

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

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

Answer to Question:

General Duty and Special Duty

To: Mohammad Abdul Basir

(Translated)

Question after translation:

It says in the book Structuring of a Party (Attakattul el-Hizbi), page 50 (Arabic edition):

(e) Another obstacle that stands in the way of the Da'wah involves the difficulty in sacrificing matters of worldly life, such as wealth and business, for the sake of Islam and for carrying its Da'wah. To overcome this obstacle, the believer is reminded that Allah (swt) has bought from the believers their lives and their wealth in return for Paradise. This reminder should suffice, and the choice should be left to the individual to sacrifice these matters without any coercion. The Rasool Allah (saw) wrote in a letter to 'Abdullah Ibn Jahsh, when he sent him to lead an expedition to keep an eye on Quraysh at Nakhlah, between Makkah and Ta'if: «وَلَا تُكْرِهَنَّ أَحَدًا مِنْ أَصْحَابِكَ عَلَى الْمَسِيرِ مَعَكَ وَأَمْضِ لِأَمْرِي فِيمَنْ تَبِعَكَ» **“Do not coerce anyone of your companions to proceed with you, and go forth with my order with those who follow you”.**) End.

The question is: There are hadiths of the Prophet (saw) indicating that the Muslim must obey the person responsible for him, and this is what we see in the party, which is to obligate Shabab to perform the required duties, even if they were heavy on the Shab without leaving any room for him and he is not coerced to do the work as stated in the hadeeth. How can we reconcile between what came in Attakattul under item "e" that the Shab is not coerced to act and the Ahadeeth that indicate that the Shab should obey the person responsible for him? I apologize for the long question, May Allah reward you with good.

Answer:

Wa Alaikum Assalam wa Rahmatullahi wa Barakatuh,

1- It seems you have some confusion about the topic of duties. There are general duties that the official requests all the Shabab to do which they must perform in obedience to the official as long as they fall under his powers and conform to the provisions of the Shar'a, such as attending a weekly or monthly circles, making the required contacts and interacting with people within the duties set out in the Administrative File and other administrative instructions. Also, there are special duties where a Shab or a group of Shabab are assigned to do a specific work, such as delivering a letter to a head of state, going in a delegation to a man from the people of power, exploring news fraught with dangers, or speaking at a tyrant's headquarter or handing him a letter from the Hizb ... and other acts of special duties. Such acts are only assigned to those who agree to do them. So, if someone agrees, he becomes tasked with the work and is held accountable for his shortness after his consent, but if he does not agree then nothing is bound on him and it is not forced on him; that is, he is not coerced to implement it.

It states in the Administrative File under the title, "Circular / Special duties": **(Whoever accepts** a special duty he becomes committed by it, and it is not acceptable from him not to

fulfill a duty he accepted to do. The failure to do so is considered a refrainment from performing, and he is punishable for doing so).

As you can see, it states at the beginning "**whoever accepts ...**", that is, **if he does not accept, he is neither coerced nor punished.**

2- This is the subject, and to clarify it, I will relate to you the expedition of Abdullah bin Jahsh to realize that it was not a general duty, i.e the mobilization of Muslims to fight, such as in Ghazwa Tabuk, where Rasool Allah (saw) mobilized Muslims to Tabuk to fight; therefore, he punished those who lag behind them, because it was a general duty, and the obedience to the official is obligatory in the general duty.

Whereas, the expedition of Abdullah bin Jahsh was not a mobilization for the Muslims in a general fighting but it was a special task for a limited number of people to explore news in difficult circumstances. Therefore, the Prophet's Hadith to their Amir Abdullah that he should not coerce anyone:

It was narrated in Dalail-un-Nubuwwah by al-Bayhaqi on the authority of Ibn Ishaq, he said: Yazeid ibn Rumman told me, Urwah ibn al-Zubayr said: "The Rasool Allah (saw) dispatched Abdullah bin Jahsh to a place called Nakhlah, and said to him: «كن بها حتى تأتينا بخبر» "Stay at it and bring us the news of Quraish."

