The Evolution of the Concept of
Political Participation
in Twentieth-Century Islamic Political Thought

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The aim of the thesis is to identify the concept of political participation and its evolution as approached in the political thought of Muslim writers and intellectuals of the present century. The major question is: how the concept of political participation, as the manifestation of people's sovereignty in the Western liberal democracy, can be accommodated in, or coexist with, the divinely-inspired political theory of Islam in which sovereignty belongs unquestionably to God alone.

After some preliminary study of the related concepts, the thesis will consider the political ideas of a number of the most influential Muslim thinkers who represent the main streams of twentieth-century Islamic political thought. However, the thesis is interested in the ideas of no particular thinker in themselves. Rather, it seeks an evolution of a concept by looking at the whole body of thought in the current century. Different approaches to politics and government, and to the question of political participation in particular, are investigated in order not to judge the persons involved, but to find the extent in which the political role and power of the people have evolved in contemporary Islam.

In the final chapter I argue my overall conclusion of the studied cases. The conclusion maintains that the political thinking of twentieth-century Islam has tried, albeit in an uneasy manner, to extend the absolute sovereignty and the supreme authority of God to the people, to whatever extent is possible; to incorporate the popular institutions of Western democracy into the interpretation of the religion; and, in a sense, to rediscover Islamic principles and values that would provide the basis for democratic institutions within the framework of the Islamic law. While the very foundation of the concept of democracy -liberalism- is rejected, its tangible appeals and advantages are more or less approved and sought after./

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INTRODUCTION

Political Islam, entering a crucial period of its history, has attracted widespread attention in recent decades as an issue of controversy and conflict in world politics. In the aftermath of the collapse of the Soviet Union and the decline of communist and Marxist ideologies, Islam emerged as the most pervasive and powerful transnational force in the world, with one billion adherents spread across the globe. As the next millennium approaches, it is important that the vacuum created by the end of the Cold War should not be filled by exaggerated fears of Islam as a new threat, replacing the Red Menace of world communism, at war with the so called New World Order and in challenge to global stability.

The importance of this thesis is twofold. Firstly, it is imperative to comprehend Islam for a West which holds, I believe, an astonishing degree of ignorance and cultural stereotyping of Arabs and Islam. Beliefs that a clash of worldviews, values, and civilizations is leading to an impending confrontation between Islam and the West have already captured the minds of many Western writers. Books, articles and reports with this theme are numerous. They have often made many in the West equate Islam with holy war and hatred, fanaticism and violence, and, thus, a resurgent reactionary force against the world's security and peace.

On the other hand, there are more or less similar attitudes in the Muslim world. For every Westerner who is convinced that the political expression of Islamic values represents a threat to the West, or even all modern life, there is also a Muslim who is convinced that the West is bent on humiliating and suppressing the Muslim peoples of the world. The conviction that Western countries, and the United States in particular, openly or covertly manipulate politics and wars for their own cynical

purposes, has caused many in the Muslim world to reject whatever is Western, despite its possible values and advantages. The Muslim world, bewildered between the necessities of modernity and its own religious values -being bound by the old and often corrupt medieval traditions, is driven into radical rejectionism instead of being helped to solve its essential problems in a cooperative climate.

Do the West and the Muslim world share common interests and values or is a clash of civilizations, as some say, inevitable? Are Islamic values and democratic values inherently antithetical? Is the espousal of democracy and democratic institutions in the Muslim world by Islamic movements merely a tactical means to an end, or is it something rooted in their doctrinal beliefs? What would the implication of Islamic societies be with regard to questions like representative government, popular political participation, pluralism, human rights, minorities, and the like? Is there an Islamic model of democracy? Can one be designed if there is not? These, and lots of others, are vital questions which need to be carefully examined and answered in detail.

It is in this context that the need for appreciating political outlooks of Islam and the extent in which they can get on with the principles of democracy, or get involved in a dialogue with the West, becomes a pressing issue. This task is already occupying the attention of many in both Muslim World and the West. Although there is a growing body of relevant literature addressing this subject and related issues, comparatively little work has been done so far.

This thesis aims to investigate a particular concept, that of political participation, in the political thought and, in some instances, practice of Muslim intellectuals in the present century. Its major question is how the concept of political participation, which is the manifestation of people's sovereignty in the Western liberal democracy, can be accommodated in, or coexist with, the divinely-inspired political

theory of Islam in which sovereignty belongs unquestionably to God alone.

