

In Commemoration of the Khilafah: Statements of the ‘Ulema about the Obligation and Importance of Khilafah

(Translated from Arabic)

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On 27th 1342 AH (03/03/1924 CE), the greatest disaster occurred in the history of Muslims, that is the disaster relating to fall of the Islamic Khilafah (Caliphate) State owing to the conspiracies of the Kafir West, led by Britain and with the help of its agents, the foremost of whom was Kamal Atatürk. This great crime was afflicted upon the Ummah, the Khilafah was abolished and the Ummah was split and divided into statelets, wherein such governments which repudiated Islam were established. Since that day began the period of loss, fragmentation and degradation as the Islamic Ummah did not know a period of humiliation similar to what is presently being experienced by it and did not know a condition of weakness similar to what is being endured by it these days.

In order to shed light on the obligation and importance of Khilafah, I mention here a number of sayings of the ‘Ulema so that the people today can consider them carefully and may Allah open through these sayings of scholars their hearts closed on this very important issue and illuminate their darkened minds:

Abu’l Ma’ali Al-Juwayni said in *Ghiyath Al-Umam*: “رياسة عامة، وزعامة تامة، والإمامة، تتعلق بالخاصة والعامة في مهمات اولدين والدنيا، متضمنها حفظ الحوزة ورعاية الرعية، وإقامة الدعوة بالحجة والسيف، وكف الجنف والحيف، والانتصاف للمظلومين من الظالمين، واستيفاء الحقوق من الممتنعين وإيفاؤها على المستحقين... فإذا تقرر وجوب *Imaamah (Khilafah) is a general and complete leadership pertaining to every aspect of its citizens and covering the matters of both the world. It encompasses the protection of the borders, taking care of its citizens, carrying the Da’wah through argumentation and sword, preventing the deviation and injustice, remedying the oppressed from the oppressors, taking the rights from those who usurp it unjustly and giving it to those who are entitled to obtain it... so whenever the obligation to appoint a Khaleefah is decided, what has been arrived at by the majority of the Ulema is the fact that the obligation to select the Khaleefah has to be performed based on the quoted Shar’ee Law...*”

Ibn Hazm stated in *al-Fasl fi al-Milal wa-al-Ahwa' wa-al-Nihal*: “اتفق جميع أهل السنة وجميع الشيعة، وجميع الخوارج (ما عدا النجدات منهم) على وجوب الإمامة *All of Ahl as-Sunnah, all of Shia, all of Khawarij (except some from the Khawarij) have agreed on the obligation of Imaamah.*”

Imam Mawardi said in *al-Ahkam as-Sultaniyyah*: “وَعَقْدُهَا لِمَنْ يَفُؤْمُ بِهَا فِي الْأُمَّةِ وَاجِبٌ” *There is a consensus of opinion that the person who discharges the responsibilities of this position must take on the contract of Imamate of the Ummah and the deviant views of al-Asam (mu’atazalite) have no significance.*”

Ibn Hajar Al Asqalani in *Fath al-Bari*, “أجمعوا على انعقاد الخلافة” *Al-Nawawi and others said: they (the Ulema) agreed unanimously that a Khaleefah must be appointed, one after another, and his appointment must be done by those charged with authority (ahl ul hal wal ‘aqd) and there must be only one Khaleefah, who should be selected with mutual consultation, whether this consultation is done between a limited or unlimited number of people. They also agreed that the selection of a Khaleefah is an obligation imposed by the Shari’ah and is not something produced by the mind.*”

Ibn Hajar al-Haythami explained the Ijmaa' of the Sahabah in الصواعق المحرقة "Al-Sawa'iq al-Muhriqah," اعلم أيضا أن الصحابة رقصوا الله عليهم أجمعوا على أن نصب الإمام بعد انقراض زمن النبوة واجب بل "It is known that the Sahabah (raa) unanimously agreed that the selection of Imam, after the end of the era of Prophethood, was an obligation (Wajib). Indeed, they made it more important than the other obligations, such that they were busy with it, over the burial of the Prophet (saw)."