He (saw) did not order him to fight, for it was the sacred month. He (saw) gave him a letter before telling him where to head, which says: «اخرج أنت وأصحابك، حتى إذا سرت يومين فافتح كتابك وانظر فيه، فما أمرتك به فامض له، ولا تستكرهنَّ أحدا من أصحابك على الذهاب معك»، فلما سار يومين فتح الكتاب، فإذا فيه: «**Move out you and your companions until you travel for two days, then open your letter and read it, and go forth with what I order you to do, and do not coerce anyone of your companions to proceed with you**». So, after he travelled for two days, he opened the letter and found in it: **"Proceed until you reach Nakhlah, a spot between Taif and Mecca, and bring us the news of Quraish that is communicated to you about them"**. He said to his companions when he read the letter: I hear and I obey, **whoever of you yearns for Shahadah, let him head with me**, I go forth by the command of Rasool Allah (saw), "and whoever dislikes it let him return, for Rasool Allah (saw) has prohibited me to coerce anyone of you, then the people proceeded with him...).

In the Seerah of Ibn Hisham (After Abdullah bin Jahsh travelled for two days, he opened the letter and looked at it, which says: «إِذَا نَظَرْتَ فِي كِتَابِي هَذَا فَاْمُضْ حَتَّى تُنْزِلَ نَخْلَةَ، بَيْنَ مَكَّةَ وَالطَّائِفِ، فَتَرِصْ بِهَا قُرَيْشًا وَتَعَلِّمْ لَنَا مِنْ أَخْبَارِهِمْ» **"if you read my letter go forth until you reach Nakhlah, a spot between Taif and Mecca, from which monitor Quraish and communicate to us their news"**. When Abdullah bin Jahsh looked at the letter, he said I listen, and I obey, then he said to his companions that Rasool Allah (saw) has ordered me to go forth to Nakhlah, where I should monitor Quraish until I bring to him their news, and he (saw) has prohibited me to coerce anyone of you. So, **whoever wants to attain the Shahadah and yearns for it, let him heed out** and whoever dislikes it let him return. As for me, I go forth by the order of Rasool Allah (saw). So, he went forth and his companions went forth with him, and **no one remained behind.**)

As you can see, the duty was a special duty; therefore, no one was coerced for this duty, which is a duty to attain the Shahadah. It was stated in the text that their commander, Abdullah, said to them: (Rasool Allah (saw) ordered me to go forth to Nakhlah, where I should monitor Quraish until I bring to him their news, and he (saw) has prohibited me to coerce anyone of you. So, whoever wants to attain the Shahadah and yearns for it, let him heed out and whoever dislikes it let him return. As for me, I go forth by the order of Rasool

Allah (saw). So, he went forth and his companions went forth with him, and no one remained behind.)

However, as you see, no one remained behind; that is, although they were not coerced to perform this special duty, but non-of them remained behind, Allah blessed them and by them.

3- Now, let us return to the above-mentioned paragraph (e) in Attakattul (Structuring of a Party); this was mentioned under the topic of the interaction with the Ummah, and the obstacles that stand in the way of this interaction as the Shabab carry out this work. This paragraph concerns **sacrificing matters of worldly life**, while performing the acts of the interaction. The acts of interaction necessitate carrying out special work fraught with dangers, and carrying these acts conflicts with matters of worldly life, such as wealth and business, ... etc. So, anyone who does not agree **to carry out the special duties required by the interaction stage**, he is not coerced to do them, but he is left only to do public works while continuing to remind him of Taqwa and that Allah (swt) has bought from the believers their lives and their wealth in return for Paradise. This reminder should suffice, and the choice should be left to the individual to **sacrifice** ...

As you see, the above text focuses on sacrificing because of the difficulty of the special duty.

4- **In conclusion, what the Shab is not coerced to do is the special duty, but he is committed to do the general duties and give obedience to the official as long as what he orders is in his powers and in accordance to the provisions of Sharia.**

I hope that the picture has been clarified, and Allah is the guardian of success.

Your brother,

Ata Bin Khalil Abu Al-Rashtah

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

<https://web.facebook.com/AmeerhtAtabinKhalil/photos/pb.122848424578904.-2207520000.1541088133./937368586460213/?type=3&theater>

The link to the answer from the Ameer's Google Plus page:

<https://plus.google.com/u/0/b/100431756357007517653/100431756357007517653/posts/g63mya1nWqP>