The main themes are:

1- During the past hundred years, in which Muslim thinkers were involved in the questions of modernity and reform, Islamic ideals and instructions have been reexamined and reinterpreted, in the light of modern requirements, in order to answer the questions of the modern Muslim, and to provide a new identity for them as well as a solution to their decadency and stagnation.

2- As a consequence, the majority of scholars have come to the conclusion, in one form or another, that although sovereignty belongs to God entirely, His agents on the earth are the people and not caliphs, saints or *ulama* (clerics). The sovereignty of God is not discarded but extended to the people. Thus, representative government has become an Islamically accepted notion by many scholars. It has even overtaken the Caliphate, in the eyes of some, as the only ideal form of Islamic government.

3- In this line, Islamic principles and values that would provide the basis for democratic institutions within the framework of the Islamic law, such as *shura* and *ijma'*, are, in fact, rediscovered. The popular institutions of Western democracy are incorporated into the interpretation of the religion, and an attempt has been made to harmonize the latter with the principle of 'majority rule'.

Islamic political thought is in no way an integral theory as such. It includes a vast range of ideas, sometimes with deep differences one from another. It would not be an exaggeration if one claims that the number of ideas within the broad title of 'Islamic political thought' is comparable to the number of Muslim scholars in this field.

The thesis, I have to make it clear, is interested in the ideas of no particular thinker. Rather, it is seeking an evolution of a concept by looking at the whole body of thought in the current century. To this end, a number of the most influential Muslim thinkers who represent the main streams of Islamic political thought and have influenced, in one form or another, the Muslim thinkers and activists of our time, have been chosen as case studies. Their approaches to politics and government, and the question of political participation in particular, are investigated in order to find the extent in which the political role and power of the people are evolved in contemporary Islam.

The opening chapter is devoted to the definition of the relevant concepts and typology. Beside the concept of 'political participation', it also includes an explanation of some integral concepts of Islam that I feel necessary to review in advance. There follows the main body of the thesis which contains two parts devoted to the two major sects of Islam, Sunni and Shiite. Chapters two and three, in regard to the classic theory of Caliphate and the consequences of its abolition in 1924, provide a basis for entering into the realm of Sunni Islam. The ideas of typical Sunni thinkers, chosen in a way to cover the main streams of thought from modernism to fundamentalism and radicalism (as defined in the typology), will be presented in chapters four to eight.

The latter part of the thesis includes, in a similar manner but smaller in size, the Imamate doctrine of Shiite Islam (chapter nine) and its main political theory of our age, *Vilayat-i Faqih* (chapter ten). It also includes a study of the Constitution of the

Islamic Republic of Iran, in chapter eleven, as the only existing constitution on the ground claiming to be codified entirely on the basis of Islamic law.

The last chapter, as it should be, is the conclusion in which an overall analysis of the studied cases is presented. I need to emphasise again that the idea of no single thinker has been analysed in itself. Rather, the relevant parts of each one has been extracted and elaborated in a way not to judge the person himself, but to see how he has contributed in the whole process of thought in current political Islam.

Finally, I must add that selecting a number of the most influential Muslim thinkers of the present century in this work should not imply that I consider the social and political implications of others to be without relevance, nor that I dismiss their importance. I do not claim that my list is comprehensive, but I do believe that it consists of the most significant and representative figures needed for such a study./

CHAPTER ONE

Definition of Concepts and Methodological Issues

Introduction:

The main concern of this chapter is to advance a clarification of the most relevant concepts of the thesis as well as a typology. The chapter consists of seven independent parts, each of which deals with particular concepts. That of 'political participation', as the primary concept of this thesis, comes first. Since the Islamic viewpoint in regards to this concept is itself the main subject of the thesis, the first part introduces it as defined in Western literature.

The next two parts will survey the two vital topics of 'Islam and Man' and 'Islam and Politics' to provide a brief, simple and factual account of 'man' and 'politics', as well as associated concepts, in the Islamic perspective. Their study, I believe, is important in the understanding of the related discussions in this thesis. I have outlined these subjects on the basis of only the Qur'an and the Tradition of the Prophet as the two main sources of Islamic belief. Certain principles and facts that are generally accepted by the majority of both classical and Modern Muslim scholars are reviewed regardless of how they interpret them in detail.