Ibn Khaldun said in المقدمة "Al Muqaddimah": إن نصب الإمام واجب قد عرف وجوبه في الشرع بإجماع الصحابة والتابعين؛ لأن أصحاب رسول الله صلى الله عليه وسلم عند وفاته بادروا إلى بيعته أبي بكر رضي الله عنه وتسليم النظر إليه في أمورهم، وكذا في كل عصر من بعد ذلك ولم يترك الناس فوضى في عصر من الأعصار، واستقر ذلك إجماعا دالا على وجوب الإمام "Imamah is wajib and its obligation in the Shari'ah is known by the Unanimous Consensus of the Sahabah and the Tabi'een, as the Companions of our beloved Prophet (saw) at his death hastened to give pledge of allegiance to Abu Bakr (ra) and handed over the responsibility of Khilafah to him to take care of their affairs before the burial of the Prophet (saw). Same was the case with the issue of Imamah in the centuries to come as the people (Muslims) did not leave the matter, thus avoiding chaos in any age. So, it indicates a clear and binding consensus on the obligation to appoint the Khaleefah."

Abu Hafs Umar al-Nasafi explained in العقائد "Al-Aqaid" the role of a Khaleefah: والمسلمون لا بد لهم من إمام يقوم بتنفيذ أحكامهم وإقامة حدودهم وسدّ ثغورهم وتجهيز جيوشهم وأخذ صدقاتهم وقهر المتغلبة المتلصصة وقطاع الطريق وإقامة الجمع والأعياد وقبول الشهادات القائمة على الحقوق وتزويج الصغار والصغيرات الذين لا أولياء لهم وقسمة الغنائم "The Muslims simply must have an Imam (Khaleefah), who will execute the rules, establish the Hudood (penal system), defend the frontiers, equip the armies, collect Zakah, punish those who rebel (against the state) and those who spy and the highwaymen, establish Jum'ah and the two 'Eids, settle the dispute among the servants (of Allah), accept the testimony of witnesses in the matters of legal rights, give in marriage the young and the poor who have no family, and distribute the booty."

Jamaluddin Al Ghaznawi said in أصول الدين "Usuluddin": لا بد للمسلمين من إمام يقوم بمصالحهم من تنفيذ أحكامهم وإقامة حدودهم وتجهيز جيوشهم وأخذ صدقاتهم وصرفها إلى مستحقيهم لأنه لو لم يكن لهم إمام فإنه يؤدي إلى إظهار الفساد "The Muslims must have an Imam (Khaleefah) who will take care of their interests, implement the rules, establish the Hudood (penal code), equip the armies, collect Zakah and distribute it to those entitled to take it. So, if they don't have an Imam (Khaleefah), it will lead the corruption to prevail on the earth."

Al Qazi Azduddin Iji said in المواقف "A-Mawaqif": نصب الإمام عندنا واجب علينا سمعا... وأما وجوبه علينا سمعا فلو جهين: الأول إنه تواتر إجماع المسلمين في الصدر الأول بعد وفاة النبي امتناع خلو الوقت عن إمام حتى قال أبو بكر رضي الله عنه في خطبته ألا إن محمدا قد مات ولا بد لهذا الدين ممن يقوم به فبادر الكل إلى قبوله وتركوا له أهم الأشياء وهو دفن رسول الله ولم يزل الناس على ذلك في كل عصر إلى زماننا هذا من نصب إمام متبع في كل عصر... الثاني إنه فيه دفع ضرر مظنون وإنه واجب إجماعا. بيانه إنا نعلم علما يقارب الضرورة أن مقصود الشارع فيما شرع من المعاملات والمناكحات والجهاد والحدود والمقاصات وإظهار شعار الشرع في الأعياد والجمعات إنما هو مصالح عائدة إلى الخلق معاشا ومعادا وذلك لا يتم إلا بإمام يكون "The appointment of Khaleefah is an obligation upon us, to be obeyed... it is an obligation on us due to two reasons: the first is the continuous Unanimity of the Muslims on this subject in the early period, after the death of Prophet (saw), as the Muslims did not waste time in selecting an Imam, even Abu Bakr (may Allah be pleased with him) said in his first Khutbah: "Listen carefully! Muhammad (saw) has died and it is essential for this Deen to appoint the one who can assume the responsibilities of this Deen." So, everyone rushed to accept it and for its sake they abandoned the most important thing i.e. the burial of the Prophet (saw). The people remained committed to this great obligation in every period, till our time, by appointing an Imam to be followed in every period... secondly, in doing so is to repel the conceived harm and therefore it is an obligation through Consensus due to the fact that the Legislator's intent concerning the legislation in terms of transactions, marriages, Jihad, Hudood, punishments and compensations, as well as making prominent the rituals of Shari'ah on the occasions of

