

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Series of Questions Addressed to Eminent Scholar Ata Bin Khalil Abu Al-Rashtah
Ameer of Hizb ut Tahrir through his Facebook Fiqhi Page

Answer to Question

Belonging and Engaging in the Armies of Existing Regimes in Islamic Countries

To Mubdeen

(Translated)

Question:

A question, if you permit: What is the Islamic ruling on belonging and joining the armies of these regimes? Is it permissible for a young man to work in the armies of the current regimes and be promoted in its positions...

Answer:

Wassalamu alaikum wa Rahmatullah wa Barakatahu,

1- We had previously issued a statement on 8/6/2013 regarding working as a corporal or a policeman... and it stated:

[- Abu Ya'la narrated in his Musnad and Ibn Hibban in his Sahih, and the wording is by Abu Ya'la: On the authority of Abu Sa'id and Abu Hurairah, who said: The Messenger of Allah (saw) said: «لَيَأْتِيَنَّ عَلَى النَّاسِ زَمَانٌ يَكُونُ عَلَيْكُمْ أَمْرَاءُ سَفَهَاءُ يُقَدِّمُونَ شِرَارَ النَّاسِ، وَيُظْهِرُونَ بِخِيَارِهِمْ، وَيُؤَخِّرُونَ الصَّلَاةَ عَنْ مَوَاقِيتِهَا، فَمَنْ أَدْرَكَ ذَلِكَ مِنْكُمْ، فَلَا يَكُونَنَّ عَرِيفًا وَلَا شُرْطِيًّا وَلَا جَابِيًّا وَلَا خَازِنًا». **“A time will come when you will have idiotic and despotic rulers over you putting forward the most evil of people and follow them in their choices and they will delay the Prayer from its fixed times. So if you are in that time, then do not be a corporal, a policeman, a tax collector or treasurer...”** In this hadith, the Messenger (saw) absolutely forbids these four under the rule of foolish rulers.

But Al-Tabarani narrated in Al-Saghir and Al-Awsat on the authority of Abu Hurairah the following narration: «فَمَنْ أَدْرَكَ مِنْكُمْ ذَلِكَ الزَّمَانَ فَلَا يَكُونَنَّ لَهُمْ جَابِيًّا، وَلَا عَرِيفًا، وَلَا شُرْطِيًّا» **“Whoever of you reaches that time shall not be their tax collector, nor a foreman, nor a policeman.”** So, he says: «فَلَا يَكُونَنَّ لَهُمْ» **“But he shall not be theirs.”** That is, the prohibition is restricted because the “اللام” is for specialization, and this means that the prohibition in the second hadith is related to the work of these rulers, such as their private guards, the security departments designated for their protection, as well as the custodian of their money, and other security departments assigned to the rulers... Because the fundamentalist rules stipulate that the absolute applies to the restricted, then the prohibition is related to working in the police agencies specializing in the protection and security of the rulers... As for other regular police agencies, it is permissible. Of course, permissibility does not mean oppressing people or depriving them of their rights, but rather seeking the right in the work... Rajab Al-Fard 29, 1434 AH - June 8, 2013]

* The police mentioned in the hadith is as stated in Lisan al-Arab by Ibn Manzur:

[And a person stipulated himself for such-and-such, he made it known to him and prepared it, and from it the condition was called because they made for themselves a sign by which they identified one person as police.... The police in the Sultan are of sign and preparation, and a policeman and one attributed to the police, and the plural is a condition. They were called that because they prepared for that and informed themselves of signs, and it was said that they were the first battalion to witness the war...]

* It is stated in Al-Muhit Dictionary by Al-Fayrouzabadi:

[And the police, with the ḍham (بالضم): what you stipulated, it is said: Whatever you stipulated, it is said: Take your condition, and one of the conditions is like a string, and they are the first battalion to witness the war and prepare for death, and a group of the governors' assistants, and he is a policeman like Turks and Jahanis, they were called that because they identified themselves with signs by which they would be known.]

Thus, what applies to a policeman applies to a soldier in terms of whether it is permissible or not.

Therefore, working in the military force in Muslim countries is permissible unless it is a special force to guard the ruler who does not rule according to Islam, collect money for him, and guard this money. If he was in the special force to guard the ruler and his money, then it is forbidden. But if his work in the army is for other than that, then it is permissible. Of course, permissibility does not mean oppressing people or depriving them of their rights, but rather seeking the right in the work, doing it well to perfection.

I hope this is enough, and Allah Knows Best.

Your brother,

Ata Bin Khalil Abu Al-Rashtah

17 Sha'ban 1445 AH

Corresponding to 27/02/2024 CE

The link to the answer from the Ameer's Facebook page:

<https://www.facebook.com/AtaabuAlrashtah.HT/posts/244408605408312>