Afterwards, two concepts of *shura* (consultation) and *ijma'* (consensus), will be defined according to again the Qur'an and the Tradition only. The importance of these two is to be understood from the vast literature generated around them in the related theories of Islamic democracy. The requirement that a government should reckon in all its decisions with the wishes of the ruled, is basically met in Islamic writings by referring to these two principles.

In the last two parts, I present my definition of Islamic modernism, Islamic fundamentalism, and Islamic radicalism (typology), and the matter of links between political theories and political activism.

1-1: Political Participation

Political participation is the actual involvement of people in government. It is activity by individuals or groups formally intended to influence those who govern and how they do so. The public may play some part in initiating policies, participate in decision making or even in the execution of the decision.

In a comparative study of modern states, a spectrum can be recognized in which the relationship between ruler and ruled ranges from popular participation, to popular control, then to popular acquiescence and finally to popular submission to the coercive capability of the authorities. An intense degree of popular participation, nonetheless, is a rare experience. Finer holds the idea that even in most of the 'liberal-democracies', the relationship of the public to its rulers is one of control rather than one of participation.[1] In a greater number of states, people neither participate in nor control the activities of their rulers, but more or less acquiesce in them, or even submit to coercion by their rulers.

Although there are many specific facets and dimensions to participation, they can be grouped into four general types of (1) individual citizen activity, (2) cooperative or group activity, (3) campaign activity, and (4) voting. Nevertheless, survey findings indicate that in democratic regimes voting in national elections is the only form of participation in which a majority of most populations engages. Except for voting, the percentage of participation is very low with regard to all other criteria.[2] A comprehensive form of participatory society, is still an ideal for many.[3]

Participation may occur through formal and, in some cases, informal methods. Of the formal methods, one is referendum or direct consultation of the public on a particular issue. In practical politics, competitive political parties provide a basis in which people can find chances of getting involved in governmental affairs. However, the principal and the most common way of securing popular participation in, or at

least control of, the activities of the government is by the institution of 'representation'. This is, in a simple and general definition, a legal provision that makes for a larger or smaller proportion of the adult population to elect persons to represent their views, values and interests in an assembly, which has greater or lesser authority as between one state to another. There are, of course, a huge body of related discussions in this regard.

A new form of participation, often called 'new politics',[4] has emerged in the 1960s in the West by mostly a young and radical generation of postmaterialists. This is a less conventional style of participation which goes beyond, and sometimes even excludes, traditional participation through political parties and election campaigns. Advocates of new politics are willing to consider new (or, rather, very old) forms of participation: demonstrations, boycotts and political strikes. In some cases, it has gone as far as to include violent activities. The objectives of this kind of participation are usually broader than class-based objectives of classic participation. They include, for example, nuclear disarmament, environmentalism, feminism, and the like.

There are at least three main influences on individual behaviour of political participation: political system, political culture and economic development. The manner in which citizens participate in their political process is integral to the manner in which the system functions. People relate to their political system in a variety of ways. Some take the system for granted and are concerned only to adjust their behaviour to its demands; others want to improve or transform it. Some have only a passive relationship to the system, while others are very actively involved. To some, the system is frightening and confusing; to others, it is an object to be explored and conquered. Some focus their attention on what the system demands from them, while others focus on the benefits they derive from the system.

Political culture is also a vital element that influences both patterns and degrees of political participation. Political culture refers to the overall pattern formed by a population's political beliefs, attitudes and values. It is passed on through the process by which people acquire their understanding of politics and their place within it. Political culture develops the form and degree of legitimacy on which the long-term prospects for a regime depend. Although, as many social scientists assume, human beings follow the same behavioral laws at a basic level, we quite naturally expect differences in political behaviour patterns from culture to culture on the basis of family structure, religion, nationalism, tradition, social conventions, ethnic backgrounds and so on and so forth.

