what if you don't have more money to spare, and the criminal who robbed your house has used all the earnings from his illicit endeavours to buy the best that the legal profession has to offer? In this industry you will learn very quickly that the *evidence* in a case is not the deciding factor of the verdict, but it is only one of a variety of the tools that the lawyer makes use of in achieving the outcome he has been paid to produce. It seems that justice does not figure highly on his list of priorities! The bottom line is this. In the quest for getting your legitimate rights....money talks!

With regards to the question of deciding the verdict in your case, this is left up to twelve randomly selected members of the general public - the jury. The evidence is presented to them (eloquently or not depending on how much your lawyer cost), and they weigh it up according to their



Introduction to the Systems of Islam

own opinions. But consider these points:

1. If you came across 12 people in the street, how many of them would **you** trust? After all, the jury members themselves may be criminals, racist, sexist, liars, cheats...

2. The jury probably know nothing about the details of legal process, the science of forensics or the intricacies of police procedures. Yet they have to judge the evidence according to these bases!

All in all, given some of these facts about the British judicial system, is it any surprise that you don't have confidence in it?

Justice under Islam

If on the other hand, you take a look at how the unique Judicial System of the Islamic State operates, you will see that the courts are not the sole factor in curbing the tide of crime. Rather they are the last line of defence. You would see how the State guarantees your rights, and ensures that justice is the only arbiter in your disputes.

Taqwa - The First Line of Defence

As a Muslim, you appreciate that your belief in Islam, and the notion of obedience to your creator Allah (swt), causes you to behave in a certain way. Your *taqwa* (fear of Allah) will motivate you to leave what is prohibited (*haram*), and do what is obligatory (*fard*). Thus it will automatically help to prevent you and other Muslims around you from committing crimes, like theft, mugging, drug abuse etc. - these are all *haram*.

For the Muslim, the issue thereafter becomes not weighing up the risks of committing a crime for which there is a possibility of being caught. Instead it is a matter of facing the punishment of the Hellfire, which Allah (swt), the All-Knowing, All-Seeing, prepares for those who



Introduction to the Systems of Islam

go astray!

The Pressure of Public Opinion

The second factor concerns the society itself. In the Islamic State you are in an environment which is based around and propagates only the Islamic values and emotions. There will be no media influences tempting you away from obedience to Allah (swt), nor will the non-Islamic ambitions held by people around us here, like success at all costs or increasing of status, affect us. You will find yourself surrounded by people who look down upon actions contradictory to Islam and who praise those which accord with it.

These will all create a public opinion against committing crime that will act as a check against those who are tempted to do so.

Justice in Islam

Human beings are limited in knowledge and are fallible. They are prone to error and subject to prejudice. Islam does not leave the legislation of justice to the whims and fancies of human beings as is the case in the West. Instead the permission to make laws is only for Allah (swt) the creator of mankind and the One Who knows human beings the best. Who do you think is best qualified for this task? Allah (swt) says,

“The rule is to none but Allah.” [TMQ 6:57]

Thus you can rest assured that in an Islamic court, factors such as the judge being friends with the accused, or having had a bad day, have no bearing on the severity of the punishment he chooses to administer.

If you are a victim of crime and are poor while your opponent is wealthy, this will have no effect whatsoever on the verdict of the court. While you are allowed to appoint a representative to speak on your behalf, there are no vast sums of money at stake. The objective of the



Introduction to the Systems of Islam

courts is solely to establish justice, not to make money. Therefore, it does not matter who presents your case, or how persuasively he speaks, but it is up to the judge to ascertain the facts and evaluate them.

In Islam, only definite evidence of guilt is sufficient for the administration of a sentence. Accordingly, there is no concept of a jury, whose members may disagree between themselves on the verdict, purely on the basis of their own personal discretion.

Circumstantial evidence, which is inconclusive and subject to different interpretations is not enough. All evidence is presented to a judge who is expert in jurisprudence, and he imposes punishment according to laws from Islam. Thus only those proven to be criminals are punished. Criminals for whom no conclusive verdict is possible will not escape the punishment on the Day of Judgement.

Given the above framework of the two Judicial systems, let us compare the treatment of common crimes that we are most worried about in this society.

1. **Mugging** : You have probably suffered this at least once in your life, or know someone who has suffered it.

British Legal System : The sentence is discretionary, depending on the crime, but is commonly punished by community service.

Islamic Judicial System : Once guilt is ascertained, the judge will consider the severity of the crime and perform *ijtihad* (i.e. extracting the rule from the Qur'an and the Sunnah). This may range from public humiliation to death, if the mugging led to death.

2. **Burglary** : Burglary is extremely common in Britain. No doubt, you are afraid that your house may have been burgled if you are away for any period of time.

British Legal System : The sentence is discretionary, depending on the crime, but is commonly punished with imprisonment.



Introduction to the Systems of Islam

Islamic Judicial System : Burglars will have their hand cut off, provided they fulfil the seven conditions for this punishment. They are not permitted to have it surgically replaced.

3. **Rape** : There is a rape in Britain on average every 2.5 hours. Many more go unreported, and in most cases the perpetrator is known to the victim.

British Legal System : The sentence is discretionary, but the punishment ranges from a fine to life imprisonment. Commonly, the period of imprisonment is below 10 years.

Islamic Judicial System : The punishment can be death, depending on the circumstances.

Drugs Abuse : This is extremely common amongst all ages, particularly the youth. It is often seen as a harmless habit. Perhaps you are worried about a child or relative. If not, you probably should be.

British Legal System : The punishment depends on the nature of the drug, and the quantity possessed. Alcohol is legal. For 'soft' drugs like marijuana, offenders are usually just cautioned, but 'hard' drug abusers (like cocaine, heroin) may be imprisoned.

Islamic Judicial System : Offenders are publicly flogged 80 lashes.

Fornication & Adultery : With the emphasis in our society placed on relationships and sexual freedom, you would be justified in fearing for the conduct of young or indeed older Muslims who are subject to its influence.

British legal System : Both of these are legal, whether done between members of the opposite sex or the same sex (i.e. homosexuality). In fact, if you were to criticise these you would be blamed for intolerance and discrimination.





Introduction to the Systems of Islam

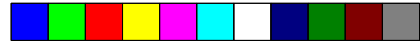
Islamic Judicial System : Fornication is punished by flogging 100 lashes. Adultery and homosexual fornication are both punished by public execution.

The objective behind the administration of justice in Islam is to act as a deterrent, to reform offenders and to secure society. As you can see, the nature of sentences in the Islamic Judicial System ensure that these objectives are achieved. History bears witness to this - only about 200 hands are recorded to have been cut in the entire history of the Islamic State!

In the West, however, up to 70% of convicted prisoners re-offend once they are released, and the rates of crime are hardly indicative of a successful deterrent.

One of the fundamental problems in the West is the complete contradiction of the ideology that is pushed upon the people. On the one hand, they are told that freedom is the basic right of the individual. This, however, is an open license to commit crime. When this is combined with the concept of democracy, the contradiction becomes apparent. For democracy is a system of making laws - devices to restrict freedom. The result of this conceptual mish-mash is chaos!

The justice which the Islamic State's Judicial System proffers will offer you peace of mind, security and confidence that your rights will not be abused. After the checks and balances of personal *taqwa* and the effect of public opinion, the last level of regulation - the Islamic Judicial System guarantees that the world will be free from the exploitation and corruption of man-made law, and the rising tide of crime that complements it.



Introduction to the Systems of Islam





Introduction to the Systems of Islam

The Islamic Judicial System

In the history of the Islamic State, it was famous for its administration of justice, and its ability to protect the rights of the people, and this was the case in all the different fields of life, from personal to political.

There are two people who are responsible for the implementation of Islam in such a manner - the Khaleefah and the *qadi* (judge). The Khaleefah executes the Islamic rules and implements them over the people, while the judge derives the Islamic verdicts for the different situations from their sources (i.e. the Qur'an, the Sunnah, and whatever derives from them) and presents them for application.

Accordingly, the judiciary is one of the fundamental pillars of the Islamic State and it is upon this that the ruling system depends for the implementation of Islam in the political life. There has always been in the Islamic State a judiciary which administers justice, and judges who would judge between the people to ensure that Islam was constantly adhered to.

This system of judiciary is nothing alien to Islam; indeed it derives from the Islamic *'aqedah* and forms an integrated part of the Islamic way of life, complementing the other Islamic systems, like the Economic (*Iqtisad*) and Ritual (*Ibadat*) systems, making a perfectly functioning whole.

Objective of the Judiciary

The basis of the Judiciary is set in three principles :



Introduction to the Systems of Islam

- 1) That the application of the Islamic judgement on each and every issue is obligatory,
- 2) That it is forbidden to follow any Shari'ah other than Islam, and
- 3) Any Shari'ah other than Islam is *kufr* (disbelief) and *taghut* (falsehood).

It is within the framework of these that the Judicial System of the Islamic State operates, and it is based around these that the definition of the judiciary ('*al-Qadha*') is established from the Shari'ah.

Thus, the definition and purpose of the judiciary is, "to allow the legitimate judges to provide the opinions about the divine rules on any situation, with the authority to enforce them."

Evidences for the Legitimacy of the Judiciary

The foundation of the judiciary system and its lawfulness are derived from the Qur'an and the Sunnah. As for the Qur'an, Allah (swt) says,

"But no, by your Lord, they will not believe (in truth) until they make you judge of what is in dispute between them and find within themselves no dislike of that which you decide, and submit with full submission." [TMQ 4:65]

"Lo! We reveal unto you the scripture with the truth, that you may judge between mankind by that which Allah has shown you." [TMQ 4:105]

"So judge between them by whatever Allah has revealed, and follow not their desires away from the truth which has come to you." [TMQ 5:51]

These *ayat* clearly indicate that it is legitimate to judge between the people and indeed that it is *fard* (obligatory) to do so, referring only to the system of Allah (swt).

As for the Sunnah, the Messenger²²² of Allah (saw) was himself in



Introduction to the Systems of Islam

charge of the Judicial System and he judged between people. Muslim reported on the authority of 'A'isha (ra), wife of the Messenger of Allah (saw), that she said, **“Sa‘ad ibn Abi Waqqas and Abd ibn Zama‘a disputed with each other over a young boy. Sa‘ad said: Oh Messenger of Allah, he is the son of my brother Utbah ibn Abi Waqqas as he made explicit that he was his son. Look at his resemblance. Abd ibn Zama‘a said: Messenger of Allah, he is my brother as he was born on the bed of my father from his slave-girl. Allah’s Messenger (saw) looked at his resemblance and found a clear resemblance with Utbah, but he said: He is yours O Abd ibn Zama‘a, for the child is to be attributed to one on whose bed it is born, and stoning is for the adulterer.”**

This is proof that Muhammad (saw) judged between the people, and that his judgement carried authority to be implemented.

Other Evidences of the Judiciary in Sunnah

1. Abu Daud, Tirmidhi, Nissai, and Ibn Majah reported :

Buraida said, The Messenger of Allah (saw) said, **“The judges are three, two of them will go to the Hellfire and one will go to the Paradise. One knows the truth and he judges with it - he is in the paradise, one knows the truth and doesn’t judge by it, he will go to the Hellfire. The other doesn’t know the truth and judges between the people with ignorance - he will go to the Hellfire.”**

2. Ahmad and Abu Daud reported :

Ali (ra) said the Messenger of Allah said, **“Oh Ali, if two people come to ask you to judge between them, do not judge to the first one until you hear the word of the second one in order that you may know how to judge.”**

3. Bukhari, Muslim and Ahmad reported :

Umm Salamah said, **“Two men disputed about the inheritance and came to the Messenger of Allah (saw), neither having any proof. He (saw) said : Both of you bring your dispute to me and I am a man like you and one of you may have more eloquent speech,**



Introduction to the Systems of Islam

so I may judge in his favour. And if I judge for him something that does not belong to him and I take it as a right from his brother, he should not take it because whatever I give to him it will be a piece of Hellfire in his stomach and he will come bowing his neck on the Day of Judgement. Both of the men cried, and one man said, I give my share to my brother. The Prophet (saw) said go now together and divide the inheritance between you and seek the right from both of you and each one of you say to the other 'May Allah forgive you', and permit him what he takes in order for both of you to be rewarded."

4. Baihaqi, Darqutni and Tabarani reported :

The Messenger of Allah (saw) said, **"Whoever Allah tests by letting him become a judge, should not let one party of a dispute sit near him without bringing the other party to sit near him. And he should fear Allah by his sitting, his looking to both of them and his judging to them. He should be careful not to look down to one as if the other was higher, he should be careful not to shout to one and not the other, and he should be careful of both of them."**

5. Muslim, Abu Daud and Al-Nissai reported :

Ibn Abbas said, **"The Messenger of Allah (saw) judged between the people by oath and witnesses."**

6. Mawardi, in 'The Etiquette of the Judge', vol.1, p.123 :

"The Messenger of Allah (saw) appointed judges in the Islamic State; one of them was Imam Ali, one was Mu'adh ibn Jabal and one was Abu Musa al-Ash'ari."

7. Muslim reported :

Abu Hurayrah said, **"The Messenger of Allah (saw) passed by a heap of food, as he put his hand inside it his fingers got wet, so he said to the vendor: What is this? He said : It was dampened by the rain O Messenger of Allah. He (saw) said : Why don't you put it on the top so that people can see it? He who cheats us is not one of us."**





Introduction to the Systems of Islam

All these *ahadith* clearly state the authenticity of judging and explain from different angles some of the elements of the Judicial System of the Islamic State:

1. The *ahadith* indicate that people are motivated to become judges, due to the reward of the judge.

2. The *ahadith* make terrified those people who want to become judges if they are not capable.

3. The *ahadith* show us the *usul* (source) of disputing and the *usul* of judging, e.g. the Messenger of Allah (saw) told 'Ali not to judge until he heard the statement of both parties. They show that we must have a court where both parties sit together and that the judge must listen to both parties. He said fear Allah at the way you look at them, talk to them and the way you judge between them.