the two Eids and Jum'ah, is all to bring the benefits and welfares in this world, as well as in the Hereafter. All these cannot be achieved except through an Imam who acts on behalf of the Legislator to Whom all has to return...”

Imam Al-Qurtubi (in his tafseer) said: هذه الآية أصل في نصب إمامٍ وخليفةٍ يُسمع له ويطاع؛ لتجتمع به الكلمة؛ وتنفذ به أحكامُ الخليفة. ولا خلافة في وجوب ذلك بين الأمة ولا بين الأئمة إلا ما روي عن الأصمّ- أبو بكرٍ الأصم من كبار المعتزلة- حيث كان عن الشريعة أصمّ؛ وكذلك كلُّ مَنْ قال بقوله واتبعه على رأيه ومذهبه، قال: إنَّها غيرُ واجبةٍ في الدِّين بل يسوِّغ ذلك، وأنَّ الأُمَّة متى أقاموا حجَّهم وجهادهم، وتناصفوا فيما بينهم، وبذلوا الحقَّ من أنفسهم، وقسموا الغنائم والفيء والصدقات على أهلها، وأقاموا الحدودَ على مَنْ وجبت عليه، أجزأهم ذلك، ولا يجبُ عليهم أن ينصبوا إماماً يتولَّى ذلك. ودليلنا قولُ الله تعالى: (إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً) وقوله تعالى: (يَا دَاوُودُ إِنَّا جَعَلْنَاكَ خَلِيفَةً فِي الْأَرْضِ) وقال: (وَعَدَ اللَّهُ الَّذِينَ آمَنُوا مِنْكُمْ وَعَمِلُوا الصَّالِحَاتِ *This ayah is a basis for appointing an Imam and Khaleefah who is listened to and is obeyed, for the matter is unified through him and the Ahkam (laws) of the Khaleefah are implemented through him, and there is no dispute regarding the obligation of that amongst the Ummah, nor among the Imams, except al-Asamm who was most deaf regarding the Shari'ah, as well as all those who quoted his saying and followed his opinion and school of thought, who said: Khilafah is not an obligation in Deen, rather they justified it by saying that: whenever Ummah established their hajj (pilgrimage to Makkah) and their Jihaad, they equally shared it among themselves, exerted the truth by themselves, divided the spoils of war, booty and Zakah on their people and established Hudood upon those who were applicable to, they got profited by all that and they were not obligated to appoint an Imam to undertake all that. However, our proof/testimony is the words of Allah (saw): «إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً» "I am going to appoint a vicegerent on the earth." His (swt) saying: ﴿يَا دَاوُودُ إِنَّا جَعَلْنَاكَ خَلِيفَةً فِي الْأَرْضِ﴾ "O Dawud! We have indeed appointed you as a Viceroy in the earth" and His (swt) saying: ﴿وَعَدَ اللَّهُ الَّذِينَ آمَنُوا مِنْكُمْ وَعَمِلُوا الصَّالِحَاتِ لَيَسْتَخْلِفَنَّهُمْ فِي الْأَرْضِ﴾ *Allah has promised those among you who believed and performed good deeds that He will surely give them power to rule in the earth.*" i.e will make them Khulafah/successors on the earth. There are many other ayat which connote the same meaning."*