Finally, economic development influences participation patterns particularly in the third world countries. Mass political participation in the third world is typically limited in quantity and manipulative in quality. This is, of course, not surprising. Populations are poorly educated and often illiterate. Many people are hungry or sick. Political leaders are preoccupied, first of all, with their own survival, and if they think of any economic development, they seek it by deliberately reducing mass political participation. Authoritarian rulers have sought to provide transnational companies with a stable political environment and a disciplined, cheap labour force. Failing to attract foreign investments, in its turn, drives governments into a situation in which the major preoccupation for both governments and the people is to meet the economic demands rather than promote participation.[5]

1-2: Islam and Man

The question of man is perhaps the most important of all questions for any belief and ideology. As the liberal-democracy of the West cannot be properly comprehended without approaching the humanism of western civilization, the political

concepts of Islam, too, cannot be completely understood without approaching man and his position in this religion.

Every religion whether it be Islam, Judaism, Christianity or even Hinduism and Buddhism, fundamentally speaks about Realities, what they are and how they should be. There are two facts discussed in a religion: the Absolute and the Relative. Every religion, therefore, has, first of all, a doctrine which distinguishes between the Absolute and the Relative and clarifies what is absolutely Real and what is relatively Real, what exists and what should exist, and which values are True and which are False. Next to the doctrine, there is a method or system that every religion introduces in order to meet its objectives. By method, a religion illuminates the way of life of its adherents.

Islam, as a religion, has its own doctrine and method. The doctrine of Islam, concisely, is that 'God is the Absolute and man the Relative.' This kind of relationship between man and God, of course, can be found in almost every monotheistic religion, but, as far as the Islamic revelation is concerned, there is neither the descent or incarnation or manifestation of the Absolute, nor the fallen, guilty and sinful nature of man. By contrast, it considers God as He is in Himself not as He is incarnated in history. He is Absolute and not the descendant of Absolute. Accordingly,

> it is for man to come to realize this truth, to know that only God is God, that is only He is the Absolute, and that man is a relative being who stands before Him given the free choice of either accepting or rejecting His Will.[6]

The question of sovereign and sovereignty in Islamic belief, thus, becomes clear and self-evident. As the essence of sovereignty is the power to command, this supreme power, in Islamic political theory, always belongs to God Himself and to His revealed messages. There are so many verses in the Qur'an in which sovereignty and mastership are defined as belonging unquestionably to God alone. The followings are

some examples:

> - Verily, the only sovereign is God, He declares the truth and He is Best of judges (6:57).
> - And God is your Master, and He is Full of Knowledge and Wisdom (66:2).
> - God, there is no God but He; the Living, the Eternal; ...; To Him belongs, whatsoever is in the Heavens and whatsoever is in the Earth (2:257).
> - The Command is with God, Most High, Most Great (40:12).
> - For Him is the Judgement, and to Him shall you [all] be brought back (28:70).
> - And blessed is He to Whom belongs the kingdom of the heavens and the earth (43:85).
> - He does not share His Command with any person whatsoever (18:26).[7]

Moreover, the Excellent Names of God, frequently repeated in the Qur'an, also bear reference to His Divine Sovereignty. The names include:

> Lord of the worlds,
> Lord of the Throne (of Glory) Supreme,
> Lord of Power and Rule
> Ruler of rulers, or Greatest of rulers,
> The Sovereign,
> The King (i.e. Ruler and Legislator) of mankind.

God's sovereignty extends to whatever is in the world, including law. In general, there are two kinds of divine law, working in two different directions. The first one is the law of nature, those commands and injunctions that God has imposed on nature. These operate fatalistically and without the determination of the subjects concerned, such as, for example, the gravity of the earth. According to the Qur'an, the scope of these unchangeable commands of God includes not only the natural life of human beings, but some metaphysical aspects of men and societies too. When the Qur'an explains the history of ancient nations, it determines what happened to them

as the result of divine unchangeable standards.

> Do they [disobedient people] then look for anything but God's way of dealing with the peoples of old? but you will never find any change in the way of God; nor will you ever find any alteration in the law of God. Have they not travelled in the earth and seen how evil was the end of those who were before them? And they were stronger than they in power. And God is not such that anything in the heavens or the earth should frustrate His plans,... (35:44,45).

The second kind of law, *shari'ah* or Islamic law, constitutes a body of guidelines and commands that God has revealed for the individual and social life of men, by virtue of accepting which a person becomes a Muslim. *shari'ah* is Divine Law, 'in the sense that it is the concrete embodiment of the Divine Will according to which man should live in both his private and social life.'[8] The implementation of *shari'ah*, however, is not a matter of Divine Will, but of human will. It is man who should freely choose *shari'ah* and follow its guidelines. Consequently, to return to the question of sovereignty, while the sovereignty of God in nature and the natural life of men is already exercised automatically, in the social and political life of human beings the realisation of this sovereignty depends on the implementation of God's precepts, or Islamic law.