4. They show the foundation of appointing a representative. Because of the saying, 'Be careful of those with good tongues'; so it is permissible to appoint someone to speak on your behalf.

5. They prove that the Messenger of Allah (saw) took oaths and witnesses and that they are evidences which can be used in proving cases.

6. They state types of judges, e.g. *Qadi Muhtasib* - who establishes justice and fair dealing in the market place.

7. They state the authenticity of appointing judges, as per Mawardi - Imam 'Ali and Mu'adh ibn Jabal.

The Hukm of the Judiciary

It is agreed upon by the four schools of thought (i.e. Hanafi, Shafi'i, Hanbali and Maliki) that the judiciary is *fard kifayyah* (sufficient *fard*)



Introduction to the Systems of Islam

like the Khilafah. Accordingly, if there is no judiciary, there will be no judging by Islam, and the whole Muslim Ummah will be sinful for its absence. However, if there is a functional judiciary, that is fulfilling the role of administration of justice for the people, then the *fard* has been fulfilled, and the sin is removed from the necks of the Muslims.

The Messenger of Allah (saw) said, **“One day from a just Imam is better than worshipping sixty years, and the establishment of one *hadud* (an Islamic punishment) on the earth is better than rain for 40 years.”**

These are some opinions of the distinguished scholars on the issue of the Judiciary:

- Imam Sarkhisi considered that the judiciary is the strongest *fard* after *iman*, because it ensures Allah’s (swt) laws are implemented in practice.

- Imam Ghazzali said that the judiciary is from the Jihad.

- ‘Abdullah ibn Mas‘ud (ra) said, *I prefer to sit as a judge between two people more than to perform 70 years of ibadat.*

The Responsibilities of the Judiciary

These are to :

- a) Settle the disputes between people,
- b) Prevent whatever harms the common rights, and
- c) Resolve the arguments between people and any person who forms part of the ruling system, be they rulers or employees, the Khaleefah or any other person.

Islam defines that each of these roles are separate parts of the judiciary and that each are undertaken by different types of judges.





Introduction to the Systems of Islam

The Appointing of Different Types of Judges

The Messenger of Allah (saw) used to appoint the judges; he appointed ‘Ali as judge over Yemen and he gave him instructions about how to judge by saying, “**If two disputing persons came to you do not judge for either of them until you have heard what the other had to say.**” He (saw) also appointed ‘Abdullah ibn Nawfal as judge over Madinah.

However, all the judges were not of one type, and the areas over which they had jurisdiction varied according to the roles they were allocated. Some judges were concerned with the disputes between the people, others with settling whatever harms the common interest of the people and others dealt with the area of disputes between the people and those who were in authority over them.

The Structure of the Judiciary

The Types of Judges :

The judiciary in Islam defines the role of three types of *qadi*'s, which are :

- 1) **Qadi ‘Aam** : He is the *qadi* that settles the disputes between the people. He deals with both civil and criminal cases.
- 2) **Qadi Muhtasib** : He is in charge of looking into and settling any breach of law that may endanger the public interest or property.
- 3) **Qadi Madhaalim** : He deals with disputes between the people and the State.

The Qadi ‘Aam

As for the evidence about the judiciary that settles the disputes that



Introduction to the Systems of Islam

occur between people, this is derived from the actions of the Messenger of Allah (saw), and in his appointment of Mu'adh ibn Jabal over an area of Yemen.

The Mandatory powers of the Qadi 'Aam

All the cases have to be judged in court sessions where the evidence is presented to the *qadi*. Since sovereignty belongs to Allah (swt), there is no concept of jury. The evidence is presented to the judge who then judges on the basis of Qur'an and Sunnah. It is forbidden to have more than one judge presiding over the case and having the power to render judgement. However it is permitted for other judges to be present with him. Their role would merely be to counsel or voice an opinion, but their opinions would not be binding. This is so because the Messenger of Allah (saw) never appointed two judges to deal with one matter, but only one judge for one matter, which indicates that it is forbidden to have two or more judges to look into one matter.

The judge can only rule in a judicial court and any evidences or oaths can only be considered in the judicial court. This is so because it has been reported on the authority of 'Abdullah ibn al-Zubayr who said, **“The Messenger of Allah has ordered that the two disputing parties should sit before the judge.”** This *hadith* demonstrates the form in which the judiciary should be conducted : The two disputing parties should sit together before a judge, and this would be in a judicial court.

It is permitted to have various levels of court according to the type of case. Thus it would be permitted to have some judges confined to dealing with specific cases to a certain extent and to refer other cases to other courts.

This is so because the judiciary is a delegation from the Khaleefah and it is just like the deputyship. In fact the judiciary is a form of deputyship which can be general, where the judge would have authority to consider a wide variety of matters; or it can be specific, with the judge specialising in only a few matters. Therefore, it is permitted to



Introduction to the Systems of Islam

have various levels of tribunal as Muslims had in the past : Al-Mawardi wrote in his book entitled *al-Ahkam al-Sultaniyya*:

“Abu ‘Abdullah al Zubayr said: For a while, the Amirs here in Basra used to appoint a judge at the central mosque (al-Masjid al-Jami‘), they called him the judge of the mosque, he used to judge in disputes involving sums that do not exceed twenty dinars and two hundred dirhams, and he used to impose the maintenances. He would not exceed his boundaries nor the duties entrusted to him.”

Different areas of authority of the Qadi ‘Aam

There are ten areas where the jurisdiction of the *Qadi ‘Aam* may apply. These are:

1. Judge of disputes between people, e.g. over ownership of property (*Munaza‘at*).
2. Judge of Rights (*Huquq*).
3. Judge of guardianship, e.g. over the orphan, the child who is not mature, the child’s money etc. (*Wilayah*)
4. Judge of trusts e.g. goods given up for use by people for the sake of Allah like mosques, fields etc. (*Awqaf*)
5. Judge of implementation of the will, i.e. inheritance (*Tanfeeth al-wasiya*).
6. Judge who is *waliy amr* (guardian) of people who do not have *waliy amr*, e.g. single women who want to marry etc. (*Tazweej al-ayama*)
7. Judge for establishing *hadud* punishments (*‘Iqamat il hadud*).
8. Judge for looking after the interests of the people, i.e. public interest like if the people were to dispute about building a railway in the area etc. (*An nazar fi masalih al-nass*)



Introduction to the Systems of Islam

9. Judge who looks into the character of the witnesses - he has a special court, which verifies the eligibility of the witnesses (*Tasaffahi shuhud*).

10. Judge to solve disputes between the weak and the strong (*Taswia fil hukmi bain al-quwi wal-daeef*).

There is also a special type of judge who looks into the domestic disputes, i.e. between the husband and wife.

The Judge's decision is Final

There are no appeal courts and there is no court of cessation, so the judiciary, as far as the method by which the cases are treated, is one and the same. If the judge pronounced a sentence, it would become binding, and the sentence of another judge would never and under no circumstances reverse it. The sentence of the judge cannot be reversed except by him personally and no other judge could do this. The evidence for this is derived from the general consensus of the Sahabah, for Abu Bakr judged in some cases according to his own *ijtihad* while 'Umar did not agree with him, and he did not reverse his judgements; 'Ali disagreed with 'Umar's *ijtihad* but did not reverse his sentences; 'Ali differed with Abu Bakr and 'Umar but their sentencing was never reversed. The people of Najran came to 'Ali and said to him: "*O Amir of the believers, your book is in your own hands and your pardon is with your own tongue. He said: Woe to you, 'Umar was rightly guided and I will not reverse a judgement pronounced by 'Umar.*"

This is why there are no courts of appeal in Islam, nor are there courts of cessation. The judiciary from the adjudication point of view should be of the same level. The Shari'ah principle states: "The *ijtihad* does not reverse another *ijtihad*." So no *mujtahid* (scholar) could serve as an authoritative source for another *mujtahid*; thus it would be forbidden to have tribunals that reverse the sentences of other tribunals.

However, if the judge abandons the rule by the Shari'ah, and judges



Introduction to the Systems of Islam

by a rule of disbelief, his judgement would be false, and also if he judged by a rule that contradicts the Shari‘ah (i.e. if he did not have an evidence or even a doubtful evidence), and there were texts that contradicted him, then the judgement of the ruler or the judge should be rejected for the Messenger of Allah (saw) said, **“Anything that is not derived from our teaching is a reject.”** And the one who has the power to reject it would be the judge of the *madhaalim* (see later).

The Qadi Muhtasib (or Qadi Hisba)

The function of this judge is related to conveying the Shari‘ah rule by way of compulsion in whatever may harm the common interest. This type of institution is also known as the *hisba*, and it carries out a specific task within the Islamic State, which is the controlling of the traders and skilled workers lest they cheat in their trade, work or in their products, lest they wrongly use the weights and measures or any other type of action that may affect the public rights.

As for the evidence of this judiciary, this is highlighted in the *hadith* of the heap of food : It has been reported in Sahih Muslim on the authority of Abu Hurayrah the following: **“The Messenger of Allah (saw) passed by a heap of food, as he put his hand inside it his fingers got wet, so he said to the vendor: What is this? He said : It was dampened by the rain O Messenger of Allah. He (saw) said : Why don’t you put it on the top so that people can see it? He who cheats us is not one of us.”**

So this was a public right on which the Messenger of Allah looked into, and judged that the wet food should be displayed at the top to prevent cheating. And this applies to all the common rights or interests that are of this nature. It does not include the penal code or the criminal law, for they are not of the same sort, as they are disputes between people in the first place.

The Mandatory powers of the Muhtasib

The *muhtasib* has the power to judge on the offence as soon as he



Introduction to the Systems of Islam

learns about it, and this could take place on the spot and in any place; he does not need to be in a judiciary court. He will have at his disposal a number of police officers to execute his orders and apply the sentence on the spot. A judiciary court would not be required for the *muhtasib* to look into the case at hand as he passes the judgement the moment he is sure that it took place, and he has the power to judge in any place and at any time, be it in the market, in the house, or while riding in the car both day or night.

This is so because the evidence that confirms the need to have a judiciary court in order to deal with a case does not apply to the *muhtasib*, for the *hadith* which confirmed such condition states: **‘If the two disputing parties sat before you’**, and this is not applicable to the judge of *hisba*, for there is no plaintiff and no defendant, there is only a public concern that has been violated, or a violation of the Shari‘ah. Besides, when the Messenger of Allah (saw) looked into the case of the heap of food, he was at the time walking in the market and the food was displayed for sale, he (saw) did not summon the vendor to him, but as soon as he detected the offence he dealt with it on the spot. This indicates that the cases of *hisba* do not require a judiciary court.

The *muhtasib* can be given the right to select deputies in lieu of him. They should fulfil the requirements of the *muhtasib*, and he is allowed to assign them to different places. These deputies would have the power to carry out the duties of the *hisba* in the areas they have been assigned to and in the cases they have been delegated for. These deputies must be appointed as full judges, holding all the mandatory powers given to a judge.

The legal requirements for those whom the judge appoints as his deputies are: They must be Muslims, sane, free, just, mature and *faqihs* (learned scholars) in the matters they are assigned to deal with, i.e. they must have the same requirements of the *muhtasib* for they are also judges like him.



Introduction to the Systems of Islam

The Qadi Madhaalim

The judge of *madhaalim* is a judge appointed to lift every *madhlama* (unjust act) perpetrated by the State against any person, whether this person were a citizen of the State or a person living under its authority, and whether this *madhlama* were perpetrated by the Khaleefah or those working under him be they rulers or civil servants.

This is the definition of the judge of *madhaalim* and the origin of the judiciary of *madhaalim* is derived from reports attributed to the Messenger of Allah (saw) when he described the unjust acts perpetrated by the ruler while ruling over the subjects as being a *madhlama*. Anas reported: **“Prices soared during the time of the Messenger of Allah (saw) so they said to him: O Messenger of Allah why don’t you introduce pricing? He said: Verily Allah is the Recipient, the Extender of wealth , the Provider, and the Pricer, and I hope that I will meet Allah (swt) without having anyone accusing me of having perpetrated a *madhlama* against him be it in blood or in money.”** He (saw) therefore judged the pricing as being a *madhlama*, for if he had done it, i.e. introduced pricing, he would have acted without authority.

The *madhaalim* (unjust acts) were mentioned in the *hadith* of the Messenger of Allah (saw) where he said: **“If I took money from someone, here is my money, let him take from it, and if I whipped the back of someone, here is my back, let him retaliate.”** This indicates that complaints against the ruler, or the *wali* or the civil servant should be submitted to the judge of *madhaalim*, and the Judge of *madhaalim* would convey the Shari‘ah rule by way of compulsion.

He (saw) also made the issues that affect the common rights which the State organises for the people as part of the *madhaalim*, such as the irrigation of farming lands by common water in turn; the Messenger of Allah (saw) looked into the dispute over irrigation that took place between al-Zubayr ibn al-Awwam and a man of the *Ansar*; he (saw) witnessed it personally and said to Al-Zubayr: **“You irrigate first O Zubayr and then the *Ansari*.”** Therefore, any *madhlama* that occurs



Introduction to the Systems of Islam

on any person, whether perpetrated by the ruler, or occurring as a result of the State's organisation or orders, would be considered as a *madhlama*, as gathered from the two *ahadith*. The matter would be then referred to the Khaleefah to deal with it or to whoever the Khaleefah appoints as judge of *madhaalim* to deal with such matters in lieu of him.

