



Form of Government in Hizb Ut-Tahrir's Perspective

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Abstract — After the *Khilafah* was overthrown in 1924 in Turkey, the issue of the relationship between religion (Islam) and the state in the Islamic world became one of the most popular conversations of all time. However, the *Khilafah* as a form of Islamic government is still a foreign issue by some at this time. Meanwhile, the struggle of Hizb ut-Tahrir (HT) to re-establish the *Khilafah* actually enlivens the conversation about the issue of the relationship between religion and the state. The data were collected through two sources, namely: (1) the main source through observations of HT activities and a study of documentation, which refers to the publication of HT's official books, HT's official website, and HT periodicals, and (2) secondary sources through the writings that are still related to this title. The data analysis uses the typology of the relationship between religion and the state as a measuring tool for comparison and discussion of results analytically and descriptively. This paper aims to examine HT's perspective on the *Khilafah*. HT is of the view that the *Khilafah* is not the same as other forms of government, such as monarchy, empire, federation, and republic. In addition, the *Khilafah* is also not the same as theocracy and government structure of *Khilafah*. All that shows that show that the *Khilafah* is indeed not the same as the concept of other forms of government in the world.

Keyword — Islam, *Khilafah*, Hizb ut-Tahrir

I. INTRODUCTION

After the *Khilafah* (Islamic form of government) collapsed in 1924 in Turkey, the paradigm of the form of government in various Muslim countries has completely changed into the paradigm of Western secularism. Therefore, as a form of rejection of the idea of secularism, some Islamic movements fought for the re-application of the *Khilafah*, which is based on the idea of the unity of religion and the state, but the struggle failed so that, until now, the concept of *Khilafah* is only limited to the discourse aspect and has not touched the practical aspect. In other words, no Islamic movement has yet succeeded in establishing an Islamic state in the form of a *Khilafah*, so it is still an issue that is still very foreign to some parties at this time. Meanwhile, the struggle of Hizbut Tahrir (HT), to explain to those parties about the necessity of the *Khilafah*, will automatically increase the discussion about the relationship between religion and the state.

According to HT, there is not a single Muslim country in the form of a *Khilafah* at this time, because the form of government adopted by them is a republic and a monarchy. Therefore, those countries should not be categorized as Islamic countries because republics and monarchies are not rooted in the Islamic paradigm. Even if those countries are

labeled as Islamic countries, in reality, no one has yet applied Islam comprehensively. Indeed, there are some countries that apply Islam but it is still partial or partial and, in addition, it has not yet met the conditions as an Islamic country¹ and those countries still mix Western and Islamic concepts, such as the concept of theo-democracy adopted by Pakistan. This shows that the Islamic form of government seems to be the same as the Western form of government.

In the absence of a form of government rooted in Islam, the concept of *Khilafah* campaigned by HT is an alternative concept that can fill the void because *Khilafah* in HT's view is pure from Islam. Even so, it takes a long time to continuously campaign for this concept because it is not yet widely known and understood by the public so that the concept is not yet as popular as republics and monarchies. In addition, in various political science books, we have never found the term *Khilafah* as one of the categories of the form of government. That is why several questions arise, namely: does Islam require unity between religion and state and also at the same time require the application of *Khilafah*?

Based on this, the researcher considers that the question can be answered in various perspectives but the researcher chooses the perspective of HT because this organization, since it was officially established in 1953 by its founder, Al-Nabhani [16], has completed or has the concept of *Khilafah* which is always consistently campaigned without influenced by the popularity of republics and monarchies². In addition, this concept can also be openly referred³ to by anyone, including researchers, so that researchers can easily obtain the data required or related to this research. As a result of fighting for the *Khilafah*, HT was prohibited from carrying out various activities openly during the reign of president Joko Widodo (Jokowi) in Indonesia.

Some research on HT has been done but those studies only researched the case of the Indonesian branch of HT and

¹ According to HT, the condition of an Islamic country is to apply Islamic Sharia comprehensively and its security in the hands of Muslims.

² This is different from Al-Maududi who was influenced by Western concepts of theocracy and democracy so that his thinking even strengthened the republic (Islamic Republic of Pakistan). Hasan Al-Banna, the founder of the Muslim Brotherhood, also strengthened the republic. Although Hasan Al-Banna agrees with the hadiths about *Khilafah*, but he himself did not prepare or have a concept of *Khilafah* that can be referred to by organizations that claim to adopt his thinking, such as: PKS (Partai Keadilan Sejahtera, Indonesia) and PAS (Parti Islam se-Malaysia, Malaysia).