Situating God in the position of the Absolute and the Sovereign, what kind of a phenomenon does Islam see in man? Does it see him as a powerless creature whose ultimate aim and ideal is to stand helpless before God? Or, on the contrary, does the man of Islam possess any kind of identity and nobility?

In general, the Qur'an illustrates man as naturally a glorious, exalted and transcendant creature of God.

> We have honoured the Children of Adam and carried them on land and sea, and provided them with good things, and preferred them greatly

over many of those We have created (17:70).

Man is the one to whom angels (symbolizing all the forces of the universe, as Baqirshahi portrays them[9]) should make obeisance:

> And certainly We created you, then We fashioned you, then We said to the angels: Make obeisance to Adam. So they made obeisance except Iblis [Satan], he was not of those who made obeisance (7:11).

Man is looked upon as having a divine nature and as a holder of God's spirit and light: "I have made him [man] and have breathed into him my spirit (15:29)."

What was man created for? This may be understood from the story of Adam -the symbol of man- which is stated in symbolical language in the Qur'an. First, God addresses the angels, saying, "I will create a vicegerent on earth (2:27)." God, Who is the greatest and most exalted of all entities, the creator of Adam and the master of the cosmos, presents man to the angles as His vicegerent. The first excellence that man possesses is, then, being God's representative on earth. The angels cry out saying, "Will You place therein one who will do corruption there, and shed blood...?" But God replies, "Assuredly I know something that you know not (2:27)."

A remarkable aspect concerning the creation of man is the extensive free will that God has apparently bestowed on man to choose his path. There are two divine qualities, among others, which have been granted to man: an intelligence that can distinguish between the true and the false, and a will to choose freely between them. "Surely We have shown him the way; he may be thankful or unthankful (76:4)."

The story of Adam and Eve serves as the first case in human history which shows that man has the capacity of using the right of choice and that he has exercised it from the very dawn of his existence. Adam and Eve committed something that no

other creature is able to do: disobeying God and acting counter to their own instinctual nature.[10] In speaking of man's fateful rebellion in paradise, the Qur'an presents him as a will independent from that of his creator. 'Thus freeing him from the ties of Divine predestination.'[11]

Man has continued to use this right of choice ever since he has been on earth. In verse 22:18 God confirms that all the creatures bow down to Him except human beings, some of whom are worshippers while others become unbelievers, and some obey while others do not. All of which, as El-Awa says, 'boils down to the matter of choice.'[12] Although each being in the Universe is what it is and situated on a particular level of existence, only man can stop being man. It is only man who can rebel against the way in which he is created, who can defy even his spiritual or bodily need: against the dictates of goodness and virtue. He can act either in accordance with his intelligence or in opposition to it. He is free to be good or to be evil. He has been given the possibility of being God-like or of denying God as such. It is by means of his will that man attains superiority over all other creatures in the world. He can ascend above all degrees of universal existence and by the same token fall below the level of the basest of creatures.

It should be taken into account, however, that although the nature of man is pure and glorious, it has also weaknesses and shortcomings of different kinds. Thus, man is aimed, in an Islamic perspective, to proceed toward the Absolute and try to attain ideal perfection which has dimensions in both this world as well as the next. In this world, the aim of man, as was already said, is to be God's viceroy or representative on earth and to secure His sovereignty through the implementation of the Islamic law. But for the next world, man should try, by obeying God and His commands, to obtain such capabilities that enable him to meet God, join Him and rest beside Him.

O man! Surely you must strive [to attain] to your Lord, a hard striving
until you meet Him (84:6).