The Mandatory powers of the Judge of Madhaalim

Accounting the Rulers:

The judge of *madhaalim* has the mandatory powers to remove any ruler or civil servant, and he also has the right to remove the Khaleefah. The judge of *madhaalim* has the right to remove the rulers, for the ruler is appointed by a contract, known as the appointment contract (*bay'ah al-in'iqad*). It is important to understand that the court of *madhaalim* does not act on behalf of the Khaleefah, but is an independent court that is there to remove any *madhlama* implemented by the State on any of its citizens. So if a *madhlama* occurred in the *wilayah* of a certain governor, the court has the right to remove that *madhlama* it may have to remove that governor from office, even if the Khaleefah does not agree with the judgement.

As for its powers to remove the Khaleefah, this would also be a judgement aimed at removing a *madhlama*, for if a situation arose that necessitated his removal, or a situation as a result of which he should be removed, then his stay in office would be a *madhlama*, and it is the court of *madhaalim* that judges the removal of a *madhlama*, so it orders his removal. Therefore, the judgement of the court of *madhaalim* to remove the Khaleefah would be a judgement aimed at removing a *madhlama*. This is a principle mechanism that Islam has defined for regulating and accounting the ruler.

The court of *madhaalim* has the powers to look into any *madhlama*, whether the *madhlama* were perpetrated by government employees, or related to the contradiction of the Shari'ah by the Khaleefah, or the various Shari'ah rules adopted by the Khaleefah, or related to the





Introduction to the Systems of Islam

imposing of a tax or any other matter. This is so because the Messenger of Allah (saw) refused to fix the prices when the Sahabah requested him to do so after the prices had soared, and he (saw) considered price fixing as being a *madhlama*. This proves if the action of the ruler contradicted or violated the Shari‘ah rules, it would be considered a *madhlama*. The Messenger of Allah (saw) was a ruler over the Muslims and their head of state.

Furthermore, every action that is part of the government business, performed by any member of the government, if this action was in contradiction of what is lawful, or if it violated the Shari‘ah rules, it would be considered a *madhlama*, for that person would be a deputy to the Khaleefah, acting on his behalf according to the task assigned to him within the ruling system. Therefore, the *hadith* about the pricing indicates that the offence committed by the Khaleefah is a *madhlama*.

To look into a text from the constitution or the canon, would be to look into the order of the authorities, since the constitution and the canon represent the basic laws and since the laws represent the order of the Khaleefah, this is also included in the *hadith* about the pricing, for it would be like looking into the Khaleefah’s actions; and besides, Allah (swt) says,

“If you dispute about something refer it to Allah and the Messenger.” [TMQ 4:59]

i.e. if you disputed with the people in authority about a matter, and this dispute was about an article in the constitution or an article of the law, then it would be a dispute between the subjects and those in authority about a rule of Shari‘ah, then it must be referred to Allah and His Messenger, which means in this case to refer it to the court of *madhaalim*, i.e. to the judgement of Allah (swt) and His Messenger (saw).

As for the mandatory powers given to the judge of *madhaalim* to look into the imposing of a tax, this is derived from the *hadith* of the Messenger of Allah (saw) where he said, **“If I took money from**



Introduction to the Systems of Islam

anyone, here is my money, let him take from it.” And he (saw) also said: “And I hope to meet Allah Azza wa Jall without having anyone claiming a *madhlama* against me, whether in blood or money.” If the Khaleefah took money from the subjects unlawfully, it would be a *madhlama*, therefore the court of *madhaalim* has the right to investigate tax affairs for it is money taken from the subjects. Its investigation of tax collections would be with the aim of ruling whether those taxes are lawfully imposed by Shari‘ah on the Muslims, such as the money taken to feed the needy, which would not be a *madhlama*; or with the aim of ruling whether those taxes are not imposed by the Shari‘ah, such as the monies taken to build a dam that is not considered to be essential which would therefore be a *madhlama* and would have to be removed. This is why the court of justice has the power to look into the taxes.

In the judiciary of *madhaalim*, the court sitting is optional, and the summons of the defendant is not necessary, nor is the presence of a plaintiff; the court of *madhaalim* has the right to look into a *madhlama* even if nobody filed a claim.

This is so because the evidence that confirms the need for a judiciary court to look into a case does not apply for the court of *madhaalim* for it is not always necessary to have a plaintiff. The court of *madhaalim* looks into the *madhlama* even if nobody filed a claim, and because it is not always necessary to summon the defendant, for it concentrates on the *madhlama*; therefore the necessity of a judiciary court, which is deduced from the *ahadith* of the Messenger of Allah (saw): **“The two disputing parties sit before the judge.”** and: **“If the two disputing parties sat before you.”**, does not apply to the court of *madhaalim*. Therefore, the court of *madhaalim* reserves the right to look into the *madhlama* as it occurs without any restrictions such as time, place or court sitting.



Introduction to the Systems of Islam

The Conditions Required for the Position of Judge

Anyone taking up the post of judge must be :

- 1) Muslim
- 2) Free
- 3) Mature
- 4) Sane
- 5) Just ('*adl*)
- 6) *Faqih* (learned scholar), able to apply the rules to the situations
- 7) They must have the faculty of the three main senses - sight, hearing and speech.

For the person who takes up the judiciary of *madhaalim*, in addition to the conditions mentioned, he must also be male and a *mujtahid* (legist), just like the supreme judge (*Qadi al-Qada'a*), for his post is in fact one of judiciary and of ruling, where he judges the ruler and executes the Shari'ah upon him. Therefore he must be male in addition to the other conditions for the post of judge .

As well as being *faqih* he should also be a *mujtahid*, for part of the *madhaalim* that he could be required to look into is whether the ruler has ruled by other than what Allah has revealed, i.e. ruled by a law that has no Shari'ah evidence to back it, or in case the evidence he used does not relate to the event, and only the *mujtahid* can deal with such *madhlama*. Therefore if he were not a *mujtahid*, he would be judging on something he knows little about or has no knowledge of at all, and that is forbidden. Therefore, in addition to the conditions of the ruler and those of the judge, he also should be a *mujtahid*.

The Appointment of Judges

It is permitted to appoint the judges and the *muhtasib* in a general capacity, to judge on all matters all over the country. It is also permitted to appoint him in a specific capacity, where the specification could either



Introduction to the Systems of Islam

be geographic or according to a certain type of judiciary. This would be in accordance with the actions of the Messenger of Allah (saw), for he appointed 'Ali ibn Abi Talib as judge over Yemen, and Mu'adh ibn Jabal as judge over an area of Yemen; he also appointed 'Amr ibn al-A'as as judge in one specific matter. This is as far as the *qadi muhtasib* and the *qadi 'Aam* are concerned.

As for the judge of *madhaalim*, it is permitted to appoint him for the whole country or to confine him to a specific area, for the Messenger of Allah (saw) appointed Rashid ibn Abdillah as Amir of the judiciary and the *madhaalim* over the *imara* where he was appointed. As for the confining of the judge of *madhaalim* to certain matters, this is forbidden, for the Messenger of Allah (saw) did not do so, and because his duty would be to look into the complaints of the people and remove their causes, thus specialisation would not be feasible, for the complaints cannot be partitioned. Also, in addition to him being a judge looking into the *madhaalim*, he is also a ruler in removing the causes of the *madhaalim*, and the rule cannot be partitioned. Thus the ruler does not specialise in the rule, i.e. he cannot be confined to ruling over certain matters and be restricted from ruling over other matters, he can only be confined to an area.

When a ruler is appointed and he acquires the mandatory powers and the authority to look into all matters, it is forbidden to restrict and categorise his duties of rule. The same applies to the judge of *madhaalim* - his appointment would be general as far as the judiciary is concerned. He can, however, be confined to a specific area just as for the confinement of the *wali* to a special *wilayah*. This would not be a partition of his rule but a specification of the *wilayah*, and no matter where and what type of *wilayah* it is, the rule of that *wilayah* cannot be partitioned. The judge of *madhaalim* would be appointed similarly over the *wilayah* of *madhaalim*, and this *wilayah* is general, therefore it would be wrong to partition the domain of his *wilayah*. This serves as evidence that he should not be appointed except with a general appointment as far as the judiciary of *madhaalim* is concerned.





Introduction to the Systems of Islam

Qadi al-Qada'a - The Judge of Judges

This is a further type of judge who is appointed by the Khaleefah, but who is not concerned with the issues of the disputes that form the basis of jurisdiction of the other types of judges. Rather this judge and his department are responsible for appointing all the judges on behalf of the Khaleefah, and ensuring their conduct and qualifications are correct and in accordance with the Shari'ah.

In this way, the *Qadi al-Qada'a* would verify that any judge fulfils the conditions necessary for his authority to be valid. He would also look into any areas of injustice or misapplication of the Shari'ah that any of the judges may have been involved in, and he has the authority to correct and expel any judges involved in corruption.

How the Judges are Removed

The appointment of a member of the judiciary is one of the Islamic contracts, and any contract in Islam has two contractors. One is the Islamic State, represented by the Khaleefah, and the other is the judge himself. The contract is manifested by an offer and acceptance.

Accordingly, the position of the judge will be valid as long as the conditions of the contract exist. Given this, there are three ways in which a judge can be removed from authority:

- 1) The Khaleefah removes him - this may be directly, or through the institution of the *Qadi al-Qada'a*.
- 2) The judge resigns.
- 3) The judge loses one of the conditions to be judge, e.g. he becomes blind or becomes untrustworthy.



Introduction to the Systems of Islam

Punishments

These are the basic outlines of the structure of the Judicial system of the Islamic State. Their details provide comprehensive guidelines for both the structure and function of the judiciary, in such a way as to ensure that the objectives of justice under Islam are fulfilled. However, it is not only by means of guidance and clarification of the divine rules that the system maintains its integrity. It has at its disposal the means of effectively enforcing the decisions and judgements that are arrived at by the courts - the punishment (*al-'Uqubat*).

Conclusion

The judiciary in the Islamic State was the richest source of jurisprudence and juridical works of any period of man. The libraries of Baghdad and Kufah (capitals of the Islamic State) boasted collections of tens of thousands of books and articles covering all aspects of legislation in the daily affairs of man, and the study of *fiqh* (Islamic law). Such was the extent of study and regard for this crucial aspect of the *deen* of Islam.

Sadly today this legacy has been all but lost to the minds of Muslims and non-Muslims throughout the world. Nowhere is the Justice of Islam prevalent as the ruling force and as a result, the world is engulfed in turmoil, where justice can be bought and abused by any who own the power to do so. Only when Islam is implemented again in its entirety, will the world return to the glorious state it enjoyed under the Khilafah.



The Punishment System in Islam

The Punishment system (*nizam al-'Uqubat*) in Islam supplements the judiciary, and provides a means of giving tangible substance to the verdicts. We will outline here in brief some of the main points of the punishment system.

The Objectives of the Punishment System

The objectives of the punishment system are three fold :

- 1) To punish those guilty of crime, thereby acting as *kaffara* (purification) and reforming them.
- 2) To act as a deterrent for society from committing crime.
- 3) To be a means of retribution for those who are victims of crime.

There are various degrees of punishment that accord with the severity of the crime, the nature of the crime, and other factors which surround it. These all have the effect of achieving the objectives detailed above.

Principles of the Punishment System

The following are the principles of the punishment system :

- 1) **The Muslim is accountable for every action that he/she has performed and for every crime there exists a punishment that is enforced by the State.**



Introduction to the Systems of Islam

Such a principle is important because it not only protects the society, but taking the punishment for such crimes through a court of Shari'ah removes its punishment in the afterlife. It acts as a *kaffara* and is a means to repent and seek forgiveness. Muslims need to remember that Allah (swt) knows and will account all the actions. Therefore, it is better to get the punishment in this life and sincerely repent than to face the punishment in the afterlife.

Many of the Muslims during the time of Muhammad (saw) confessed to their crimes that were severely punishable in order that they may avoid the retribution for their actions on the Day of Judgement. It is narrated by Abu Daud when referring to a man who confessed to an illegal sexual act, and was ordered to be stoned to death, Muhammad (saw) said, **“He is more agreeable than the fragrance of musk in the eyes of Allah.”**

2) The punishment should be prevented as much as possible.

This applies because the severity of the punishment serves the primary role of a deterrent. Any shred of evidence that is doubtful or circumstantial will prevent the punishment. Indeed it is narrated in the Seerah (life) of Muhammad (saw) how he would exert himself to avert the punishment when individuals asked for the punishment to be implemented upon them. It is narrated that Muhammad (saw) said, **“To free someone criminal mistakenly is better than to punish someone innocent mistakenly.”** ‘A’isha (ra) narrated, **“Ward off punishments as much as you can. If you find any way out for a Muslim then set him free. If the Imam makes a mistake in granting forgiveness it is better for him than that he should commit a mistake in imposing punishment.”**

In this way, bearing in mind the heavy burden of proof, false conviction or unjustified punishment will be absent in the Islamic judiciary.

3) Islam sets down punishments to protect and secure six issues for all citizens of the State, whether Muslim or non-Muslim :



Introduction to the Systems of Islam

Belief, Honour, Mind, Property, Life and Offspring

1. **Belief** : The Islamic belief is the pillar of the *deen* and like any precious jewel, it is protected. Therefore, anyone who wants to leave Islam after accepting it and being advised, is subject to the penalty of death. The same punishment is applicable to anyone that slanders the belief of Islam.