³ Some organizations ("underground" movements), which for reasons of strategy and security, are closed and hide their concepts.

touched more on the phenomenon of the HT movement. In addition, the studies have not focused on aspects of HT's political thinking about the form of government through primary sources. Therefore, the study: "The Form of Government in the Perspective of Hizbut Tahrir" is intended to fill the void. The researcher researches HT's political thought, which is focused on his perspective on the *Khilafah*. Next, the problem of this study can be formulated through the question: what is the form of government in the perspective of Hizbut Tahrir?

II. METHOD

This research uses a qualitative approach. The data collection method is a very important stage in this research method because the data that has been collected will be analyzed to answer the research problem. In this research, the data collection tool is the researcher himself (human instrument), through: (1) Observation through various HT activities, whether HT Indonesia (HTI) or HT Malaysia (HTM), such as: seminars, workshops, drills, masiroh (demonstration) and halqoh (routine study); (2) Study documentation through written sources, either (1) primary sources or (2) secondary sources.⁴ In general, the data that has been obtained is data related to HT's perspective on the concept of the form of government. All data obtained in this research, whether primary data or secondary data are analyzed qualitatively, then displayed descriptively-narratively through: (1) Content analysis⁵ which aims to display HT's perspective on the *Khilafah*. In this stage the text is analyzed according to the language used in the text; (2) Conclusions are drawn by using the inductive thinking method (from specific to general). With this kind of analysis method, it is hoped that the reason why HT chose the concept of *Khilafah* can be found.

III. DISCUSSION

Khilafah as a Form of Islamic Government

In the Islamic world, discussions about the relationship between religion and the state produced the concept of an Islamic state⁶, secular countries, and Muslim countries. In the context of the Islamic state debate, some scholars consider that the concept of the Islamic state is not found in the Qur'an (Abdul Halim El-Muhammady in Mardias Gafro, 2005: 91) but other scholars consider that the concept has a reason, in the Qur'an, there are terms that form the basis of this debate, such as: Caliph, Khulafah' (Khala'if), and Imam, which generally means the successor of Allah s.w.t. or Caliph of Allah s.w.t. on earth, and also Ulil al-Amr, which means ruler or ruler [1].

But Moten (2001) [4] states that the term Islamic state is an inaccurate term and should be replaced with the term

Islamic government or Islamic political system⁷. While Abu Ja'far Muhammad ibn Jarir At-Thabari [4] and Enayat [7] prefer to use the term *Khilafah* or Imamah because the jurists also use the term and the term *Khilafah* shows the idea of a political system Islam and alternatives to the term Islamic state.

In fact, the term *Khilafah* has been popular since the time of the Khulafa' al-Rasyidin because, at that time, the form of government used by Muslims was the *Khilafah*, but since the *Khilafah* was overthrown by Mustafa Kamal in 1924 in Turkey, the form of government in the Islamic world is more influenced by the secularistic paradigm West so the term *Khilafah* is less popular now. Based on this, the term *Khilafah* is actually not a foreign term but it is an isolated term.

That is why some Islamic movements fight for the *Khilafah*, but the struggle is still limited in the aspect of discourse (preaching) or in other words the concept of the *Khilafah* has not been applied and accepted practically by any country. One of the Islamic movements that discuss the *Khilafah* is Hizbut Tahrir (HT). HT claims that it is a think tank that prepares Islamic concepts. One of the most popular HT concepts is the *Khilafah*. Therefore, in analyzing HT's perspective on the relationship between religion (Islam) and the state (*Khilafah*), there are three terms that need to be discussed in this article, namely Islam, the Islamic state, and the *Khilafah*.

In general, Islam covers two aspects, namely Aqidah and Sharia. The two aspects cannot be separated because the Creed is the basis of Shariah, while the Shariah is a rule born from the Creed. That is why Abdurrahman⁸ [7] states that Islam is al-*aqidah al-ruhiyah* (spiritual creed) and al-*aqidah al-siyasiyah* (political creed). Al-*aqidah al-ruhiyah* is an Aqeedah related to the afterlife (such as: heaven, hell, reward, punishment, and sin) and worship (such as prayer, zakat, hajj, fasting, and jihad). While al-*aqidah al-siyasiyah* is an Aqeedah that deals with life (such as politics, economy, social, government, education, and punishment). Both types of Creed are part of the Islamic Creed. Therefore, Islam is defined as a religion revealed by Allah s.w.t. to Prophet Muhammad s.a.w. to regulate human relationships with Allah s.w.t., with himself and with his neighbor [7]. The understanding requires the unity of Aqidah with Sharia.

