

INTERNATIONAL UNION OF MUSLIM SCHOLARS EMPHASIZES THAT THE DECLARATION OF THE ISLAMIC CALIPHATE AT THE HANDS OF THE ORGANIZATION OF THE [ISLAMIC] STATE, LACKS ANY LEGAL OR REALISTIC DIMENSIONS

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The International Union of Muslim Scholars emphasizes that the declaration of the Islamic Caliphate at the hands of the [Islamic] State in Iraq lacks any factual or Shar'ia basis, and calls on all Islamic factions in the world to respect the Islamic beliefs that have their honor among the people, and it warns against opening the door of chaos in Ijtihad, far from the qualified individuals of the Islamic Umma, namely its scholars, jurists and specialists.

Thanks be to Allah, and blessings and prayers upon the Messenger of Allah, and upon his family, companions and followers (etc.)

The IUMS has followed the statements issued by the organization called the “Islamic State” which sprang forth from Iraq, with other Iraqi forces, defending Iraqi Sunnis, and others who were oppressed in that country. We rejoiced over them and we welcomed their mobilization to reject oppression and tyranny in the Earth. However, they quickly demonstrated their split from the majority and declared an “Islamic Caliphate” and propping up what they have dubbed “the Caliph of the Muslims,” requesting from the Muslims of the world to swear fealty to him and to obey his orders, and many other matters that the IUMS sees as lacking any basis in Shari’a or reality, and its harm is greater than its benefit.

Regarding this matter, the IUMS states and emphasizes the following:

First: We all dream of the Islamic Caliphate according to the platform of Prophecy, and we wish from the bottom of our hearts that it should be established today before tomorrow, but Islam has taught us, and the school of life has taught us: Great plans require prolonged consideration, and heavy preparation, and gathering of strengths, and monitoring the capabilities of the enemies and our capabilities, and who is with us and who is against us, and who will continue with us, and who will abandon us.

It is inevitable that we will establish countries that will be governed by Islamic Shari’a, which shall confederate, and which shall possess physical (material) strength, manpower and high morale: what shall preserve it will be its internal structure, which shall protect it from foreign aggression, and shall prepare the world for such an eventuality through the means of guidance and enlightenment, informing people of the truth of the matter, and its goal, and its stance on

people from peaceful Muslims, from disobeyers who are not Muslim, and those who are not peaceful.

For the Caliphate, from a legal and jurisprudential point of view, means Representation, for the Caliph – linguistically and legally – is the Representative of the Islamic Umma, and its trustee through fealty sworn to him, and this Representation cannot be established legally, intellectually, or customarily except when the entire Umma arises and grants it to the Caliph, or through its representatives, who we have previously named as the Problem Solvers, Covenant Makers and Rulers, of the scholars, competent individuals, officials, decision-makers and Islamic organizations.

Based on this, a mere group declaring the Caliphate is insufficient to establish a Caliph, and such an action is contrary to this legal truth(principle).

Second:

In Islam, all matters of state and politics, under Shar'ia, must be undertaken by Shura [Council] for the Almighty has said “and He commanded them to discuss matters [Amarahum Shura Baynahum] between themselves” Surat Al-Shura, Verse 38. And the Almighty also said: “and he discussed the matter with them” [w’shawarahum fil ‘amr]. Surat Al-Imran, Verse 159. Even the weaning of a child, like its nutrition and breast-feeding, must occur by discussion [tashawur]. How much more so the great matters of State and the exalted Caliphate?

The Great life story of the Messenger (pbuh) bears witness to the establishment of this culture of discussion [shura]. Similarly, choosing the Caliph in the time of the Rightly Guided Caliphate was carried out by discussion [shura]. For when the Supporters and the Emigrants disagreed in the Tent [Sukkah?] of [the Jewish Tribe] of Bani Sa’ida, the choice of Abu Bakr the Righteous One (may he find favor with Allah) was reached by discussion [tashawur] and dialogue, and thereafter they came to the Mosque, and afterwards to the fealty [bay’aa] of the problem solvers and covenant makers until fealty was given. Similarly the choice of the Caliph ‘Umar Ibn al Khattab was made, and the Caliph ‘Uthman Bin ‘Affan, and the Caliph Ali Ibn Abi Talib (may they all have Allah’s favor), and in the course of the election of our master ‘Uthman, our master Abdul Rahman Bin ‘Auf consulted the men in their congregation places, and the women in their confines [khudurihina] – as was recorded in Sahih al-Bukhari [Bukhari’s collection of authenticated ahadith].

Therefore, the declaration by a particular faction – whatever it may be – of the establishment of a Caliphate is a legally invalid declaration, and no legal authority devolves upon it; instead, much danger for the Sunni Iraqis will result from this, and the revolution in Syria, and it will lead to the unification of the forces of the enemies, in their various forms, to strike at the two Revolutions which are calling for their legal rights in Syria and Iraq. Therefore, we call upon our brothers who are declaring this dream to be realistic, and to look at what is befalling their brethren here and there because of their insistence on their position.

Third: The IUMS emphasizes the following:

1. The declaration by the Islamic State of what they call the Islamic Caliphate is nothing but an ignorance of current jurisprudence and is more like an exploitation of the people’s revolution in which the Sunnis are participating with all of their strength, from the

various groups and factions in numerous areas in Iraq. Suddenly a single organization and in a singular manner comes out and declares an Islamic Caliphate, and establishes among its own followers a Caliph, with the near-total absence of the entire Islamic Umma, the problem solvers and covenant makers and the rulers among the Umma, consisting of scholars, jurists, competent individuals and specialists, and the rest of the Umma's components.

2. It is not possible to accept the nullification of the legality of all of the Islamic organizations across the globe simply because one party has declared what it calls a Caliphate and a Caliph, amidst the total absence of the Umma, and this is a matter that is considered totally and completely rejected.
3. Matters like this open the door of chaos before organizations and even countries: To base itself on an Islamic issue as important as the Islamic Caliphate without preparation, organization or coordination, or a single project, and therefore the concept of the Islamic Caliphate will lose its grandeur amidst the people. This is a great danger that only serves the stratagems of the enemies of the Islamic Umma.
4. Tying the concept of the Caliphate to a particular organization which became infamous amidst the people for its rigidity, and the mental image surrounding such a group is negative even among the sons of the Islamic Umma itself, does not serve the Islamic Project at all.
5. The Islamic Caliphate and its return is a serious matter, which all of our souls crave, our minds think about, and towards which all of our hearts strive. However, this is a matter that has its legal constraints, and it is due great and deep preparation on every level. The agreement of the entire Umma is required to establish it, its form, and its substance which is representing the voice/word of all Muslims in the world, and it isn't simply declarations here and there which are factually and legally basis.

O Allah, grant us rightly guided minds that will not lose sight of the Path, and active consciences that will not follow emptiness.

“And Allah's Command Shall Prevail, but Most People Do Not Know” Surat Yusuf, Verse 21.

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