Concerning the non-Muslims, the meaning of the Qur'anic verse,

“There is no compulsion in religion” [TMQ 2:256]

ensures that non-Muslims cannot be forced to become Muslims, and their right to practice their religion is protected.

2. **Honour** : In Islam, women are an honour (*'ird*) and must be protected from all harm, slander and degrading actions. Therefore, Islam protects the dignity of women by punishing those who even backbite against her. Moreover, Islam protects the honour of people by punishing those who spread slanders against them. Anyone who is properly convicted of doing so is punished by eighty lashes.

3. **Mind** : The use of alcoholic drinks and any other substances that befog the mind are forbidden in Islam. Accordingly, all the social problems which are inevitable consequences of such substances on the society are removed. The punishment for use of such substances is eighty lashes.

4. **Property** : Islam protects the wealth of all its citizens by securing a harsh punishment, e.g. cutting the hand of the thief, subject to all the conditions which apply here (like the value of the goods, the place of storage of the goods etc.)

5. **Life** : Muhammad (saw) said that, **“The blood of a Muslim is worth more than the Ka'aba and all its surroundings.”** The punishment for murder is death, with the right of the family of the deceased to forgive and receive blood money.

6. **Offspring** : Islam guarantees recognition of the correct lineage





Introduction to the Systems of Islam

of people and their children, and ensures that no child is wrongfully attributed to anyone other than their own parentage. This is primarily achieved by forbidding and punishing illicit sexual relations.

With all these securities, Islam protects the things which human beings hold as most valuable. Those who are guilty of abusing any of these securities are subject to punishment.

Who is Subject to Punishment?

Both Muslims and non-Muslims, whether male or female, who are under the authority of the Islamic State are subject to the punishment of the judiciary if they are proven to have committed the crimes. This is because the orders of punishment that appear in the Qur'an or *hadith* are general and do not specify that the punishments are restricted to Muslims or non-Muslims, e.g. Allah (swt) says,

“And as for the male and female thief, cut off their hands as a punishment for what they have done.” [TMQ 5:38]

Additionally, Muhammad (saw) administered the punishments of *hadud* upon the Muslims as well as the non-Muslims, as was the case when two Jews committed *zina* (fornication), and the *ayah* was revealed regarding them :

“The fornicator and the fornicatress, lash each of them one hundred stripes.” [TMQ 24:2]

It is forbidden to discriminate against any non-Muslim if they commit or are a victim of a crime. This is because all citizens of the Islamic State are equal in status, and have the same rights guaranteed. Muhammad (saw) said, **“Whoever harms a *dhimmi*, it is as if he harms me.”** A *dhimmi* is a non-Muslim citizen of the Islamic State.

Only those who are responsible for their actions are subject to punishment. Muhammad (saw) said, **“The pen is lifted (from**





Introduction to the Systems of Islam

recording the deeds of) three : The *majnun* (madman) until he becomes sane, the child until he becomes mature and the sleeping person till he awakes.”

In all of the situations mentioned in the *hadith*, the person is not responsible for his actions, as he is unable to discern the correctness or incorrectness in his actions. Thus, he is not subject to the punishments that the court would normally administer to someone who had committed the same crimes.

If any crime is committed under force of duress, there will be no legal liability if it is proved that this was the case. Muhammad (saw) said, “**My Ummah will be forgiven for crimes it commits under duress, in error, or as a result of forgetfulness.**” Again here, no punishment will be given for crimes committed under such a state of mind as negating responsibility for a criminal act.

The Types of Punishment

There are four categories of punishment that criminals may be subject to. These are :

1. ***Hadud*** : This punishment is the right of Allah (swt), and it is a retribution for seven different crimes, which no-one can forgive. These are:

a) *Fornication or adultery (zina)* : The punishment is 100 lashes for fornication (i.e. pre-marital sex) or stoning to death for adultery (where the fornicator/s is/are married).

b) *False Accusation (qadhf)* : Where a false charge of adultery is insinuated against a man or woman. The punishment is 80 lashes.

c) *Theft (sariqa)* : Where theft is the crime. The punishment is cutting off of the hand, provided seven conditions are fulfilled concerning the circumstances of the crime.



Introduction to the Systems of Islam

d) *Consumption of Intoxicants (khamr)* : Where the crime is for example drinking wine. The punishment is 80 lashes.

e) *Rebellion against the State (al-baghi)* : Where individuals or groups revolt against the authority of the State, e.g. motivation of division of the Ummah. The punishment is death.

f) *Apostasy (al-irtidad)* : Where a Muslim changes his or her belief, and refuses to return after advice is given. The punishment is death.

g) *Highway Robbery (hiraba)* : Where robbers attack passers by on the open highways. The punishment is cutting off the hand and foot on opposite sides, or death if the crime led to the death of the victim.

In these issues, if someone is proven to be guilty of the crime and all the conditions for the punishment are fulfilled, there is no leniency or pardon for the perpetrator. Muhammad (saw) said, **“By Allah, if Fatimah the daughter of Muhammad stole, I would cut her hand.”**

2. *Al-Jynayat* (or *qisas*): This concerns crimes against the rights of an individual where the victim has the option to demand punishment or forgive the criminal and demand blood money (*diyyah*). It concerns mainly the issues of killing and bodily harm, whether unlawful or accidental. For example, if someone deliberately committed murder, the family of the victim could demand that the perpetrator be killed, or they could forgive them and demand blood money. The value of blood money varies depending on the nature of the crime:

a) Blood money from the one who kills with intention is 100 camels, 40 of which must be pregnant, or the equivalent monetary value.

b) Blood money from the one who kills unintentionally i.e. manslaughter, is the equivalent of 100 camels.

It is narrated by al-Nissai and Darimi that Abu Bakr reported that the Messenger of Allah (saw) wrote to the inhabitants of Yemen and there was in his letter : **“Whosoever kills a believer unjustly will**





Introduction to the Systems of Islam

suffer retaliation for what his hand has done unless the relatives of the murdered man consent otherwise. And therein it was : A man shall be killed for the murder of a woman. And therein it was : For the murder of a life, there is bloodwit of 100 camels..”

Another *hadith* narrated by Imam Nissai mentions that every part of the body has blood money, for example, the blood money for the eyes is equivalent of 50 camels.

3. *Al-Ta‘azir* : This is considered the right of the community. It covers those issues which are not part of the *qisas* or *hadud*, but which affect the right of the community such as shouting in the streets, cheating in the market place etc. The judge presiding over the case will study the severity and nature of the crime and prescribe a punishment to match it from his own *ijtihad* (i.e. study of the Islamic texts). The punishments may range from anywhere between a warning to death. One famous example happened in the time of ‘Umar ibn al-Khattab (ra), where he punished a scholar who gave false testimony. He ordered that the scholar should have his head shaved, his face painted black, and be paraded semi-clothed in front of the people while sitting backwards on a donkey.

4. *Al-Mukhalafat* : This covers the areas of the rights of the State. Here the crime is committed when a person or group contravenes a law which the State has enacted, such as breaking the speed limit or parking in no-parking areas. The punishment is at the discretion of the judge, based on his own *ijtihad* or the adoption of the State.

The Law of Evidence

There are various ways in which the perpetration of a crime can be proved in court, but these are restricted only to that which can ascertain definite guilt. For example, circumstantial evidence like fingerprints on a murder weapon are not in themselves sufficient to give 100% certainty of the guilt of the owner of the fingerprints. Therefore, this kind of evidence alone is unacceptable in the Islamic court. There are two





Introduction to the Systems of Islam

types of testimony which can confer definite proof :

1) *Eye-Witness Testimony (shahada)* : The testimony of someone who has actually seen a crime occurring is a valid evidence. However, this is only applicable in the cases where the trustworthiness of the witness is proven. There is a special court whose purpose is to verify the character, memory, intelligence etc. of any witnesses who are brought forward.

An example of this is in the case of adultery (*zina*) where the testimony of four eye witnesses are required to prove the crime. Allah (swt) says,

“As for those of your women who are guilty of lewdness, call to witness four of you against them.” [TMQ 4:15]

If any of the witnesses fails to bring corroborating testimony, or someone who accuses the crime cannot provide four witnesses, then they will be subject to punishment of *qadhf* (false accusation).

2) *Confession (iqrar)* : It is agreed that the criminal's confession is sufficient for the establishment of guilt and that, on the basis of his or her confession, the appropriate punishment can be inflicted.

Abu Daud narrated that : **“A woman of Ghamid came to the Prophet (saw) and said, ‘I have committed a punishable sexual act.’ He replied, ‘Go back.’ She then returned and on the next day came to him again and said, ‘Perhaps you want to send me back as you did to Ma‘az ibn Malik. I swear by Allah that I am pregnant.’ He said to her, ‘Go back.’ She returned to him the next day. He said, ‘Go back until you give birth to the child.’ She left. When she gave birth to the child she brought the child to him, and said, ‘Here he is! I have given birth to it.’ He said, ‘Go back and suckle him until you wean him.’ When she had weaned him, she brought the boy to him with something in his hand which he was eating. The boy was then given to a certain man of the**





Introduction to the Systems of Islam

Muslims and the Prophet (saw) commanded regarding her. So a pit was dug for her, and he gave orders about her and she was stoned to death. Khalid was one of those who were throwing stones at her. He threw a stone at her. When a drop of her blood fell on his cheek, he abused her. Muhammad (saw) said to him, ‘Gently Khalid. By Him in Whose hand is my soul, she has repented to such an extent that if one who wrongfully takes an extra were to repent to a like extent, he would be forgiven.’ Then giving command regarding her, he prayed over her and she was buried.”

If, however the confessor were to withdraw his or her confession, then the punishment would be stopped immediately, as guilt could no longer be definitely substantiated. This would also be the case if, for example, during the punishment the confessor ran away or began to protest.

Punishment as the Last Resort

It must be noted that the punishments administered by the Islamic State are the last resort in the process of curbing and preventing crime. Islam comes as a *deen* (way of life) where all the systems work in harmony, making an integrated and perfectly complementary whole.

Thus, the Economic System will ensure that all the citizens of the State will have their needs adequately fulfilled such that no-one need resort to crime to sustain themselves. As well, the Education System will teach the people the mentality of rejecting any kind of crime, all of which are forbidden in Islam, in favour of obedience to Allah (swt). And the Social System will inculcate within the people the mentality of respect and dignity towards the opposite sex, and the segregation between men and women in their daily life will minimise the possibility of crimes in this area.

In the Islamic State the prevention of crime works on three levels :





Introduction to the Systems of Islam

1) **The Taqwa of the believer** : The Muslim has conviction in the rational creed of Islam, which is built upon the study of reality and use of the mind. This gives them the definite foundation for their belief in Islam and motivates them to be subservient to the One and Only True God, Allah (swt).

Crime is a disobedience to Allah (swt). The Muslim's longing for the Paradise and their fear of the punishment of Hellfire will prevent them from committing crime.

2) **Public Opinion** : It is one of the mutual rights and duties of the Muslims that they always look out for and take care the affairs of each other. Thus there will be a constant motivation and encouragement from all sides for people to observe the Islamic conduct.

Crime will be shunned and rejected by the society at large. Criminals and cheats will not be accepted, nor will wealth or any perceived benefits gained illicitly be respected. This pressure from the dominant values in the society will prevent those who are tempted to commit crime from doing so.

3) **The Punishments** : The last resort is the fear of the consequences of the criminal actions in terms of the punishment.

It is for these reasons that so few incidences of implementation of *hadud* and other retributions by the judiciary were necessary in the history of the Khilafah.

Conclusion

The Judicial System and Punishments of the Islamic State were implemented throughout every period from the time of the Prophet (saw) in Madinah, when he established the first Islamic State. It settled the disputes between the people, protected the legitimate rights of the community, and ensured that those in authority gave the citizens of the State their dues in accordance with the Shari'ah of Islam. All this it did



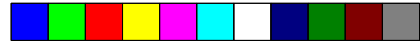
Introduction to the Systems of Islam

in a superior manner, such that it was acknowledged by all, the justice and propriety which it conferred upon those who were protected by it.

However, the strength and authority that the judiciary in Islam proffers is not built upon harsh punishments or oppression of the people. Rather, its power lies in the fact that it originates from the Islamic '*aqeedah*' which is able to answer all the problems that may arise in life, and that its implementation and the obedience to it are considered as *ibadat* (worship). In this way, the history has shown that in only a relatively small number of cases did the judiciary have to resort to punishment of the people.

The mentality of obedience to Allah (swt) and disapproval of crime that the systems of the Islamic State - which are an integrated whole and of which the judicial system is one part - inculcates into the people is enough to ensure that justice and harmony in society prevail, and that crime is a fringe activity.





Introduction to the Systems of Islam





Summary: Judiciary in Islam

To live in constant fear of being attacked or robbed is surely an unacceptable state of affairs. The thoughts and ideas that are prevalent in the society around us affect the way people behave and in this society people are constantly motivated to increase their wealth and become prosperous. But, when this is combined with the notion of freedom, a dangerous cocktail is made. People then put no limits for themselves on how to achieve these aims, and crime is an easy way to fulfil them.

This has come to the extent that it is not only a few evil people who resort to preying on the innocent in this way. Crime in the West is escalating uncontrollably. Burglary, mugging, theft, rape and cheating are all dangers which are taken for granted. It seems that the feeling of the whole society is that 'if you can get away with it, do it.' This is even moreso among the rich and the powerful, who use their authority mercilessly over the poor and the weak. And so, people feel that almost no-one is trustworthy anymore.