Based on this, Islam is different from other religions because Islam does not only encompass the spiritual (spiritual) aspect but also the political (political) aspect. This means that Islam is both a religion and an ideology, which is the opposite of secular ideology. With that understanding, Islam in HT's view cannot be implemented except through the state. The country in question is the *Khilafah*.⁹ This is the reason that causes HT to always spread its views to the

⁴ According to Sartono Kardirodjo, the purpose of research using documentary material in social science is determined by its nature as nomothetic science (science that describes general nature). So in general, the materials are obtained from (1) autobiographies, (2) personal letters, books, diary entries, or memoirs, (3) newspapers, (4) government documents, (5) romance stories or folklore [14].

⁵ Content analysis is a method of data analysis and its use as a technique [17].

⁶ Muhammad Rashid Ridha once popularized the term in his book: *Khilafah and the Great Immate*.

⁷ Abu Bakar was the first person to hold the title of Caliph when he was elected through bai'at in Saqifah Bani Sa'idah to replace the Prophet s.a.w.. But the scholars differed regarding the title of Caliph of Allah for Abu Bakar. Some of them allow it based on the words of Allah s.w.t. in the Qur'an, surah Al-Baqarah, verse 30 about the creation of the *Khilafah* on earth and some of His other words. However, most scholars do not allow the title because the meaning of the verse is not in this context. Abu Bakar also once prohibited this when he was called the Caliph of Allah, saying, "I am not the Caliph of God but the Caliph of the Messenger of Allah" [5].

⁸ Abdurrahman is the former president of Hizbut Tahrir Indonesia (HTI).

⁹ The *Khilafah* is the general leadership for all Muslims in the world to uphold Islamic Sharia and spread da'wah throughout the world [16].

community as an effort to fight for the re-establishment of the *Khilafah*.

In the book: *Western Conspiracy to Collapse the Islamic Khilafah*, Zallum¹⁰ [2][3] stated that applying the Islamic Sharia through the *Khilafah* is an obligation and therefore Muslims must perform life or death actions because it is an obligation that has the same position as other obligations (such as the obligation to pray) [16]. This shows that the *Khilafah* is a very important and urgent priority because with the *Khilafah*, the law of blasphemy can be changed to Islamic law and Darul Kufur can be changed into Darul Islam.

In addition, in HT's view, normatively, the obligation to establish the *Khilafah* is also supported by evidence from the Qur'an:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ
فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ
وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

"O you who believe, obey Allah, the Messenger of Allah and Ulil-Amri (those in authority) from among you" [al-Qur'an, al-Nisa' 4: 59].

The verse from the verse above is a command to obey Ulil-Amri (Khalifah) who obeys all the commands and prohibitions of Allah s.w.t. and His Messenger or applying all Islamic Sharia in his government. Leaders or Caliphs like this only exist in the *Khilafah*. In other words, the order to obey the Ulil-Amri (Khalifah) is also an order to establish the *Khilafah*. Based on this, the *Khilafah* and the *Khilafah* must be established so that obedience to the Caliph can be implemented because it is impossible to obey Ulil-Amri if the person (the Caliph) who should be obeyed is not there [11][13]¹¹. Therefore, in order for the *Khilafah* to exist, the *Khilafah* must be established first.

In addition, the hadith of the Prophet Muhammad s.a.w. States that

"Indeed the imam is like a shield, where (people) will stick behind him and he will be used as a protector" [Hadith Narrated by Muslim, Abu Dawud, al-Nasai, Ahmad from Abu Hurayrah].

The hadith informs about the role of the imam as a shield for Muslims which can only be realized if there is a *Khilafah* [7].

Hadith of Prophet Muhammad s.a.w. others, as follows:

"Among you there is a time of Prophethood that exists as long as God. willed it, then He raised it when He willed it. Then there will be a period of *Khilafah* that refers to the Prophet's method (method) that exists as long as God wills it, then He lifts that time when He wants to lift it. Then there will be a time of oppressive power that exists as long as God wills it, then He lifts that time when He wants to lift it. Then

there will be a period of miserable dictatorial rule, which exists as long as God wills it, then He lifts that time when He wills it. Then the time of the *Khilafah* will reappear which refers to the way of the Prophet" After that, the Messenger of God was silent" [Hadith of Ahmad's History].

The above hadith is believed by Tahrir [9] as a promise from Allah s.w.t. which is certain and justifies the good news in the hadith so that HT always fights and invites Muslims to realize the good news.