Ibn Taymiyyah said in "Siyaaash Shariyyah" السياسة الشرعية "يَجِبُ أَنْ يُعْرَفَ أَنَّ وِلَايَةَ أَمْرِ النَّاسِ مِنْ أَكْبَرِ وَأَجْبَاتِ الدِّينِ؛ بَلْ لَا قِيَامَ لِلدِّينِ وَلَا لِلدُّنْيَا إِلَّا بِهَا. فَإِنَّ بَيْتَ آدَمَ لَا تَتِمُّ مَصْلَحَتُهُمْ إِلَّا بِالْاجْتِمَاعِ لِحَاجَةِ بَعْضِهِمْ إِلَى بَعْضٍ وَلَا بُدَّ لَهُمْ عِنْدَ الْاجْتِمَاعِ مِنْ رَأْسٍ حَتَّى قَالَ النَّبِيُّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ -: ((إِذَا خَرَجَ ثَلَاثَةٌ فِي سَفَرٍ فَلْيُؤَمِّرُوا أَحَدَهُمْ)). رَوَاهُ أَبُو دَاوُدَ مِنْ حَدِيثِ أَبِي سَعِيدٍ وَأَبِي هُرَيْرَةَ... وَلِأَنَّ اللَّهَ تَعَالَى أَوْجَبَ الْأَمْرَ بِالْمَعْرُوفِ وَالنَّهْيَ عَنِ الْمُنْكَرِ وَلَا يَتِمُّ ذَلِكَ إِلَّا بِقُوَّةٍ وَإِمَارَةٍ.. *It is obligatory to know that the office in charge of commanding over the people (i.e.: Khilafah post) is one of the greatest obligations of the Deen. In fact, there is no establishment of the Deen except by it as the well-being of the sons of Adam is not fulfilled except through social life because they are dependent on each other. So they must have a leader for their social life, even the Prophet (saw) said, «When three people set out on a journey, they should appoint one of them as amir.» reported by Abu Dawud on the authority of Abu Said and Abu Hurairah... and also because Allah has ordained enjoining what is right and forbidding what is wrong and that cannot be achieved except through the power and authority...*"

Al Shawkani said in the book "السياسة الشرعية" "السياسة الشرعية" "أقول "al-Sayl al-Jarrar," فصل يجب على المسلمين نصب إمام: أقول "قد أطل أهل العلم الكلام على هذه المسألة في الأصول والفروع واختلفوا في وجوب نصب الإمام هل هو قطعي أو شرعي وعقلي وجاءوا بحجج ساقطة وأدلة خارجة عن محل النزاع والحاصل أنهم أطلوا في غير طائل ويعني عن هذا كله أن هذه الإمامة قد ثبتت عن رسول الله صلى الله عليه وسلم الإرشاد إليها والإشارة إلى منصبها كما في قوله الأئمة من قريش وثبت كتابا وسنة الأمر بطاعة الأئمة ثم أرشد صلى الله عليه وسلم إلى الاستئذان بسنة الخلفاء الراشدين فقال عليكم بسنتي وسنة الخلفاء الراشدين المهديين وهو حديث صحيح وكذلك قوله الخلافة بعدي ثلاثون عاما ثم يكون ملكا عضوضا ووقعت منه الإشارة إلى من سيقوم بعده ثم إن الصحابة لما مات رسول الله صلى الله عليه وسلم قدموا أمر الإمامة ومبايعة الإمام على كل شيء حتى إنهم اشتغلوا بذلك عن تجهيزه صلى الله عليه وسلم ثم لما مات أبو بكر عهد إلى عمر ثم عهد عمر إلى النفر المعروفين ثم لما قتل عثمان بايعوا عليا وبعده الحسن ثم استمر المسلمون على هذه الطريقة حيث كان السلطان واحدا وأمر الأمة مجتمعاً ثم لما اتسعت أقطار