The measures that are taken to counteract this deadly tide are wholly inadequate. Criminals mock at the possible consequences of their actions, and many come out of short prison sentences to offend again. Victims feel that to get justice from the current legal system is virtually hopeless.

All this inevitably results from a judicial system that is man-made and a society which is governed by people's whims and desires.

In Islam, individuals are naturally inclined away from crime, because their belief and fear of Allah's (swt) punishment prevent them from committing it. As well, the attitude in society towards crime is one of total rejection. Friends and families will never be pleased or impressed



Introduction to the Systems of Islam

by wealth that is gained in dubious ways. As well, the Economic System will ensure that people are not forced to resort to crime as a means of survival. These factors will automatically check the levels of crime in an Islamic State.

As the last resort, the Islamic State has a comprehensive judicial system which acts as a deterrent to criminals, and to reform those who have gone astray. Harsh punishments for those who are proven to be guilty of crimes are effective measures against it. After all, if you see someone walking around with only one hand because he had been a thief, how would you feel?

Even so, you will see that the aim of Justice in Islam is not to punish the people as much as possible, rather it is to guarantee the rights and the security of the people. The Islamic State successfully did this for over 1300 years, only rarely having to resort to punishing anyone.





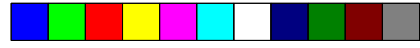
Introduction to the Systems of Islam

SECTION 3

The Way to Revival

A Vision for the Future

Carrying the *Da'wah* of Islam



Introduction to the Systems of Islam





Introduction to the Systems of Islam

The Way to Revival

Nothing in life is of greater importance to the *Mu'min* (believer) than to seek the pleasure of the Creator (swt). It is He that created man from nothing and He that commands the utmost respect and worship in all our actions. As Allah (swt) commanded:

“I have not created jinn and man except to worship Me.” [TMQ 51:56]

Allah (swt) not only created man, but also made within us the capacity to think and respond to our instincts. We have the choice of doing right or wrong, of following the Supreme's guidance or descending into falsehood, the criterion solely defined by Allah (swt):

“Follow what is revealed to you from your Lord. And Allah is aware of all things you do” [TMQ 33:2]

and,

“Then We set you upon a way (Shari'ah) by which your purpose will be fulfilled: so follow this way and not the whims of those who have no knowledge.” [TMQ 45:18]

The following of and full implementation of this Shari'ah is the greatest challenge facing the Muslims of today, indeed without this application of Islam to all of life's affairs, we cannot say we are living by Islam. The sham of corruption characterised by the systems of disbelief which are implemented throughout the Muslim world must come to an end for us to achieve this noble goal. But as long as the Muslim Ummah stays



Introduction to the Systems of Islam

silent the tyrants will continue to steal the authority to rule, which Allah (swt) granted to the Ummah. And as long as the sincere, active Muslims waste their time on side issues, solely involving themselves with such things as acts of charity, welfare, education, healthcare provision or even the individual military struggle as the solution to our political problems then we will delay the achievement of our key political goal - the re-establishment of the Khilafah, which ensures the full implementation of the Shari'ah.

Signs of Revival

No one can deny that there is a great upsurge in interest in Islam. East and West alike are clamouring to understand the Islamic law and to see how it will affect them. Islam is talked about in the corridors of power in Washington, London and Paris as much as Muslims are seeking guidance and knowledge in the *deen* and wondering how Islam will solve their day to day problems in Damascus, Istanbul or Lahore. People point to the number of Muslim women in the streets wearing *hijab* as a sign of revival, or the number of men clamouring to pray the obligatory Friday prayers as another sign of Islamic resurgence. Whilst these obligations must be fulfilled by the Muslims and the signs that ever increasing numbers are practising Islam individually is encouraging, it is not the full picture or sole objective. Islam must dominate not only the personal lives of Muslims but also the society as a whole.

In this way the growing uneasiness with the systems of *kufir* dominating Muslim lands, the outpouring of feeling and movement for Islamic issues such as in Algeria, Egypt, Bosnia, Kashmir and Palestine are signs that the Muslims are looking only for Islamic solutions. The non-Muslims of course are seeking to divert such sentiment and action towards weak nationalist or secular solutions which will lead to further misery and are *haram* (forbidden) in any event.

Perhaps the greatest single sign of Islamic revival is the increasing attention paid to the Islamic movement in the world and in the Muslim world in particular. The threat to the Western ideology is coming from



Introduction to the Systems of Islam

those struggling to implement Islam radically, that work tirelessly for a full implementation of the Islamic system and not those propping up the ailing secular regimes who legitimise their rule by joining them in government, or work to solve the social and economic failings of the governments through social and charitable works without even the mandate or authority of the people. Increasing attention is being brought to bear to divide the Ummah along imaginary fundamentalist and moderate lines where those that adhere strictly to the commands and prohibitions of Allah (swt) are labelled fundamentalist or extremist and those prepared to compromise with western systems (laws) and ways are moderate.

What is sure is the promise of Allah (swt) to all that adhere to the word of Allah and struggle in His cause:

“Allah has promised to those among you who believe and work righteous deeds, that of a certainty He will cause them to accede to power on earth, as He granted it to those before them, that He will establish in authority their deen which He has chosen for them, and that He will change (their state) after the fear in which they lived, to one of security and peace: They will worship Me (alone) and not ascribe powers to any beside Me.” [TMQ 24:55]

The Basis for Revival

Islam is based upon one main fixed idea - the comprehension of one Creator, Allah (swt), and complete submission to Him. This submission means that all reference for life's affairs must be directed to Allah (swt) for judgement, whether our prayers, fasting, relations with our families or non-Muslims, political and economic matters. The central pillars of faith (belief in Allah, His Angels, His Messengers, His books, the Day of Judgement and Divine fate and destiny) form the basis of all our actions. Therefore we refer only to the Book of Allah (swt) and the Sunnah of His Messenger (saw) as revelation (*wahi*) and the sources derived from these, *Ijma'* (consensus) of the Sahabah and *Qiyas*, for guidance. Whilst no Muslim enters the *deen* without full conviction in



Introduction to the Systems of Islam

the articles of belief ('*aqedah*), the adoption of laws and the adherence to them are compulsory regardless of whether the believer fully understands them or not. Allah (swt) says,

“*And they say: We hear and we obey.*” [TMQ 2:285]

Indeed the Shari‘ah is applied to all (Muslims and non-Muslims) regardless of belief.

Islam uniquely bridges the confusion between belief and action or doctrine and systems. The human must determine the correct basis (creed or doctrine) and then base the system or his actions upon that provided by the law. The law provided by *wahi* (revelation) is that which governs all actions whether personal or societal, whether ritual worships or international politics and of course the issue of revival.

The following of Islamic text is an intellectual process which leads to revival, provided the Islamic methodology is used. By Islamic methodology we mean the process of *ijtihad* where the scholar applies the Islamic text to the reality after a rigorous process of verification of the problem (*tahkeek al-manat*) and then applying the appropriate Shari‘ah evidence to the problem. This is completely different from the West where they derive the solution from the problem, so for example a law is brought to curb drink driving without examining the nature of the problem or whether drinking itself is not the real problem.

In the Muslim world today we suffer from corrupt scholars that bring a solution to satisfy the West and then text is sought to justify the answer, as we saw when a so-called Shari‘ah opinion was sought to justify the invasion of the US forces into the Hijaz during the Gulf War, or potentially even worse where the correct process of *ijtihad* is not followed and so called scholars bring *daleel* (evidence) without following classical *ijtihad*. This is more damaging because the true revival based upon the clear cut evidences is inevitably delayed.



Introduction to the Systems of Islam

The Prophet's (saw) Method of Establishing Islam

Our methodology for revival should follow the example of the Prophet (saw); no other example exists for the establishment of the Islamic State, and furthermore this is of the actions which are *fard* (compulsory) as Allah (swt) commands:

“So judge between them by whatever Allah has revealed and follow not their vain desires, diverting you from the truth that has come to you.” [TMQ 5:42]

The command to rule or judge by Islam is repeated many times in the Qur'an and is indicated to be compulsory through the practice of the Messenger of Allah (saw). This is not a preferable (*mandoub*) matter but an issue of life and death for the Ummah as can be seen by the disastrous consequences we live in without the Khilafah (Islamic State).

In summary the Prophet (saw) undertook several key steps to establish the first Islamic State:

1. He (saw) formed a political group (the companions).
2. His companions were well cultured and developed in a strong Islamic personality.
3. They actively interacted with the society, not militarily but intellectually and politically to bring down the existing corrupt system through building a strong public opinion for Islam.
4. He (saw) approached the tribes and influential people in order that they support him (saw) and his group and to actually transfer power from the existing system.

Any serious attempts at revival must be based upon this methodology; it is from the Sunnah and not from man's mind or imagination.



Introduction to the Systems of Islam

The Need for Political Movements

Allah (swt) commands in *surah al-Imran*:

“There should be from among you an Ummah (band(s) of people) inviting to the good (khayr), commanding what is right (ma‘ruf) and forbidding what is wrong (munkar). Those are they who are the successful.” [TMQ 3:104]

The word Ummah in this *ayah* does not refer to the global body of Muslims most commonly used but a political movement. Imam Qurtubi in his book, *‘Tafseer Ahkam al-Qur’an’* defined the word Ummah in this verse as a group or band or party, as the verse states *‘min kum’* (among you) and the group is from amongst the total Ummah. The requirement is a *fard* of sufficiency as there should always be such a group, or groups as the verse states *‘Those are they who are successful’* and does not refer to the group in the singular. The functioning of the group must be for the same purpose as Muhammad’s (saw) companions with the same intention and with the same approach, i.e. to invite to Islam comprehensively (call to *al-khayr*), and aiming to look after the affairs of the people, which is the meaning of politics. Imam Fairuz al-Abadi said that looking after the affairs of the citizens means ordering and forbidding them (commanding *ma‘ruf* and forbidding *munkar*). Therefore the group(s) must be political in nature.

Changing a Corrupt Society to Islam

To change a people requires an intellectual elevation; people act based upon the beliefs they carry. To change a society requires a change in their beliefs, relations and the system governing them. The Prophet (saw) and his companions targeted this specifically, but to achieve the victory would require a supreme effort against great difficulty. The loss of many early Muslims through torture and oppression bears testimony to the difficulties they faced.

To prepare them for the struggle, the Prophet (saw) cultured his



Introduction to the Systems of Islam

companions deeply; this formed what was known as the cultural or first stage. They used to study late into the night not only the belief but also a unique way of learning and thinking. To refer solely to Islam for all matters and to develop a deeply creative political mentality. That the Prophet (saw) could develop so many great companions with such strong statesmanlike qualities was a great tribute to their commitment and approach to Islam.

Mus‘ab ibn ‘Umayr was just one example of those that were so developed and had such a startling affect in Madinah in only one short year, prior to the establishing of the State there. After a period in which the culture was well ingrained within the Muslims of the group and the personality was totally Islamic, the command came that they should approach the *da‘wah* in a most public and challenging manner. This was critical in order to confront the corrupt systems and thoughts dominating the society of the time, the same *kufir* thoughts dominating the world today. Allah (swt) says,

“Therefore, proclaim that which you are commanded, and turn away from the polytheists. Verily, We are sufficient unto you against those that scoff.” [TMQ 15:94-95]

Interaction with Society

The open challenge to the *kufir* system that was initiated by the Prophet (saw) was waged for nearly 10 years until an Islamic State was established in Madinah. The location of the State wasn’t known to the Prophet (saw), nor was the time of it’s establishment, there was only a complete submission towards this goal and a clear cut method which was followed to achieve the victory that Allah (swt) had promised.

The famous *du‘a* that the Messenger of Allah (saw) made when returning from Ta‘if summarised his attitude and commitment to the call:

“O Allah! To you I proclaim my weakness, little resource,



Introduction to the Systems of Islam

and lowliness before man. O Most Merciful! You are the Lord of the weak, and You are my Lord. To whom would You confide me? To one afar who will misuse me? If You are not angry with me I care not. Your favour is wider for me. I take refuge in the light of Your countenance by which the darkness is illuminated, and the things of this world and the next are rightly ordered, lest Your anger descend upon me or Your wrath light upon me. It is for You to be satisfied until You are well pleased. There is no power and no might save in You.”

The Prophet (saw) had travelled alone to Ta‘if to invite them to Islam and to ask for support in establishing the Islamic State; he was rejected outright and even children were sent to stone him until the blood ran to his feet. He (saw) did not mind, his sole concern was to adhere to the methodology set out for him and his group (companions) to establish Islam. **“If you are not angry with me I care not”** - meaning no matter what the *kuffar* felt or how they responded, the Prophet (saw) was solely concerned with following the Islamic way as he was guided to by Allah (swt). And yet some Muslims today at the slightest problem retreat to their homes and refuse to follow the Sunnah of the Prophet (saw) in going to the people on mass to invite them to the *deen* and to establish Allah’s law.

The open stage was characterised by certain key points:

1. The Muslims worked hard to propagate the call of Islam publicly - the address to the tribes of Quraysh at Mount Safa was one example, and the demonstration of the Prophet’s group in encircling the Ka‘aba which came after Allah’s command to “go and proclaim openly” was another. Quraysh were shocked; Ibn Abbas (ra) narrated that they had never before seen such a demonstration.

2. The call was controversial and challenging. The nature of change in society requires that opposing thoughts must be broken down and thoroughly refuted in order that the way be cleared for the Islamic thought and way of life to come forward. The nature of the Qur’anic *ayat* that were revealed during the Makkan period pointed the way and



Introduction to the Systems of Islam

challenged the shallow unthinking minds of Quraysh to wake up and consider what it was they worshipped, who they followed as leaders, how they bought, or how they married. In short the whole way of life was pointedly attacked, and furthermore the Muslims of today are mistaken if they think that change will come without there being a rigorous intellectual attack upon Capitalism, Communism, or any other false ideology.