Rationally, many other propositions, which are related to the obligation to carry out punishment (such as: the law of cutting off hands against thieves, whipping for adulterers), cannot be carried out except with the existence of the *Khilafah*. Therefore, establishing the *Khilafah* is obligatory for all Muslims [7] because the ushul method states that if an obligation cannot be fulfilled perfectly except with something, then that something becomes obligatory as well [7]. Therefore ignoring the *Khilafah* also means ignoring Islamic Sharia because, according to the ushul method, many Islamic rules cannot be applied except with the *Khilafah*.

The Form of Islamic Government is Different from the Western Form of Government

If the *Khilafah* is based on Islam, but other forms of government other than the *Khilafah* are based on secularism¹². Therefore, the *Khilafah* is fundamentally different from Western forms of government. Some other differences [9] can be described as follows:

- Khilafah* is different from Monarchy. In the form of monarchy, the king as the head of state is appointed based on the right of inheritance or the crown prince but is not appointed based on the choice of the people. This form also gives special rights to the king, such as immunity from the law. With that right, the king cannot be punished even if he is wrong or cruel. Whereas, in the *Khilafah*, the method to appoint the head of state is based on the pledge of allegiance from the people to apply Sharia laws on them. Well, all actions of the Caliph must be in accordance with the Sharia and the Caliph is not given special rights that privilege him in the Court.
- Khilafah* is different from Empire. The form of empire prioritizes (privileges) the central government of the empire in terms of power, property, and economy over other areas (federal state government). This means that the territory of the union state is considered as a colony that can be exploited for the benefit of the central government. Whereas, in the *Khilafah*, all citizens are considered equal (whether in the central area or in other areas) because the area is an inseparable part despite the distance from each other and the population of various races and therefore, the *Khilafah* rejects various racial sentiments ('ashabiyât al-jinsiyyah).
- Khilafah* is different from Federation. In the form of a federation, the states of the federation are united only in the aspect of government (law) that is general because the states are considered to have their own authority but the fact is that one state is separate from the other.

¹⁰ Abdul Qadim Zallum was the second leader of HT after Taqiyuddin Al-Nabhani died in 1977.

¹¹ See also <http://hizbut-tahrir.or.id/2007/12/04/benarkah-khilafah-tak-ada-dalam-nash-syariah/> [July 30, 2008].

¹² The two differ in several aspects, namely: basis, fikrah (thought), mafahim (understanding), maqayis (measure), constitution, law, form of state, and form of government (Hizbut Tahrir, 2006: 14-20).

Whereas, in the *Khilafah*, the entire state is considered an indivisible entity and therefore division is prohibited and all state affairs related to government are taken care of and controlled directly through agents appointed by the Caliph in all states (such as kadis, and those responsible for property and economics). Therefore if the finances or income of a state is not sufficient for its needs, then the state is financed not according to its income but according to its needs, whether its income is sufficient for its needs or not. This shows that the *Khilafah* is a form of government centralization (centralization) because the central government has broad authority over the entire state.

- d) *Khilafah* is different from Republic. The basis of the Republic is democracy (or sovereignty in the hands of the people) where the people have the right to make laws/legislation (setting halal and haram or praiseworthy and reprehensible). There are two types of republics, presidential republics and parliamentary republics. In a presidential republic, government is in the hands of the president and his ministers (who have special authority), while, in a parliamentary republic, government is in the hands of the cabinet (the ministry with the prime minister). While the basis of the *Khilafah* is Islam which forbids humans to make laws because making humans, other than Allah s.w.t., as a party to make laws is a great crime. In the *Khilafah*, it is not the president or the cabinet that leads the government but the Caliph (and Mu'awin/assistant to the Caliph) who is in charge of implementing the laws of God s.w.t. but not making laws [16].

Based on the four arguments, HT considers that the form of Islamic government is the *Khilafah* which is different from the form of government of monarchy, empire, federal, and republic¹³. In addition, HT also criticizes the opinion that states that the *Khilafah* is the same as theocracy¹⁴.

Khilafah Different from Theocracy

In the book: the Islamic government system, Al-Nabhani [16] states that the position of the head of state is different from the position of the Prophet and the Messenger of God because the head of state (ruler) is a basyariyah position (a position obtained from the community through bai'at) but Prophet or Rasulullah is a divine position (a position obtained from Allah s.w.t.). Muhammad is the Prophet and the Messenger, but at the same time he is also the head of the country that applies Islamic Sharia. He not only occupied the position of Prophet and Messenger, but also occupied the position of head of state. Muhammad's innocence (ishmah) only applies to his status as a Prophet, but not as a head of state. Therefore, the head of state is a

worldly position, not a religious position. With that explanation, the assumption that states that the *Khilafah* is the same as theocracy is a mistaken assumption because the leader in theocracy considers himself to be God's representative in the world and appointed by God so that whatever his actions are also from God.

