

The Basis for Actions is the Adherence to the Islamic Laws not in the Permissibility nor the Forbiddance of the Actions

The Mubah (permissibility) is which the textual evidence shows that the speech of the Legislator implies the choice between performing an action or abstaining from it. Mubah is a Hukm Sharii (Islamic Law) where the hukm requires evidence as proof. If there is no evidence then there is no Hukm Sharii. To understand the hukm of the action as permissible requires a daleel. The absence of the daleel (Islamic evidence) does not mean that the action is permitted because the absence of a daleel does not mean that the hukm is permissible or any other hukm exists.

Rather it means that no hukm exists for it and requires searching for the daleel to know the hukm of Allah (swt) in a specific issue in order to take a specific stance. Therefore it is an obligation to know the hukm sharii of an action whether it is a fardh (mandatory) upon the accountable person to determine whether the action is performed or abstained from. The Mubah is the Speech of the Legislators in choosing between the performing or abstaining of an action. So if one does not know the Speech of Allah, the hukm sharii is unknown. If the speech of the Legislator for the Mubah does not exist, then the Hukm of Mubah does

not exist.

Allah sends down the sharia (Hukm) to the sane accountable persons. The hukm comes in the form of mubah (permissible), mandoob (recommended), fardh (obligatory), makruh (undesirable), haram (forbidden) as per the textual evidence and without this textual evidence, the action can not be given any of the above hukm with the textual evidence, it is impossible to give the action any hukm for it. This does not mean that one does not search for Allah's swt hukm in the actions and cancellation of the Ahkam Sharii nor halting any action because of the unknown hukm in the matter as all this is not allowed Islamically. Whereas this implies that man's actions need for the knowledge of Allah's Hukm and thus requires a daleel for the actions and its implementation until the hukm is known; whether it is mubah, haram, mandoob, makruh because a Muslim's standard for all actions is following Allah's Commands.

Allah made it compulsory upon every Muslim to know the hukm for every action enacted whether it is halal, haram, makruh, mandob, or mubah, since all actions fall under one of these categories. **"So by your Lord, We will surely question them all (*) About what they used to do."** [Al Hujjar: 92-3]. **"You are not [engaged] in any matter or recite any of the Qur'an and you**



"And they say, 'We hear and we obey'"

﴿وَقَالُوا سَمِعْنَا وَأَطَعْنَا﴾

Adherence to the Islamic Laws

(Ahkam Shariah)

التقيد بالحكم الشرعي



[people] do not do any deed except that We are witness over you when you are involved in it.” [Younis: 61]

The meaning of witnessing as mentioned in the ayah is that Allah will hold His creatures reckonable and accountable. The Rasool (saw) said, “Whoever does an act without accordance is not rom us.” The Sahabah continuously asked the Rasool saw about the hukm of their actions prior to doing them. This is clear proof that the Sahabah used to seek the hukm sharii of an action prior to doing it.

If the principle of the action was the mubah then there would be no need to seek the hukm of the action. If Allah forbade the act, they abstained from it and continued the act, there would be no need to inquire about the act.

The acts carried out by the people that do not have any textual evidence nor Prophet’s indication does not mean that the action is mubah. Rather the silence of the Prophet over the actions that were carried out in front of him or his knowledge of the people’s actions while under his leadership points to the permissibility of that specific action only and not to the permissibility towards absolute actions. The Prophet’s silence is considered a daleel for the mubah of the action with his

knowledge. However, the silence of the Rasool over actions performed out of his leadership or actions done without his knowledge are not considered as a silence of approval. (sukoot sharii)

In conclusion, it has been proven that the basis in the human’s actions has a hukm sharii and it is obligatory to seek the evidence prior to carrying out the action. The hukm sharii for an action comes in the form of mubah, fardh, mandoob, haram, makruh, using the textual evidence extracted from the Quran, Sunnah, consensus of the Sahabah, or Qiyas (analogy).

A Call to the Ummah to Return to Allah swt and to Strengthen the Bond with Him

In order to rescue our Ummah, we must return to Allah and strengthen our bond seeking His Help with Tawwakul in the sincerest form. Seeking the highest approval in this life. To save our Ummah, we must spread Islam and raise the Word of Allah swt and spread His Mercy to all humanity bringing them happiness. To strike the head of kufr, to destroy the tyrant, to demolish atheism and darkness. This can not be achieved without the bitter struggle using deep thoughts as a weapon, sincere Jihad, and sacrifice of the body. There is no strength but Allah, no support for you but Allah. He is the Victorious. Raise your vi-

sion to the Heavens rather than this life. Seek the comforts of the Hereafter. Its due time to focus your passions to the Jenna. Let this yearning be your vessel to struggle in this battle. Answer the call: “And hasten to forgiveness from your Lord and a garden as wide as the heavens and earth, prepared for the righteous.”

O Muslims! Indeed the price of Jenna is paid with your bodies all for the sake of Allah to raise His Word. **“Indeed, Allah has purchased from the believers their lives and their properties [in exchange] for that they will have Paradise. They fight in the cause of Allah, so they kill and are killed.”** So is now not the time to yearn for your Jenna? Or is not the time to make a pact to Allah to place yourselves forth for His sake? “O you who have believed, respond to Allah and to the Messenger when he calls you to that which gives you life.”



المكتب الإعلامي للحزب التحريري

Media Office of Hizb ut-Tahrir

www.hizb-ut-tahrir.info