Not only was their belief in idols attacked, but the Prophet (saw) launched an intellectual onslaught on every aspect of their way of life:

Their political system and leaders were attacked:

“May the hands of Abu Lahab perish: Doomed he is. His wealth and his gains shall not avail him. He shall be plunged in a flaming fire...” [TMQ 111:1-3]

Their economic system was attacked:

“Woe to the defrauders, who take in full what they buy, and who reduce the weight when they sell.” [TMQ 83:1-2]

Even their social customs were attacked:

“You shall not kill your children for fear of want. We will provide for them and for you.” [TMQ 17:31]

Always the challenge linked the people back to the *‘aqedah*, imploring them to adopt Islam and reject the corruption around them. These *ayat* and the vigorous passing of the Islamic call created great controversy, hardship and ultimately raised the profile of the Muslims in the whole of the Arab peninsula. The false gods, systems and creeds of today must also be exposed and the message of Islam must be prominently brought forward, especially so in the Muslim world, where the work to re-establish the Khilafah is occurring.

The Muslims didn't lose any opportunity to pass culture to the people





Introduction to the Systems of Islam

and invite them to Islam. This open call forms the main approach for the Islamic movement today, and indeed must be carried out in the Muslim countries, to undermine completely the false ideas and concepts which have polluted the minds of the sincere Islamic Ummah.

Seeking Support to Establish the State

The Prophet (saw) did not only call to Islam and attack the corrupt systems and beliefs around him, but he also actively worked to establish the State by approaching those with the authority to rule, those who were in positions of authority or could hand him authority - this is known as *nussrah* (support) and is a critical issue for the Islamic movement today. While the Prophet (saw) was preparing society with his open call, the actual influential people in Madinah facilitated the birth of the Islamic State there naturally, without the need for a coup d'état, which may have been needed in different circumstances. Many fail to recognise that the triumph which resulted after the *Hijrah* came at the end of a long struggle, one that will be necessary if we are to taste the same victory. Allah (swt) says,

“Do they think they will be left to say: We believe without being tested? Surely We had tested those who came before them. Surely Allah will know who are faithful and who make a lie.” [TMQ 29:2-3]

Whilst the message of Islam was reaching wider and wider audiences the actual land (*dar*) which the Prophet (saw) needed to launch the system and from which he could carry it to mankind through invitation and jihad eluded him. He (saw) spent time approaching directly the heads of tribes and those in power around the Arab peninsula, asking directly for the support to rule by Islam. Islam could never be limited to a belief system and a few individual religious rituals; those that believed in it had to rule by it. Allah (swt) says,

“If anyone rules by other than what Allah has revealed, they are disbelievers.” [TMQ 5:44]



Introduction to the Systems of Islam

Many tribes were approached by the Prophet (saw) who was often accompanied by Abu Bakr (ra) who was an expert on the various tribes and their genealogies. One example suffices to prove this point. The *bani* (tribe) Amir ibn Sa'ssah were approached and after many discussions ranging over Islam to their military strength it was determined that this tribe was sufficiently strong to be a launching point for the new state, and they were prepared to support the Prophet (saw), however they put one condition in querying whether they would have the authority (rule from their tribe) after the Prophet (saw). The Prophet (saw) did not accept support from them and responded that **“Allah gives the authority where He wills”** and could not accept any compromise in the *deen* even at a time when he and his companions were facing great hardship.

When the unequivocal support did come from the tribes of Aws and Khazraj from Yathrib (Madinah) the Prophet (saw) showed clearly the importance of getting the power and authority for Islam. At the second pledge of 'Aqabah, late into the night he (saw) asked for twelve *naqeeb* (leaders) from them to come forward as it was they that were going to ensure the handing of power to him with full conviction in him and his message.

When the Prophet (saw) did complete the *Hijrah* to Madinah, and was given the full authority, the forces of the previous tribal leaders were seen out in force the very next morning to defend their new leader and the new Islamic State. Even 'Abdullah ibn Ubay ibn Salool later labelled as the head of the hypocrites of Madinah recognised that power had been taken through proper preparations when he jealously said, “This has been planned in the night.”

The Prophet (saw) proved that there could be no state without authority and there could be no authority without building the support from those that could deliver power. It would be nice to think that in today's world the Ummah would come out on mass in the streets demanding the implementation of Islam and that the corrupt regimes will lay down and pass the power on, but in the absence of such a



Introduction to the Systems of Islam

natural birth it is likely that the State will need the assistance of a sincere following from those of influence like the army.

The Practical Involvement Necessary Today

The above steps taken by the Prophet (saw) were not actions restricted only to himself. They were for his companions and are for the sincere Muslims of today to emulate. During history a number of scholars have tackled the problem of how we should respond were we not to have the Khilafah and have no Amir/Khaleefah.

- Imam Baghawi (circa 600 Hijri) said that if there was no Khaleefah then the Muslims must follow the method of Muhammad (saw) in establishing the State in order to bring it back.

- Imam Juwainy (4th century Hijri) also mentioned this methodology.

- Sheikh Taqiuddin al-Nabhani, is one of the prominent scholars in the post decline of Khilafah (post 1924) period to elaborate upon this detailed methodology, furthermore in his book 'The Ruling System' he states:

“... the establishment of one Khaleefah is an obligation on all Muslims, this has been confirmed in the *hadith*; it has been narrated on the authority of Nafi‘a that he said, ‘Abdullah ibn ‘Umar told me: I heard the Messenger of Allah (saw) say: “...**Whoso dies while there was no bay‘ah on his neck dies a death of the days of Ignorance (jahiliyyah)**”.”

To avoid being sinful for living without the authority of Islam in our midst it is vital that all capable Muslims work to establish the State.

The Islamic group(s), whose existence is necessary if we are to follow the way established by the Prophet (saw) 1400 years ago, should



Introduction to the Systems of Islam

not be a violent movement bent on terrorist tactics, or a charity that props up the corrupt system, never touching the thoughts of the people or systems ruling over them. The sharp Islamic party of today must emulate the deep culturing process, the open challenge to all *kufir* thoughts and laws, and work to build support for such a call not only amongst the masses but amongst that small band of key people of support like the military that have the reigns of power and ultimate political revival within their grasp. Only when this methodology of the Prophet (saw) is followed, will the actions be accepted by Allah (swt), *Inshallah*. Allah (swt) says,

“O you who believe, if you help Allah, Allah helps you and consolidates your foothold.” [TMQ 47:7]

This political work to re-establish the Islamic State and resume the Islamic way of life must be undertaken in the Muslim countries where Islam ruled before. This is the case as today, the work is not to bring about the State for the first time, as it was in the time of the Prophet (saw), but to resume the ruling by Islam that had already existed for hundreds of years. In these places, the corrupted thoughts that pervade the minds of the Ummah must be changed to Islamic thoughts, based solely on the Islamic *'aqeedah*.

The holders of *nussrah* (i.e. the armies and the influential people) must be approached and convinced of the duty and need to resume the Islamic way of life, and both the Islamic Ummah and the armies within it, must work to overthrow the current corrupted Muslim regimes, who rule by non-Islam and pander to the whims of the disbelievers, thereby freeing the Muslim lands from the influence of the *kuffar* and allowing Allah's (swt) *deen* to be dominant once more.

Once this is done in any part of the Muslim world, and the Khilafah is re-established, the remaining Muslim lands can again begin to be reunited under one leadership, by a process of merging the Muslim lands such that they are absorbed by the expanding frontiers of the State.

For Muslims living outside the Muslim world, it is still an obligation





Introduction to the Systems of Islam

and just as vital to work with the political movements who have this aim. For such people their focus would be in being active among the Muslim communities, wherever they are, to culture them with this political call of Islam, and to aid the work in the Muslim world as much as they can.

By these means, the whole Islamic Ummah, wherever they are, can be revived and can contribute to this vital work - the resumption of the Islamic way of life, that Allah (swt) has laid as a divine duty upon her.





Introduction to the Systems of Islam

A Vision For The Future

All over the world humanity is witness to the dynamic growth of Islam. In land which previously formed the bedrock of the Khilafah (the Islamic State), there is a deep hunger to see the return of that same system. In the Muslim world, this desire is manifest as the intellectual struggle of the Muslim masses against the tyrannical puppets that presently plague us. On lands yet to experience the Khilafah, Islam is blooming, with a new generation of converts.

Today Islam is the fastest growing belief in the West. Yet many questions arise in peoples minds about the world order that Islam offers to Muslim and non-Muslim alike, the answers to which are shrouded by the veils of a distorted history and that of the propaganda espoused by the media machine of the existing World Order. The clear understanding of Islam is clouded by images of harems, beheading of infidels, gun-toting mullahs and the like.

In this section, turn aside these veils and experience the wonders of a world under Islam.

Islam - A World Without Borders

Borders between peoples have become a fact of life of our times. This is a fact that is blindly accepted. From childhood we are presented with a divided world, where the map is a mosaic of different colours representing separate Nation States. In adulthood this is reinforced as we unquestioningly accept the need to apply for visas when making the Hajj to Mecca, or visiting relatives in Tajekistan, or when we are told that only an Iranian can be the leader of the so called 'Islamic' Republic



Introduction to the Systems of Islam

of Iran. This issue is further emphasised when for example, we see on the television that according to international law, Muslims from Pakistan are ‘foreigners’ in Somalia.

Yet it is this self-same fact of today’s world order that leads to immeasurable misery. In this world of divided nations, jealousies emerge and damaging competitions appear. Europe is scarred by wars ravaged as one nation seeks to dominate others. The world nations struggle with each other, and new nations have their bloody birth within other nations. The world is full of divided nations even if we bestow on them the token title of ‘United Nations’.

Allah (swt) says,

“O human beings! We created you from a pair male and female, and We fashioned you into tribes and races that you may recognise each other, indeed the best amongst you is the one who is most conscious of Allah.” [TMQ 49:13]

In the framework of the Khilafah, Islam questions the issue of divided nations. For in the Khilafah, Muslims and non-Muslims that accept to live under the ideology of Islam would never be divided on racial grounds. This seems strange in a world where those in the West who share a love for democracy find themselves divided as a myriad of competing nations and races.

Under Islam the world has witnessed, and Inshallah will witness again, a land without borders. Peoples of different races will be standing together as one. Under Islam there was no Israel to fight Egypt, there was no Iran to fight Iraq or vice-versa - all these lands were one land.

Islam - a Cure for Community Strife

Nationalism is so deeply etched into our world, that it even causes suffering within a nation state. The present system enforces colour bias by dividing the community into an ethnic majority and minority. By offering



Introduction to the Systems of Islam

community services, like centres on the basis of race and nationality or by organising events like Asian festivals and Black cultural evenings, divisions are further ingrained into the thoughts of people. Again this is accepted blindly, but why should we need to state our ethnic origin when filling in forms? In fact, this encourages a subtle form of racism, whether in the form of discrimination or so-called positive discrimination, as it creates a colour conscious society.

In Islam such apartheid is prevented. For in the Khilafah, once citizenship is granted, the Muslim or non-Muslim is not viewed as a minority or a majority. All the systems of Islam will ensure this. So jobs are offered on suitability not ethnicity. Schools will work to ensure racism is put to rest. Organisations calling to race or nationality will be illegal.

This is a far cry from the myth of beheading of infidels, for under Islam the non-Muslim as a *dhimmi* (a non-Muslim citizen of the Islamic State), is a protected citizen, whose belief, property and honour is secured. Muhammad (saw) said in one *hadith*, **“Whosoever harmed a *dhimmi* has harmed me.”**

Islam - the Economic Life

Islam does not deny ownership of material or property, however it also does not allow humans to dictate the way it is acquired and used. Life in the Khilafah will offer a dramatic change in the way material is viewed.

In Islam wealth is a trust from the Creator. Consequently it is Allah (swt) alone who decides what can and cannot be bought and sold. This is unlike the situation today where the rights and wrongs of a society are at the mercy of market forces and the laws of supply and demand and where commercial viability of a product takes precedence over the detrimental effects on society that are produced as a result of the product's existence. Such is a world where business interests fund or lobby the 'guardian angels' of democracy - the politicians.

Accordingly, we see that Britain's richest man has based his fortune



Introduction to the Systems of Islam

on pornography. There is no care for the damaging effects of pornography and other forms of exploitation of man and woman. The unwanted eyes when walking the streets; the unwanted attention at work; rape. Instead, concern for humans is viewed in economic terms primarily.

This is not so in Islam, where ‘honour’ is a vital issue. There will be no advertisements using the sexuality of men and women for the hard sell, no ‘top-shelf’ magazines, no pornographic videos and no cybersex would be found in the Islamic State.

Similarly, no regard would be made for the commercial success of alcohol consumption, or the potential success of legalising other types of drugs, as is being discussed today. In Islam public consumption of intoxicants is forbidden, killing from the root the plethora of problems that things like alcohol contribute to: domestic violence, crime in general or the drain on health resources (self-help groups, victim support groups, medical services etc.). There would be no pubs, no drunkards and no ‘drink-driving’ under the Khilafah.

Luxuries are not Needs

Not only would the subject of advertising be different in the Islamic State, but also the way in which things are advertised would be different. For adverts with their enticing manner and ‘hard sell’ contribute to the materialistic drive that is so damaging in our society. This all leads to an attitude that luxuries are needed, to be acquired by fair means or foul, creating a society where the haves want more, and the have-nots have not even their needs met.