In this context, Yusanto [11]¹⁵, HTI spokesperson, expressed several reasons to reject the notion of equating the *Khilafah* with theocracy, as follows:

- a) The *Khilafah* believes in sovereignty in the hands of God and power in the hands of the people. This can be known through the terms (1) al-siyadah (sovereignty) which is related to the source of legislation and (2) al-Sultan (power) which is related to the source of source of authority. In Islam, the source of law is shari', which is Allah s.w.t. (God) but the policies or rules set by the Caliph are not automatic God's absolute words must be obeyed and cannot be criticized because the activity of *muhasabah lil hukkam* (controlling the rulers) is a duty. While the source of power is the people because Islam gives the people the right to choose the Caliph based on *ikhtiar wa ridho* (choice and pleasure). The Caliph was given the authority to establish (apply) rules based on the Qur'an and the Sunnah. The Caliph can also be a kadi or can appoint someone else as a *kadi*¹⁶. In determining the decision in the Court, the Caliph should refer to the Qur'an and the Sunnah. But, in theocracy, the king is not elected by the people but inherited. If the king does not adopt the concept of separate of power, the king has the opportunity to become a tyrant because he considers himself to be God's representative in the world.
- b) Methods of Controlling the Caliph (Ruler). The Caliph can be controlled (criticized or corrected) by anyone because the actions and words of the Caliph do not automatically come from God. Several methods of controlling the *Khilafah*, which the Prophet s.a.w. once exemplified. and his friends, as follows:
 - Direct control by individuals or groups (political parties). Prophet Muhammad s.a.w. was criticized by his friends regarding his policy in the Hudaibiyah agreement. Abu Bakar when he became Caliph was also directly criticized by Umar bin Khattab regarding his policy of fighting people who do not want to pay zakat. Whereas Umar bin Khattab was once criticized by a woman in front of the public regarding marriage dowry.
 - Controlling through representatives of the people in Majlis al-Ummah (the state assembly).
 - Controlling through the kadi in the Madzholim Court. This court has the authority to resolve matters between the people and the ruler (Khalifah). Therefore, the Caliph must obey the decision of this court.
 - If the Caliph does not want to listen to the criticism of his people and obey the court's decision, the people can take up arms (using force) to overthrow the Caliph

¹³ In detail, the difference between the *Khilafah* and other forms can be found in the Sub-Chapter of the structure of the *Khilafah* in the perspective of Hizbut Tahrir [9][16].

¹⁴ The theocracy system that was once implemented in Europe in the Middle Ages considered the King as the representative of God on earth. Therefore, the words, decisions, policies, and rules set by the King are automatically the words of God. With God's words, the king's decision was never wrong until the popular saying at the time appeared "King can do no wrong" (King can do no wrong) thus closing the door to criticism because the king always thought he was right. The lack of criticism results in the king having great potential to become a tyrant because the king's words are God's words so whatever he does must always be considered right.

¹⁵ <http://hizbut-tahrir.or.id/2007/07/10/menjawab-kritikan-terhadap-konsep-khilafah/> [December 16, 2009].

¹⁶ Although the Caliph has authority in the executive and judicial fields, the chance of becoming a tyrant is very small because of two things, namely (1) the source of law does not come from the Caliph but the syar'a law and (2) society must control the Caliph.

because, in this situation, the Caliph is in fact disobeying the orders of Allah s.w.t. The companions once asked the Prophet s.a.w. Can the people raise arms (raise swords)? Rasulullah s.a.w. stating it is possible if the Caliph has shown real disbelief.

The display shows that the *Khilafah* is a human government, which is applied by humans so that it is very possible to be confused or deviated. That is why the implementation of Islamic Sharia in historical reality¹⁷ by the *Khilafah* is not always good. Even so, it is not appropriate to use it as a reason to reject or oppose the struggle of the *Khilafah* because any form of government, including the *Khilafah*, if still applied by humans is very likely to deviate. On this basis, the *Khilafah* is indeed different from theocracy whose head of state is God's representative so that he is never wrong.

Al-Qardhawi [18] also disagrees if the Islamic state (*Khilafah*) is equated with theocracy because, apart from theocracy only known in the Western world, in theocracy, the state is led by priests who consider all their behavior innocent and holy. The priest's behavior was opposed by intellectuals and philosophers until it resulted in a revolution against the dominance of the church. Whereas, in Islamic countries, the head of state is appointed through bai'at and syuro to manage the people based on Islamic Sharia and all citizens have the right to correct the head of state if they do not implement Islamic Sharia.