الإسلام ووقع الاختلاف بين أهله واستولى على كل قطر من الأقطار سلطان اتفق أهله على أنه إذا مات بادروا بنصب من يقوم مقامه وهذا معلوم لا يخالف فيه أحد بل هو إجماع المسلمين أجمعين منذ قبض رسول الله صلى الله عليه وسلم إلى هذه الغاية فما هو مرتبط بالسلطان من مصالح الدين والدنيا ولو لم يكن منها إلا جمعهم على جهاد عدوهم وتأمين سبلهم وإنصاف مظلومهم من ظالمه وأمرهم بما أمرهم الله به ونهيهم عما نهاهم الله عنه ونشر السنن وإماتة البدع وإقامة حدود الله فمشروعية نصب السلطان هي من هذه الحثية ودع عنك ما وقع في المسألة من الخبط والخلط والدعاوي الطويلة العريضة التي لا مستند لها إلا مجرد القيل والقال أو الإتكال على الخيال الذي هو كسراب بقية يحسبه الظمان ماء حتى إذا جاءه لم يجده شيئا. ثم من أعظم الأدلة على وجوب نصب الأئمة وبذل البيعة لهم ما أخرجه أحمد والترمذي وابن خزيمة وابن حبان في صحيحه من حديث الحارث الأشعري بلفظ من مات وليس عليه إمام *“the chapter ‘Appointing an Imam is an Obligation on the Muslims:’ the Ulema have discussed this issue at length both in principles and in branches. Some differed in the obligation of appointing the Imam/Khaleefah as to whether it is decisive (قطعي) or presumptive (ظني) and whether it is Shar’ee only or Shar’ee and rational both. Others brought invalid and ineffective arguments and evidences which are irrelevant and outside the topic and as a result they prolonged the discussion fruitlessly. Such discussions are of no avail given the fact that this Khilafah is affirmed from the Prophet (saw) as he instructed about it and indicated to its position, when he (saw) said that, «الأئمة من قریش» “The Imams are from Quraish” and gave the instruction to follow the Imams, is evident from Qur’an and Sunnah. Then, the Prophet (saw) instructed to comply with the Sunnah of the Khulafa’a Rashideen as he (saw) said, «عليكم بسنتي وسنة الخلفاء الراشدين الهادين» “You have to follow my Sunnah and the Sunnah (tradition) of the guided Khulafa’a Rashideen” and this is a correct Hadith. Similarly, he (saw) said that, «الخلافة بعدى ثلاثون عاما ثم تكون ملكا عوضا» “The Khilafah will remain thirty years after me and then there will be biting kingship” and it is a clear indication to those who will fulfill this duty after him. The Sahabah (ra), when the Prophet (saw) passed away, preferred the issue of Imamah and appointment of Khaleefah to everything till the extent that this issue made them busy from preparing him (saw) for burial. Later on when Abu Bakr (ra) died he entrusted this responsibility to ‘Umar (ra). Then ‘Umar (ra) authorized a group of well-known Sahaba and when ‘Uthman (ra) was martyred, the Muslims gave the pledge of allegiance to ‘Ali (ra) and after him to Hassan (ra). The Muslims continued in this way where the Khaleefah was one and the authority of the Ummah was unified. Even when the territories of Islam expanded and the differences occurred among its people and each of its territory was controlled by an independent ruler, its people agreed that if he dies they will hasten to appoint the one who can replace the earlier Khaleefah. It is known and there is no difference in it by anyone, rather it is a unanimous resolution by all the Muslims since the Prophet (saw) till this time. So, it is linked to the authority for the welfare of both the world. Had the case not been so, they would not have been unified to strive against the enemy, to secure their ways, to do justice to their oppressed in face of the oppressor. It is the Khilafah which obliged them to what was enjoined by Allah (swt) and forbade them from what was forbidden by Allah (swt) and it is Khilafah which directed them to spread the Sunnah, put an end to the Bid’ah, establish the Hudood. So the legality of appointing the Khalifah is from this viewpoint. It repels from you the blow, confusion and propagandas which have afflicted this issue despite the fact that they have no basis except the mere gossip or relying on the fantasy like a mirage in sandy deserts, which the man parched with thirst mistakes for water; until when he comes up to it, he finds it to be nothing. Then among the greatest evidences on the obligation of appointing the Imams and giving them the pledge of allegiance are what have been mentioned by Ahmad, Tirmidhi, Ibn Khuzaima, Ibn Hibban in his sahih from the Hadith of al-Haris al-Ashari with the wording, «من مات و ليس عليه امام جماعة فان مواته جاهلية» “Whoever dies without recognizing the Imam of his time, dies the death of jahiliyyah.” Also the similar was narrated by al-Hakim on the authority of Ibn Umar (ra) and Muwayya (ra) and by al-Bazzar on the authority of Ibn Abbas (ra).”*

يجب على الناس نصب إمام يقوم بمصالحهم، “Ghayatul Bayan” غاية البيان Shamsuddin al-Ramli said في تنفيذ أحكامهم وإقامة حدودهم وسد ثغورهم وتجهيز جيوشهم وأخذ صدقاتهم أن دفعوها وقهر المتغلبة والمتلصصة وقطاع الطريق