No Free Market

In our world today there is gross extremism in terms of wealth distribution, whether nationally or globally. In Britain 90% of the wealth is owned by about 5% of the population. Globally, though most of the world’s reserves are in the so-called ‘Third World’, these regions are



Introduction to the Systems of Islam

the most poverty stricken. In one corner of the globe children die of hunger, whereas in another butter mountains and milk lakes are formed due to excess food production. It is in the face of such gross imbalances that we are asked to make heart-wrenching decisions about health services and food aid.

In one corner of the globe luxuries of life are in abundance, and in another even the basic needs for survival are absent.

Islam stands alone in the world of today in its vision of the economic problem, striking at the root of this terrible scenario. Unlike Capitalism and Communism it does not preoccupy itself with means of production. Rather it ensures distribution by not only limiting the type of wealth that can be acquired, but also the means by which it is acquired.

So in Islam natural utilities like gas and oil cannot be owned privately, as we see in a world today where multinational companies stake their rights on the wealth of Muslim Ummah. The Prophet (saw) said, **“The human beings are partners in three things water, green pastures and fire.”**

In Islam such wealth would be distributed to ensure that society's needs can be met, enabling the Khilafah to provide for its citizens services that would seem unimaginable to us in today's world.

Under Islam each house will be allocated a quota of fuel more than adequate for its needs. Imagine, no electricity or gas bills, let alone water rates. In terms of health care the potential too is incredible. Today we provide guide dogs for the blind. During the time of 'Umar ibn Abdul-Aziz two men were employed by the State to care for each blind person. Public transport is also regarded as a State service, so this would also be free.

Islam also prevents other unfair means of acquiring wealth, thereby ensuring distribution. Islam forbids the giving and taking of interest. Consequently banks would not be able to extract interest from those who are needy of loans. Today we find a situation where those who are



Introduction to the Systems of Islam

able to pay off their mortgage sometimes find themselves paying more than twice the value of the house. Furthermore many fail and have their houses repossessed. On a global scale the 'Third World' is unable to pay the interest on loans from the World Bank and the IMF, and their ability to feed their populations is 'repossessed.'

Indeed in Islam the whole concept of banking is different. Banks are not companies but are services. So any profits are re-invested for the benefit of the citizens. There is no incentive for banks to exploit other individuals or nations in the way the banks of today do. So once again we may see a time when Africa is able to support other countries as it did during the Khilafah.

Just as banks would not be able to exploit the masses nor can the government do so in the manner it does today. For in Islam there is no income tax, Value Added Tax or road tax etc. These are all indiscriminate with regards to whether people are capable of paying them or not. In the Khilafah, only those who can afford to pay taxes are subject to them.

Islam and Education

The Khilafah will ensure that education is provided free of charge. Schools, colleges and laboratories will be provided in every locality, to the extent to which they are needed by the community. It is envisioned that the Islamic State will again become the reference point for technology, a position it enjoyed for centuries. Private schools will also be present but they must conform to the Islamic curriculum.

Other media are also educational, like magazines, computers or television, so their use will also be according to Islamic guidelines. Any violation will lead to criminal proceedings against the responsible journalists, so gone will be the days of the slandering and scandalising that fill the pages of today's tabloids. Gone too will be the days of fantasising in the form of the movies for acting is forbidden in Islam. Instead, the mass media will be used in a far more constructive way,



Introduction to the Systems of Islam

being informative rather than just a form of escapism.

Islam and the Judiciary

One can expect to see some horrendous punishments in a public display, like cutting the hand of the thief, or the execution of murderers. These indeed are terrible sights, and will take place in open areas, leaving a lasting effect on the hearts and minds of the society; for society will witness the intense suffering of the criminal.

So in future anyone even thinking of committing such a crime will think twice. Even those who did not witness the event in future generations will think twice. For in fact such punishments are not meted out frequently at all, as by their nature they have such a powerful deterrent effect. Furthermore, it is extremely difficult to cut the hand of the thief, for circumstantial evidence is not sufficient. Thus, the judiciary ensures that there would be no wrongful convictions, which seem more and more to be a sign of our times.

Severe punishments are not the only means to deter crime. Islam tackles the problems from all angles. The economic system secures the needs of people and cuts the want for stealing. The education system, through reminding society of accountability to the Creator, cuts the desire for stealing. So all the systems work in harmony. The reason why regimes like Saudi Arabia and Sudan fail is because they only implement parts of Islam side by side with man-made law, such that they punish by Islam but do not secure the needs by Islam.

Imagine a society where there is a sense of security. There would be no need to turn over your shoulder when walking the streets at night for fear of being assaulted, and no need to buy extra door locks, window locks and letterbox locks for fear of being burgled. This is no fantasy - indeed it was the case for centuries under the Islamic State.

Furthermore, Islam in its judiciary upholds values that are downtrodden in society, for example honour. In Islam accusing someone



Introduction to the Systems of Islam

of adultery is a punishable offence, whereas for newspapers today it is a source of revenue.

Or take as another example the issue of belief. In Islam if anyone insults any prophet of Allah (swt) they are subject to be killed. This may appear harsh. But surely belief is at least as worthy of protection as property, for on the day of Judgement it is our belief that will save us, not our property.

Islam and the Foreign Policy

Islam has its own unique view about foreign policy. The Khilafah's dealings with other states is not on the basis of securing 'national interests' as per Lord Palmerston's dictum. Rather its sole interest is to free man from the slavery to other men, and return human beings to the true purpose for their creation - the worship of our Creator, Allah (swt). So the objective of the foreign policy is to spread Islam by invitation (*da'wah*) and Jihad.

Thus, what we would hear on the media about the dealings of the Islamic State would be completely at variance with that of what we hear of the existing Muslim regimes.

Muslim Land is One Land

Land that previously formed the bedrock upon which the Khilafah was established is called Muslim land. It is one land, as mentioned in the introduction, and is considered as such by the Khilafah. So when the Khilafah is re-established in any part of Muslim Land its outlook upon the rest of the Muslim Lands would be with a view to reunite it under Allah's *deen*, Islam. Allah (swt) says,

"Hold fast all of you to the rope of Allah and be not divided."
[TMQ 3:103]

That would mean there would be no embassies to other Muslim



Introduction to the Systems of Islam

countries within it, for these countries are not considered as 'foreign nations' to the Khilafah. Rather the Khilafah will use all means at its disposal to unify the Muslims; its army, its media, its wealth and the Islamic parties, in order that one day all Muslims will be freed from the shackles of the menagerie of illegitimate kings, presidents and prime ministers.

The Global Effect of the Khilafah

What an impact on the world stage a united Muslim Ummah would have and Inshallah will have! For today Muslim Land is the wealthiest land in the world, with an abundance of oil, gas, minerals, food and textiles. And it is wealthy also in terms of population.

The Khilafah offers a united economy. So the Muslims and non-Muslims who suffer poverty in Bangladesh and Somalia would have a right on the wealth of the Gulf.

The Khilafah offers a united army. So gone will be the days when Muslim armies fight Muslims armies as we have seen time and time again, in Somalia, in the Gulf war and in the Iran-Iraq war. Rather, all Muslim soldiers will fight side by side with their fellow citizens of the State, under the leadership of the Amir of Jihad.

Gone also will be the days when the cries of the oppressed Muslims and non-Muslims in Bosnia, Chechnya, Kashmir and Palestine would go unheard. A united Muslim army would once again thunder across the lands, free from the chains of international law and the United Nations. For the Khaleefah is a shield for the Ummah. Muhammad (saw) said, **"The Imam is a shield behind which the Muslims fight, and behind whom the Muslims are protected."**

This is a world vision far removed from the sad one we witness today, where our so-called leaders act not as shields but as shackles around our necks, fighting and torturing those who seek to bring back the rule of Allah (swt), whilst making deals with those who illegally





Introduction to the Systems of Islam

occupy Muslims Land. Allah (swt) says,

“Allah forbids you from making alliance with those who fight you for your deen, drive you out of your homes, and support those who drive you out.” [TMQ 60:9]

What of lands that have not as yet lived under the Khilafah, the *dar al-harb*? We should understand that the Khilafah is not a state which will work within the confines of international law like the present so-called Muslim regimes. The Khilafah is concerned with the spread of Islam all over the world. By Jihad, it will end the wars of man on man by the system of man all of which have lead not only to loss of life, but also to loss of property in crime ridden societies, loss of dignity, exploitation of woman and man, loss of belief and loss of security.

Not only will the Khilafah have nothing to do with the United Nations, but it will also show frank disregard for the disunity it stands for, and it will aim to unite the whole world under the banner of ‘*La Illaha Illallah.*’ It will do everything in its power to ensure this. Thus, all foreign dealings and treaties, whether economic or otherwise will be made with this purpose in mind. Accordingly, agreements and treaties made with other countries would have a time limit, for eventually all land must come under Islam.

The media of the Khilafah would broadcast the beauty of Islam to the rest of the world, inviting all people to worship the Creator, rather than the trash culture that TV stations pollute our minds with today. The economy of the Khilafah too would function with Jihad in mind. In line with this, certain sectors of industry like heavy industry and electronics, which have military applications, would be monitored by the Amir of Jihad. Furthermore Allah (swt) requests the Muslims to prepare to the best of their ability for Jihad, so the Khilafah should have a space programme, and ‘spin-offs’ from such a programme will enable the State to be the leader in terms of technology.

Indeed the prospect of life under the Khilafah is an inspiring one, while the future of humanity living under the shackles of man-made law

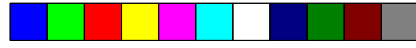


Introduction to the Systems of Islam

is bleak. Only under the system of Allah (swt) the Creator will there be hope for the future generations to escape from such a plight. Such a future is no fairytale; rather it is only a matter of time...

“Allah has promised to those among you who believe and work righteous deeds, that of a certainty He will cause them to accede to power on earth, as He granted it to those before them, that He will establish in authority their deen which He has chosen for them, and that He will change (their state) after the fear in which they lived, to one of security and peace: They will worship Me (alone) and not ascribe powers to any beside Me.” [TMQ 24:55]





Introduction to the Systems of Islam





Carrying the *Da'wah* of Islam

There exist in the world today many sincere movements working for the revival of the noble Ummah of Muhammad (saw). It must be an Islamic political party whose sole aim is to fulfill the command of Allah (swt) by working to resume the Islamic way of life and to carry the *da'wah* of Islam to rest of mankind, thereby making the *deen* of Allah (swt) dominant in the world again. This will only be achieved when the Khilafah is re-established on the earth.

Allah (swt) says in the Qur'an:

"Let there be among you a group that invites to the good, orders what is right and forbids what is evil, and they are those who are successful." [TMQ 3:104]

The movement must understand the reality of the Ummah's decline, its purpose must be to revive the Ummah from the severe decline it has reached, and to liberate it from the thoughts, systems and laws of *kufir*, as well as from the domination and influence of the *kufir* states over her.

This objective means bringing the Muslims back to living an Islamic way of life in *dar al-Islam* (i.e. a land where the sovereignty is for Allah (swt), and the authority is in the hands of the Muslims). In an Islamic society such that all of life's affairs are administered according to the Shari'ah rules, and the viewpoint in it is the *halal* and the *haram* as upheld under the banner of the Khilafah State. That state is the one in which Muslims appoint a Khaleefah and give him the *bay'ah* to listen and



Introduction to the Systems of Islam

obey on condition that he rules according to the Book of Allah (swt) and the Sunnah of the Messenger of Allah (saw).

The Work of the *Da'wah*

This work of the group must focus its attention on the Muslim world, since the Islamic way of life existed there and thus it is the area most conducive to the establishment of the State.

In the Muslim world, the movement must endeavour to carry the Islamic *Da'wah* in order to change the situation of the corrupt society so that it is transformed into an Islamic society. Its first aim must be to change the society's existing *kufir* thoughts into Islamic thoughts, so that such thoughts become the public opinion among the people, who are then driven to implement and act upon them. Secondly the Party also needs to work to change the emotions in the society until they become Islamic emotions that accept only that which pleases Allah (swt) and rebel against and detest anything which angers Allah (swt). Finally, the group must also work to change the relationships in the society until they become Islamic relationships which proceed in accordance with the laws and solutions of Islam. The actions which the group performs must be political actions, since they relate to the affairs of the people in accordance with the Shari'ah rules and its solutions; and politics in Islam is looking after the affairs of the people, either in opinion or in execution or both, according to the laws and solutions of Islam.

The Method for Revival

The method adopted by any group to convey the *da'wah* must be Shari'ah Law derived from the *seerah* of the Messenger of Allah (saw) in his performance during the conveyance of the *da'wah*. This is so because it is obligatory to follow him, as Allah (swt) says,

“Surely, in the Messenger of Allah, is the best example for those





Introduction to the Systems of Islam

who believe in Allah and the Last Day and remember Allah often.”
[TMQ 33:21]

“Say if you love Allah follow me, Allah will love you and forgive you your sins.”[TMQ 3:31]

“Whatever the Messenger gives you take it, and whatever he forbids you abstain from it.” [TMQ 59:7]

There are many other such *ayat* which denote that following the Messenger of Allah (saw), taking him as an example and taking all aspects of the *deen* from him is obligatory.

Since the Muslims nowadays live in *dar al-kufr* (i.e. a land where the sovereignty is to other than Allah (swt), or the authority is not in the hands of the Muslims, or both), because they are governed with laws other than those of Allah (swt), so their land resembles Makkah where the Messenger of Allah (saw) was first sent as a Messenger. Therefore, it is necessary to take the Makkan part of the Messenger of Allah’s (saw) *seerah* as an example in conveying the *da‘wah*.