In addition to criticizing theocracy, HT also criticizes the concept of theo-democracy, which was once popularized by al-Maududi because this concept is based on an accommodative attitude between the idea of Islam and the idea of democracy (which is the basis of the republic) so that the founder of this concept improved the republic by adding the word Islam to republic: "Islamic republic", such as the Islamic Republic of Pakistan [15]¹⁸. But that method will even mislead the activists who fight for the *Khilafah* because some of them may choose the Islamic republic over the *Khilafah* so that this can result in the *Khilafah* struggle taking longer and will even drive away the realization of the *Khilafah*. This shows that this concept fails to explain the difference between the republic (Islamic republic) and the *Khilafah*. Therefore the concept of theo-democracy is a vague or less clear and impure concept from Islam because theo-democracy is a hybrid of two opposing concepts, namely theocracy and democracy. Hadith of Prophet Muhammad s.a.w. States that:

"Leave what doubts you (to) go to what does not doubt you" [Hadith History of Ahmad, Al-Nasa'i, and Al-Thabrani].

The explanation above reinforces that the *Khilafah* is different from all other forms of government. In this context, Huwaid [6] states that Islam has a form of government that is essentially different from the Western form of government, such as: (1) autocracy whose power is in the hands of the ruler, (2) theocracy whose legitimacy comes

from God, (3) nomocracy that places power on the supremacy of the law, and (4) democracy that places power on the people.

Rais also shares the same view as Huwaid about the difference between the *Khilafah* and other forms of government. According to Rais [5], Islam is not synonymous with autocracy because the leader is not the owner of sovereignty, it is not theocracy because it is not a form of clergy (religious) or gods, it is not nomocracy because it is not just law, and it is not democracy because it is not only the people but, in an Islamic country, the people (people) and the law (Islamic Sharia) are the owners of sovereignty at the same time. Both must be united and interconnected so that the Islamic state can be realized.

Therefore, the form of Islamic government is a special form of government, which cannot be equated with any form of government in the world, so this form must be given a special term. The correct term for the form of Islamic government is *Khilafah* because it is different in meaning from monarchy, empire, federation, republic, theocracy and democracy.

Government Structure of the Khilafah

In HT's view, *Khilafah* does not have the same meaning as other forms of government or, in other words, *Khilafah* has a special meaning because, with that special meaning, *Khilafah* cannot be the same as other forms of government. In this context, the *Khilafah* structure in HT's perspective is a concept that is also different and has a special meaning.

The founder of HT, Al-Nabhani [16], claimed that the *Khilafah* structure, which he conceived was based on the af'al (deeds) of the Prophet Muhammad s.a.w. as the head of state (since he migrated to Medina and established the Islamic State (Islamic state) in Medina until his death). After that, Khulafa' al-Rasyidin always referred to his af'al.

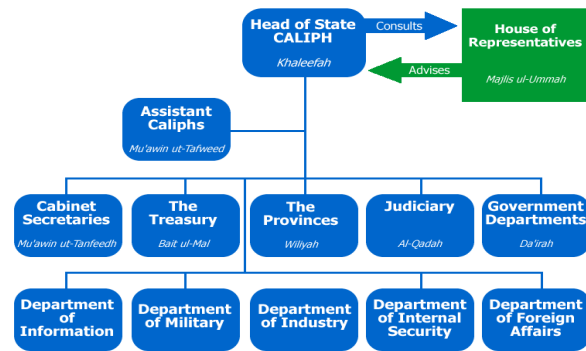


Figure 1. The structure of the *Khilafah* in the perspective of HT (Source: Hizb ut-Tahrir Australia 2011)

Therefore, the structure of the *Khilafah* government in HT's perspective is the same as the structure of the country that was once established by Rasulullah s.a.w. and Khulafa' al-Rasyidin. Based on this, Muslims should appoint a head of state and at the same time establish an Islamic form of government. In the book "*Khilafah* State Structure: Government and Administration", HT [16] has enumerated (adopted) 13 *Khilafah* structures. In general, the structure of

¹⁷ According to HT, the idea of *Khilafah*, cannot be based on historical reality because all ideas of Muslims must refer to Islamic normative sources, namely al-Quran, al-Sunnah, ijma sahabat, and qiyas.