What is the way in which man can proceed to God? As many Muslim scholars
have understood from the Islamic directions for life and worship, the way of God
passes through people. No kind of monasticism, isolationism and single worship in the
mosques' corners is condoned in the Islamic sources. On the contrary, not only are
communal worship and prayers strongly recommended both by the Qur'an and the
Sunnah (Tradition) of the Prophet, but also some kinds of worship are basically
designed in such a manner to be performed only in a collective way, such as Friday
Prayer and the Hajj pilgrimage. The word *Salat* used for prayer in the Qur'an and
Islamic literature, as Watt has correctly said, basically 'means public worship rather
than what the word 'prayer' usually connotes in English.'[13]

Still further, there are a huge number of moral recommendations and guidelines
in respect to the relationship with relatives, neighbours and other people in the
community, which sometimes are so strong that look like obligatory commands. On
the top of these recommendations is a renowned utterance narrated from the Prophet
who once said: "One who starts a day without making any effort for Muslim affairs,
is not a Muslim."[14]

To conclude, it can be seen that man as presented in Islamic sources is a noble
creature of God who is His representative on earth and responsible towards society.
Man has a God-like nature and is required to move towards a divine perfection by his
own will. Intelligence, independent will and the right of choice are divine qualities
that God has granted to man. Therefore, man, as a social reality, makes his this-
worldly and other-worldly fortune by his own determination and through his single
and collective endeavour in the community.

1-3: Islam and politics

One of the major differences between Islam and other religions is the political arrangements which Islam initiated shortly after its appearance. Muhammad, the Prophet of Islam, was in the position of both prophet and the political leader of the community.

> During his lifetime, the Muslims became a political as well as a
> religious community, with the Prophet as sovereign -governing a place
> and a people, dispensing justice, collecting taxes, commanding armies,
> conducting diplomacy and waging war.[15]

Was establishing the state a prophetic duty of Muhammad or was it an opportunity of which he just took advantage? In other words, is Islam in itself a political religion or is politics something added to it? Is the social man of Islam a political being too?

A number of reasons, of which I am going to mention three, have led the majority of Muslim thinkers to the point where the integrity of Islam and politics is beyond doubt.[16] The first reason is the aim of prophecy as described in the Qur'an. Two major tasks have been assigned by God for His messengers. They are sent, firstly, to invite and guide people to the right path of goodness, which in the Islamic view is possible through knowing God and trying to get closer to Him by obeying His commands.

> O Prophet, We have sent you as a witness, and a bearer of glad tidings
> and a warner, and as a summoner unto God by His command, and as
> a light-giving sun (33:45-46).

The second task of prophets is to establish justice and fairness in human society. As is laid down in the Qur'an:

> We have sent Our Messengers with manifest Signs and have sent down

with them the Book and the Balance [of Right and Wrong], that people
may act with justice (57:26).[17]

The prophetic mission, therefore, has both spiritual and practical faces.
Invitation to God and explaining His words and directives constitutes the spiritual duty
of prophets. At the same time, trying to implement those directives in the area of
society and undertaking public administration, in order to establish justice and equity,
is their practical duty. This is also evident in the histories of prophets as narrated in
the Qur'an. They attempted, whenever the opportunity presented itself, to be leaders
of their nation and it was a part of their prophetic mission.

And We made righteous men of every one [of prophets]. And We
made them leaders, guiding [men] by Our Command,... (21:72-73).

The second reason indicating the integrity of Islam and politics is the nature
of the Islamic law (shari'ah). Having in mind that Islam has offered a system of law
for many aspects of the individual and social life, it would be logical to conclude that
law, however complete and ideal it might be, is not able to manage a society alone.
A legislative power necessarily needs an executive power to implement what it
dictates.

Surveying the Islamic principles as well as the commands, instructions and
rules, one is readily convinced that the nature of these directions is in a communal
form and suitable for a social life. As Enayat writes at the beginning of his book
(Modern Islamic Political Thought), if the essence of politics is the art of living and
working with others, then four of the five 'pillars' of Islam -prayer, fasting, alms-
giving and pilgrimage- (the excluded fifth being testimony to the unity of God and
messengership of Muhammad) are perfectly suited to promoting esprit de corps and
group solidarity among its followers. Jihad or holy war, which is considered by some
Muslims to be the sixth, has even greater potential for producing the same effect.[18]

Moreover, the accomplishment of a number of the 'collective duties' of Muslims, of which the most important are 'enjoining the good and forbidding the evil' and the defence of the Muslim territory, are possible only in a state which is, if not totally committed to Islam, then at least sympathetic to its goals. History witnesses that Muslims have never been content with the mere exposition of their ideals, but constantly seek the means to implement them.