By studying the life of the Messenger of Allah (saw) in Makkah until he had managed to establish the Islamic State in Madinah, it is evident that he went through clearly defined stages, in each of which he used to perform specific actions. So the Party took from that the method of its work, the stages of its action and the deeds which it has to perform during these stages in accordance with the deeds which the Messenger of Allah (saw) performed during the stages of his work.

Based on the Ijtihad of Sheikh Taqi-ud-Deen An-Nabhani (rh) on the method, he defined the work of a group into three stages:

The First Stage: The stage of culturing to produce people who believe in the idea and the method of the Party working to re-establish the Khilafah, so that they form the solid body of the group.



Introduction to the Systems of Islam

The second Stage: the stage of interaction with the Ummah, to let the Ummah embrace and carry Islam, so that the Ummah takes it up as her issue, and thus works to establish it in the affairs of life.

The Third Stage: The stage of establishing government, implementing Islam generally and comprehensively, and carrying it as a message to the world.

May Allah (swt) strengthen the sincere da'wah carriers in their continuous work to resume the Islamic way of life. May Allah (swt) grant the Islamic Ummah the help, success and victory, and at that moment the believers will rejoice, Inshallah.





Introduction to the Systems of Islam

Index

A

'aamel 20, 86
abdan 109, 127
Abu Bakr 20, 78, 85, 230
accommodation 114
administrative system 97
adornment 167
adultery 145, 246, 248
(see zina)
Africa 41
agricultural policy 129, 130
ahadith 12
ahkam 11
ahl al halli wal 'aqd 68, 83
Ahzab 95, 100
'A'isha (ra) 145
al-Andalus 21
al-Azhar 27
al-baghi 246
al-irtidad 246
Al-jynayaat 211, 246
al-Kawthar 52
al-khayr 262
Al-Khwarizmi 188, 203
al-mu'amalat. 11
Al-mukhalafat 211, 247
al-qadha 222
Al-Qurafi 59
Al-Razi 189
al-shurta' 95
Al-ta'azir 211, 247
al-'uqubat 240, 241
alcohol 274
Ali 20

'Ali 85, 98, 227, 238
Allah 1, 5, 10
'amalat 86
Amir ibn Sa'ssah 267
Amir of Jihad 87, 96, 279
anan 109, 127
Ansar 77, 233
apostasy 246
(see al-irtidad)
'aqeedah 1, 5, 49
(see Islamic belief)
Arabian peninsula 17
Arabic 30, 36, 201
army 92, 93
assabiyah 28
assas 95
awrah 164, 165, 174
ghalida 165
khafifa 165
Aws 19, 267
ayat 99

B

Badr 95
Baghdad 188, 202
Bait al-Mal 124, 135, 136
Bangladesh 188
banking 276
banks 137
bay'ah 61, 66, 67, 83, 284
al-in'iqad 83, 234
al-ta'aa 68, 76, 83
belief 243
(see 'aqeedah)
believer 257



Introduction to the Systems of Islam

Big Bang 46, 195
Bilal 19, 115
blind following 35
blood money 137, 246
(see diyyah)
borders 60
Britain 29
Buddhism 53

C

Caesar 38
Calvin 9
canon 235
Capitalism 36, 45, 47
 Capitalist 44, 119, 141
children 182
China 25
Christian 117
 Christianity 26
Church 9
circumstantial evidence 248
colonialists 60
Communism 53
companionship 180
Company, of Bodies 109
 of Capital and Effort 109
 of Equals 109
 of Faces 109
 structure 109
confession 248
(see iqrar)
Conservation of Energy 192
constitution 235
consultation 99
Copernicus 9
Cordoba 188
court 228
 of Unjust Acts 71, 97
Creator 1, 5, 50
(see Allah)

creed 1
(see 'aqeedah)
crime 248
Crusaders 21, 60, 196
 Crusades 26
currency 108, 137
customs 136

D

daleel 260
(see evidence)
dar al-Islam 283
(see Khilafah)
dar al-kufr 285
daughter 164
da'wah 21, 40, 88, 169, 263, 278,
 283
Day of Judgement 242, 268
deen 1, 5, 6, 9, 25, 81, 117, 155,
 249, 283
deewan 98
delegated assistants 82, 85
(see mu'awin tafweedh)
democracy 28, 36, 44, 46, 48, 221,
 273
department of industry 96
dhimmi 90, 245, 273
dinars 137
dirhams 137
disbelievers 47
(see kafir)
divine law 6
divorce 179
diyyah 137, 246
dollar 138
dowry 176
dress 146
dunya 117
duress 245



Introduction to the Systems of Islam

E

economic 2
 development 129
 policy 128
 problem 119
 science 120
 System 8, 20, 114, 117, 120,
 127, 249
education 2, 194
 System 189, 207, 250
Egypt 11, 25, 27, 108
 Egyptians 21
enemies of Islam 25
Ethiopian famine 120
ethnic minority 38, 59
Europe 9, 39
evidence 242
 (see daleel)
executive assistants 86
 (see Mu'awin tanfeedh)
experimental sciences 200

F

fa'i 135
false accusation 246
 (see qadhf)
faqih 232, 237
fard 88
father 162
fisq 84
fitrah 161
flogging 219
foreign, loans 137
 policy 7, 88, 89
fornication 145, 175, 244, 246
 (see zina)
Four Freedoms 46
France 29
freedom 28, 44, 47, 151, 221

Friday prayers 258
 (see juma)
fundamentalist 40

G

Galileo 9
gambling 122
ghanima 98, 135
God 5
gold 137, 141
 (see currency)
government scholars 27
governors 82
 (see wali)
Grande Armée 27
grants 115, 129, 133
guardianship 178
Gulf War 260

H

hadud 210, 211, 244, 245, 250
hajib 70
Hamzah (ra) 19
hand-cutting 210
hard awrah 165
Harun al-Rashid 189
Hellfire 152, 160, 216, 250
hereafter 5
hidden treasures 136
highway robbery 246
 (see hiraba)
hijab 30, 258
Hijrah 19, 266, 267
Hinduism 9, 33
hiraba 246
hisba 231
hoarding 126, 137
Holy War 40



Introduction to the Systems of Islam

homosexuality 47, 146
honour 243, 274
housing 111
hukm 7, 66
 Shari'i 6
human beings 10, 38, 216

I

ibadat 117, 251
Ibn al-Nafis 189
Ibn Hazm 59
Ibn Sina 189, 203
Ibn Taymiyya 188
Ibrahim Pasha 28
'iddah 176, 179
ideologies 1, 37
idol 18
Ijma' 13, 74, 77, 128, 259
ijtihad 7, 100, 217, 230, 247, 260
Imam Ghazzali 188
imams 27
iman 95
 (see belief)
India 54
Individual Property 122
 (see ownership)
individualism 1
Indonesia 25
industrial, policy 131
 revolution 129, 132
inflation 138, 141
inheritance 122
instincts 7, 50, 146, 160, 174
intellectual belief 35
interest 11, 113, 126, 133, 137
 (see riba)
internal security 95
International Law 92
intoxicants 246
 (see khamr)

iqrar 248
 (see confession)
Iran 37, 81
Iraq 109
'ird 243
 (see honour)
Islam 1, 5, 7, 11, 37, 133
Islamic, 'aqeedah 53, 128, 152,
 195, 200, 201, 204, 221, 251, 269
 belief 5
 concepts 26
 creed 49
 culture 201
 currency 137
 curriculum 200
 ideology 21
 law 8
 mentality 199
 revival 258
 society 8
 State 1, 19, 26, 35, 36, 40,
 195, 221
 system 8
 texts 7

J

Jesus 37, 52
Jews 34
jihad 40, 60, 90, 92, 278
jilbab 167
jizyah 90, 107, 135
Judaism 9, 33
judge, 221, 227, 237
 of Unjust Acts 71
Judicial 2
 System 222
 judiciary 221, 226
juma' khutbah 68





Introduction to the Systems of Islam

K

Ka'aba 19
kaffara 241
katatib 202
Khaleefah 20, 67, 82
khalwa 164, 172
khamr 246
(see intoxicants)
kharaj 107, 135
Khazraj 19, 267
Khilafah 1, 20, 54, 258, 271, 283
(see Islamic State)
khimar 167
khul'a 180
Khulafa'a, 20, 82, 196
Rashidoon 75, 94
killing 246
kuffar 24, 25, 27, 49, 53, 91
(see disbelievers)
kufr 11, 44, 45, 81, 258, 263, 269,
283

L

Latin America 120
laws 235
of the universe 52
libraries 188
loans 115, 137
lowering the gaze 173
Luther 9

M

madhaalim 84, 231, 234
madhlama 233
Madinah 8, 34, 100, 267
maharim 167, 176
Mahkamat al-Madhaalim 71, 97,
102
mahr 176

mahram 165, 166, 169, 174
Majlis al-Ummah 62, 66, 67, 101
Makkah 17, 34
manslaughter 247
marriage 8, 146, 170, 175
mashura 101
materialist 119
Mawardi 224
media 36, 40, 187
medical science 189
messenger 5, 51
mind 6
miracle 36
misconceptions 33
Miskal 138
missionaries 28
mixing 168, 170, 171
modesty 165, 173
monasticism 117
mortgage 113
Moses 37, 44, 52
mother 162
Mount Safa 19, 264
Mu'adh ibn Jabal 238
mu'awin, tafweedh 85, 99
(see delegated assistant)
tanfeedh 86
(see executive assistant)
mudharaba 109, 127
mufawadha 109
muftis 27
Muhajireen 77
Muhammad (saw) 5, 17, 51, 193
Muhammad 'Ali 28
muhtasib 232
mujahid 59
mujtahid 67, 188, 202, 230, 237
mu'min 257
murder 246
Mus'ab ibn 'Umayr 263





Introduction to the Systems of Islam

Muslim countries 192
Ummah 1
Muslims 5, 192
Mustafa Kamal 10, 30
Mu'tah 59
muttabi'i 188

N

nafaqah 108
Napoleon 27
naqeeb 267
naseeha 100
nationalism 1, 30, 272
nikah 176
(see marriage)
nisab 137
non-mahram 169
non-Muslims 8, 19, 60
North Africa 25
nussrah 266, 269

O

oath 225
organic needs 50, 160
orientalists 27
ownership 121

P

Pakistan 11, 37, 81, 188
Palestine 54
Paradise 152, 160, 250
parent 154
parenthood 149
Parliamentary Democracy 63
patriotism 28
Persia 25
Persians 21
Pharaoh 38, 44
pillars of faith 259

pledge of 'Aqabah 267
political, 'aqeedah 53
awareness 89
doctrine 34
struggle 18
politicians 45
politics 11, 284
Portugal 41
principles of ruling 73
prisons 210
private areas 170
progress 21
public, areas 171
opinion 19
Property 123
resources 108
punishment 240, 244
System 8

Q

qadhif 246, 248
(see false accusation)
qadi 27, 221
'Aam 228
al-Madhaalim 97
al-Qada'a 237, 239
Madhaalim 71, 233
Muhtasib 225, 231
qisas 210, 246
Qiyas 13, 128, 259
Qur'an 11, 20, 36, 52, 202
Quraysh 264

R

Rasheed Pasha 29
rebellion 246
(see al-baghi)
Reformation 9
regular taxes 135
religion 10, 33



Introduction to the Systems of Islam

religious instinct 18
revival 25, 283
riba 11, 137
 (see interest)
Roman Empire 38
 Romans 21, 193
ruling 2
 System 59, 64, 71, 73, 80
runaway inflation 140
Russia 29

S

sahabah 19
Salah al-Deen 196
Salman al-Faresi 100
sariqa 246
Saudi Arabia 37, 277
scholar 7, 230, 247
secular 11, 12
 secularism 1, 9, 28, 33, 34, 45
seerah 284
shahada 248
Shari'ah 7, 8, 12, 36, 53, 183,
 204, 257
shura 99
Sikhism 9
silver 137, 141
 (see currency)
Social 2
 System 20, 153, 159, 250
Socialism 36
soft awrah 165
son 162
sovereignty 10, 73
Spain 41, 108
speculation 140
spiritual 'aqeedah 53
spoils of war 98
state, bank 137
 Property 125

Sudan 37, 81, 277
sunnah 13, 20, 284
support 266
 (see nussrah)
surah 36, 52
synagogues 35
Syria 25
Systems of Islam 1

T

taghut 69, 222
tahkeek al-manat 260
Taqiuddin al-Nabhani 268
taqwa 103, 156, 215, 221
taxation 107, 134
 taxes 133, 135
testimony 248
theft 246
Theory of Evolution 46, 192, 195
Third World 133
Treaty of Hdaybiyah 94, 100
tribe 17
Turkey 11, 25, 29

U

ulema 27
'Umar ibn al-Khattab 20, 85, 98,
 230, 210, 211, 247
 ibn Abdul Aziz 107, 275
Ummah 1, 27, 60, 89
United Nations 54, 272
United States 31
universe 6, 47
unjust act 233
 (see madhlama)
Ushr 107, 135
usul 13, 225
'Uthman 20, 85
'Uthmani Khilafah 10, 33





Introduction to the Systems of Islam

W

wahi 100, 259
 (see revelation)
wali 20, 86, 233, 238
 (see governor)
waliy 183
waliy amr 176
“weight of seven” 138
West 9, 25, 28, 41
Western nations 1
wilayaat 61, 86
wilayah 238
 of madhaalim 238
witness 225, 248
wojooh 109
women 18, 20, 39, 153, 163
work 122
worship 7, 34, 251
wudu 12

Y

Yathrib 267

Z

zakat 98, 107
zina 175, 244, 246, 248
Zionist 54