وقطع المنازعات الواقعة بين الخصوم وقسمة الغنائم وغير ذلك، لإجماع الصحابة بعد وفاته صلى الله عليه وآله وسلم على نصبه *“People must appoint an Imam who will take care of their interests such as to execute the rules, establish the Hudood (penal system), defend the frontiers, equip the armies, collect Zakah, punish those who rebel (against the state) and those who spy and the highwaymen, to settle the disputes occurring between the opponents and distribute the spoils of war etc as the Sahabah got unanimous after the death of the prophet (saw) on appointing the Imam and made it the most important obligations even they preferred it to the burial of the prophet (saw) and remained committed to this great obligation in every period.”*

Al-Shaikh al-Tahir Bin Ashur said in the book *“the Principles of the Social System in Islam”*: *“أصول النظام الاجتماعي في الإسلام إقامة حكومة عامة وخاصة للمسلمين أصل من أصول التشريع الإسلامي ثبت ذلك بدلائل كثيرة من الكتاب والسنة بلغت مبلغ التواتر المعنوي. مما دعا الصحابة بعد وفاة النبي صلى الله عليه وسلم إلى الإسراع بالتجمع والتفاوض لإقامة خلف عن الرسول في رعاية الأمة الإسلامية، فأجمع المهاجرون والأنصار يوم السقيفة على إقامة أبي بكر الصديق خليفة عن رسول الله للمسلمين. ولم يختلف المسلمون بعد ذلك في وجوب إقامة خليفة إلا شذوذا لا يعبا بهم من بعض الخوارج وبعض المعتزلة نقضوا الإجماع فلم تلتفت لهم الأبصار ولم تصغ لهم الأسماع. ولمكانة الخلافة في أصول الشريعة ألحقها علماء أصول الدين بمسائله، فكان من أبوابه الإمامة. قال إمام الحرمين [أبو المعالي الجويني] في الإرشاد: (الكلام في الإمامة ليس من أصول الدين *“the origin of establishing a government for all the Muslims is derived from the Islamic Legislation, which is proved through many evidences from Qur'an and Sunnah and such evidences reached the level of Tawatur, for instance the Sahabah rushed to get together and discuss in order to make successor of the Prophet (saw) in taking care of the Islamic Ummah. The Muhajireen and Ansar agreed unanimously on making Abu Bakr al-Siddique Khaleefah (successor) of the Messenger of Allah to the Muslims. And thereafter the Muslims did not differ on the obligation of making a Khalifaah except some of the Kharijites and some Mu'tazilites who breached the consensus. No one, however, did pay attention to them and nobody lent his ear to them. The position of the Khilaafah in the principles of Shari'ah was attached by the scholars to the principles of Deen among its different issues and one of its chapters is Imaamah. Imam of the two holy cities (Abu'l Ma'ali Al-Juwayni) said in the book al-Irshad: (the talk on the issue of Imaamah is not among the principles of the doctrine/tenet and the risk concerning the one who slips into this idea and cultured as such is more dangerous than the one who is unaware of it to be one of the principles of the Deen).”**

Imam Al-Juzayri in the book *“Fiqh of the Four Schools of Thought,”* said regarding the four Imams, *اتفق الأئمة رحمهم الله تعالى على أن الإمامة فرض وأنه لا بد للمسلمين من إمام يقيم شعائر الدين وينصف المظلومين من الظالمين وعلى أنه لا يجوز أن يكون على المسلمين في وقت واحد في جميع الدنيا إمامان لا... “The Imams may Allah have mercy on them agree that the Imamah (Leadership) is an obligation, and that the Muslims must appoint an Imam who would implement the Deen's rites, and give the oppressed justice against the oppressors and that it is forbidden for Muslims to have two Imams in the world whether in agreement or discord...”*

These are some of the evidences we have collected on the obligation of Khilafah and we ask Allah (swt) to hasten His victory to the Islamic Ummah and that the Islamic Khilafah returns on the method of Prophethood.

29 July 2008 CE

26 Rajab 1429 AH