¹⁸ http://www.khilafah1924.org/index2.php?option=com_content&do_pdf=1&id=576 [December 9, 2009]. Shiddiq Al-Jawi, an activist of Hizbut Tahrir Indonesia (HTI) and also the leader of HTI.

the *Khilafah* government in the perspective of HT can be concluded through the diagram¹⁹ figure 1.

In addition to HT, Al-Mawardi's perspective on the structure of Islamic government should be presented as a comparison with the structure of Islamic government in the perspective of HT. The structure of Islamic government in Al-Mawardi's perspective [3] includes 11 parts, as follows:

- a) Caliph,
- b) Wazir Tafwidh and Wazir Tanfidz,
- c) Guardian,
- d) Amir al-Jihad,
- e) Internal Police Leader,
- f) Al-Qada,
- g) Representative of the Honorable Family,
- h) Prayer Imams,
- i) Leader of Hajj Worship,
- j) Zakat Collector,
- k) Diwan (National Administration).

As a comparison between the structure of the *Khilafah* in the perspective of HT and the structure of the *Khilafah* in the perspective of Al-Mawardi, below will be presented the perspective of both through a table:

Table 1: The structure of the *Khilafah* in the perspective of Hizbut Tahrir and Al-Mawardi

Structure of the <i>Khilafah</i> in the perspective of Hizbut Tahrir	Structure of the <i>Khilafah</i> in Al-Mawardi's Perspective
Caliph,	Caliph,
Mu'awin Tafwidh,	Wazir Tafwidh
Mu'awin Tanfidz,	Wazir Tanfidz,
Guardian,	Guardian,
Amir al-Jihad,	Amir al-Jihad,
Department of Homeland Security,	Leader of the Domestic Police,
Department of Foreign Affairs,	Al-Qada,
Industry Department,	Dear Family Representative,
Al-Qada,	Prayer Imams,
Mashalih al-Nas,	Leader of Hajj Worship,
Baitul Mall,	Zakat Collector,
Description,	Diwan (National Administration).
Majlis al-Ummah.	

In the government structure above, Al-Mawardi uses the term *Wazir* (*Wazir Tafwidh and Wazir Tanfidz*) who are assistants to the Caliph, but HT uses the term *Mu'awin* (*Mu'awin Tafwidh and Mu'awin Tanfidz*). According to HT, the term *Mu'awin* that was stated by the Prophet s.a.w. with the term *wazir*²⁰ is not specialized to manage specific activities but *Mu'awin* is the Caliph's assistant who has general authority, and is not even allowed to specialize in certain aspects only [16].

Whereas, in matters of national wealth, Al-Mawardi considers it necessary to have a special department (such as the department of zakat collector) to manage the national wealth autonomously. But, in the perspective of HT (2006: 60), a special department that manages the nation's wealth is not needed because it has been managed by the Guardian.

¹⁹ <http://hizb-australia.org/books/literature/1581-book-the-institutions-of-state-in-the-khilafah> & <http://hizb-australia.org/hizbut-tahrir/khilafah/khilafah-structure> [July 19, 2011].

²⁰ In this regard, the Prophet s.a.w. said: "My two viziens (helpers) (whom I chose) from the people of this earth are Abu Bakr and Umar" [Hadith of the History of Al-Hakim and At-Tirmizij].

The absence of the specific department was also shown by Rasulullah s.a.w. who never established a special institution as part of the government structure to manage the nation's wealth²¹. Therefore, the national wealth department is not an autonomous government structure, but part of the Guardian's duties.

Thus, if the *Khilafah* succeeds in applying the 13 *Khilafah* structures above, then the *Khilafah* is declared perfect. Even so, if one of the structures is lacking, the *Khilafah* is still declared to exist but there must be two main conditions, namely: (1) Islamic Sharia is applied comprehensively and (2) peace in the hands of Muslims [10]. Overall, this finding shows that HT in building its concepts should always be based on religion (Islam) because, according to HT, all concepts, including the concept of the *Khilafah* structure, should be sourced from the true religion, which is Islam.

IV. CONCLUSION

The findings above show that, in HT's perspective, *Khilafah* is the only form of Islamic government that is different from other forms of government. The difference is found in two aspects, namely: basic idea and concept. In terms of the basic idea, HT understands that the Islamic religion should be the basis of the state or commonly termed *din wa daulah* (unity of religion and state), which produces the concept of an Islamic state with the form of *Khilafah*. According to the basic idea, the *Khilafah* is very different from all forms of secular government, such as: monarchy, empire, federation, and republic. In addition, the *Khilafah* is also different from theocracy because theocracy considers the leader as innocent, pure and has never done wrong. While, in the conceptual aspect, this study shows that the structure of the *Khilafah* government has a special form that is different from the concept of other forms of government. This study also found that, in campaigning the basic idea and concept, the trend used by HT is to reveal the differences (that is, the difference between the *Khilafah* and other forms of government) significantly rather than revealing the similarities with other forms of government. This kind of method can be considered appropriate and even should be done so that the ambiguity of various ideas can be clearly explained so that truth (*haq*) and error (*bathil*) can be clearly and easily known.