The next reason that leads to the integrity of Islam and politics is the way in which the Prophet of Islam behaved. *Sunnah*, or the practices and traditions of the Prophet, constitutes the most important source, after the Qur'an, of the Islamic knowledge. The Qur'an challenges believers to follow the example of the Prophet Muhammad, whom it describes as the 'noble paradigm' (*uswah hasanah*).[19] Since Muhammad's principal achievement was to lay the foundation of a state based on Islamic teachings, Muslims have a duty to follow his example in this respect as well.

As the nature of the Islamic commands necessitates being established and installed by and within a state or government, power, then, is an essential means towards this end. This can explain the establishment of a political state by Muhammad in the tribal society of the Arabian Peninsula of the sixth century. It will be helpful, therefore, to briefly explore the political life of Muhammad at this juncture.

The period between the beginning of Muhammad's Prophecy and his death in 632, usually called the prophetic era, is divided into two periods. The first one, the Mecca period, lasted for about thirteen years when the Prophet was under the intense pressure of unbelievers in Mecca. During this period neither the Qur'anic nor prophetic directives dealt with any legislation which required implementation except when it specifically related to matters of belief or practical worship. In this period the foundation of Islamic belief, especially its monotheism, was stated and the Prophet's main concern was to invite people to his religion.

The second period of the prophetic era, the Medina period, is when the Prophet and his companions emigrated to the city of Medina and established their state. In this period those precepts of Islam which were stated only in summary in the first period, were spelled out in detail. Furthermore, most of the implementing legislations, both general and particular, needed to conduct the affairs of the new state, were revealed in this period. As Gibb says, what happened at Medina was that 'the Muslim society had moved from theory to application.'[20] And according to Bernard Lewis,

> In Mecca Muhammad is portrayed as a private citizen, in Medina as the chief magistrate of a community. In Mecca he had to limit to more or less passive opposition to the existing order; in Medina he governed. In Mecca he had preached Islam; In Medina he was able to practise. This change is reflected both in the narrative biography, which becomes less mythical, more historical in character, and in the Qur'an, which moves from theology to legislation.[21]

The state which was established in Medina by Muhammad was an unprecedented one in the history of Arab tribalism. Muhammad's first very important accomplishment was to produce a basic document which was later called "Constitution of Medina" by some writers.[22] This document, conceived by Muhammad and the leading men of the city was aimed at establishing a new order between the emigrants from Mecca and the eight main tribes or clans of Medina.[23]

Afterwards, Muhammad organised a political and administrative system led by himself. Bernard Lewis says that Muhammad, by realizing that the religious doctrines which were his real purpose needed the support of a political body, established a community and a well organized and armed state, the power and prestige of which made it a dominant factor in Arabia.[24]

His administrative system was quite simple but comprehensive. He appointed different people for different jobs such as writing and recording treaties and agreements, collecting, accounting and preserving taxes, supervising markets and

bazaars, recording the booty of wars, writing the Qur'anic verses as they were revealed to him, and so on. The Prophet himself exercised supreme authority in judicial matters. He was also the commander of forces and conducted more than seventy major or minor wars during his ten years in power. He either commanded the army himself or appointed a commander among his companions and remained in Medina.

For the conquered territories a governor was appointed. In many cases the Prophet signed treaties with the tribes inhabited in the conquered lands including Jews and Christians. The context of these agreements varied according to situations and strength or weakness of Muslims. Furthermore, the Prophet sent a series of letters to the heads of neighbouring countries such as the Chosroe of Persia, the Emperor of Byzantium, the King of Egypt, the kings of Yemen, the King of Abyssinia, and many other kings and sheiks of tribes. Several writers and historians have noted these letters as a part of the foreign policy of Muhammad.[25]

By the time of his death in 632, as Lapidus says, 'Muhammad had provided his followers with the design for a political community based on religious affiliation and a concept of a way of life grounded in the vision of the oneness of God.'[26] It is important to notice finally that Muhammad managed all the social and political affairs of the community not mythically or through a divine power, but in an ordinary manner within the capabilities of an ordinary man. This is a remarkable point since it portrays the Prophet of Islam as an example that each and every Muslim is able to follow and, thus, has to follow.

1-4: *Shura* (Consultation)

Shura or mutual consultation is the major concept in Islamic political thought used by virtually all Muslim thinkers to show the democratic relevance of Islam and

guarantee, to some extent, the participation of people in the process of decision making in an Islamic state. It is certainly a necessity for this thesis, at its beginning, to study the roots and bases of this concept in the Qur'an and the Tradition.