REFERENCES

- [1] Abdul Qadir Djaelani. 1995. *Negara Ideal Menurut Konsepsi Islam*. Jakarta: Bina Ilmu.

²¹ The Prophet once sent Amr bin Hazm to be the Wali in Yemen and gave him authority in general which included the problems of governance. The Messenger also once appointed Farwah bin Sail to be a Wali among the Murad, Zubai and Mudzhij people. The Messenger sent Khalid bin Saïd bin Ash to manage the problem of zakat (wealth). A Wali whose authority is specifically to manage the government is called Wali as-salat and this is a word with a certain connotation (*lafdzun kharaj*), that is to manage all people's affairs, which include aspects of administration, courts, politics, war, worship, and other aspects, except for income aspects assets. While the Wali whose authority specifically manages financial aspects is called Wali al-kharaj, which covers aspects of zakat collection, land tax, and so on. While Wali whose authority is general, is usually called Wali as-salat wa al-kharaj (Taqiyyuddin Al-Nabhani, 1997: 60).

- [2] Abdul Qodim Zallum. 2001. *Konspirasi Barat Meruntuhkan Khilafah Islamiyah, Telaah Politik Menjelang Runtuhnya Negara Islam*. Terj. Bangil: Al-Izzah.
- [3] Abdul Qodim Zallum. 2002. *Sistem Pemerintahan Islam*. Terj. Bangil: Al-Izzah.
- [4] Abdul Rashid Moten. 2001. *Ilmu Politik Islam*. Terj. Bandung: Pustaka.
- [5] Dhiauddin Rais. 2001. *Teori Politik Islam*. Terj. Jakarta: Gema Insani Press.
- [6] Fahmi Huwaid. 1993. *Li al-Islam wa al-Dimukratiyah*. Kairo: Markaz al-Ahram li al-Thiba'ah wa al-Nasyr.
- [7] Hafidz Abdurrahman. 2004. *Diskursus Islam Politik dan Spritual*. Bogor: Al-Azhar Press.
- [8] Hamid Enayat. 1982. *Modern Islamic Political Thought*. London: Macmillan.
- [9] Hizbut Tahrir. 2006. *Struktur Negara Khilafah: Pemerintahan & Administrasi*. Terj. Jakarta: HTI Press.
- [10] Hizbut Tahrir. 2001a. *Strategi Dakwah Hizbut Tahrir*. Terj. Bogor: Pustaka Thariqul Izzah.
- [11] Hizbut Tahrir Indonesia. 2007. *Benarkah Khilafah tak ada dalam Nash Syariah*. <http://hizbut-tahrir.or.id/2007/12/04/benarkah-khilafah-tak-ada-dalam-nash-syariah/> [30 Juli 2008].
- [12] Ismail Yusanto. 2009. <http://hizbut-tahrir.or.id/2007/07/10/menjawab-kritikan-terhadap-konsep-khilafah/> [16 Desember 2009].
- [13] Mahmud al-Khalidi. 1984. *Ma'âlim al-Khilâfah fî al-Fîkr as-Siyâsi al-Islâmi*. Beirut: Dar al-Jil.
- [14] Sartono Kartodirodjo. 1997. *Metode Penggunaan Bahan Dokumen*. Dlm. Koentjaraningrat. *Metode-Metode Penelitian Masyarakat*, hlm. 47-48. Jakarta: Gramedia Pustaka Utama.
- [15] Shiddiq Al-Jawi. 2009. http://www.khilafah1924.org/index2.php?option=com_content&do_pdf=1&id=576 [9 Desember 2009].
- [16] Taqiyuddin al-Nabhani. 1997. *Sistem Pemerintahan Islam, Doktrin dan Realitas Empirik*. Terj. Bangil: Al-Izzah.
- [17] Vredembregt. 1978. *Metode dan Teknik Penelitian Masyarakat*. Terj. Jakarta: Gramedia
- [18] Yusuf al-Qardhawi. 2000a. *Fiqh Daulah dalam Perspektif al-Quran dan as-Sunnah*. Terj. Jakarta: Pembentukan Partai Politik Pustaka Al-Kautsar.

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