There are only two verses of the Qur'an in which *shura* is specifically mentioned. Although small in number, they are clear and strong in language and position. In one, *shura* is considered as mandatory, and in the other, those who practice it are praised. The first verse says:

> It is by the mercy of God that you [Muhammad] were lenient with them, for if you had been rough and hard-hearted they would have dispersed from around you. So pardon them and ask forgiveness for them **and consult with them on the matter** (3:159, emphasis is added).

This verse was revealed after the failure of the Muslims against unbelievers in the battle of *Uhud*. When the news of an imminent attack of unbelievers came to the Muslims, the Prophet suggested staying in Medina and defending the city from the inside. But he finally accepted to engage in war outside the city upon the advice of his companions. The result of the battle and the events during it proved that the Prophet's own strategy would have been more successful and less costly. Nevertheless, the above verse was revealed in which God ordered the Prophet to ask forgiveness for his companions and to consult with them on every matter in which consultation was needed. Being revealed in such an occasion, it has led Muslim scholars to believe in the importance of *shura* as

> one of the basic principles of the Islamic political system and one of its highest values which the Muslim *Ummah* [community] should always and under all circumstances adhere to.[27]

The second verse says:

That which is with God is better and more lasting for those who believe ...and those who answer the call of their Lord and establish prayer **and who conduct their affairs by counsel,** and who spend of what We have bestowed upon them (42:38, emphasis is added).

This is a Meccan verse revealed in a time when Muslims were still a minority under the pressure of Meccan idolaters. Thus, the description of the believers as those 'who conduct their affairs by counsel' can denote that *shura* is obligatory, whether Muslims are only a group without an established state, or form a fully established state as was the case of the Muslims in Medina.

What is the scope of *shura* and which matters have to be the subject of consultation? As is understood from the Qur'anic verses mentioned above, there is no specific limitation on it. Consultation is described in the Qur'an in general terms, which might cover a wide variety of circumstances. It is quite obvious, however, that consultation cannot be applied to decisions made on the fundamental principles of faith, or those matters on which a *clear injunction exists in the Qur'an or Tradition.* Matters falling in this category are necessarily outside the scope of *shura*, except when its purpose is only to interpret or clarify an injunction or to enforce it. By the same token, the results of consultation cannot be in contradiction to a legislative injunction in the Qur'an or Tradition. No consultation can change a direct command of God nor substitute it with something else. Putting the fundamental guidelines and direct commands aside, there is virtually a consensus among the scholars that all public and administrative affairs and day-to-day matters of a Muslim community, in the form of a state or not, are the subjects of consultation.

Next to the Qur'an, *shura* is based on the Tradition of the Prophet. Muhammad is said during his lifetime, both as a prophet and a statesman, to have complied with this principle of consultation, although he was basically not in need of it -as a prophet,

his words and commands would have been readily obeyed by the believers, whether he consulted them or not. According to the existing historical sources, matters of social concern, especially the important issues of war and defence, were discussed between the Prophet and his companions and each expressed his views. Obviously, where there was a revelation and a divine injunction, consultation was out of the question. But in other cases the companions reserved their right to give their opinions. When Muhammad ordered something without consultation, the companions asked him whether it was a divine order or not, and if Muhammad responded that it had been his own decision, the companions expressed their disagreement or opposition.

The following are some of the best known examples, as narrated by historical sources, in respect to the consultation made by the Prophet during battles.

1-4-1: The Battle of *Badr*

The battle of *Badr* was the first serious war between Muslims and the unbelievers of Mecca. It happened about two years after Muhammad founded his state in Medina. Before the battle started, Muhammad asked the people of Medina for their views. When they confirmed their readiness to accompany him and fight by his side, he asked them to make another *Bay'ah* (oath or pledge of fealty). This referred to the second *Bay'ah* of Medinan people in which they invited Muhammad to their city and pledged to defend him against any attack inside their territory. But now Muhammad was asking them to help him in an offensive war against Meccans. So he invited them to repeat their loyalty, if they wish to do so, according to the new conditions.[28]

When they all agreed to go for the battle, Muhammad chose a place to settle the Muslims' army. One of his companions, Hobab Ibn Monzer, came up to him and said: "Is this a place which God has ordered you to occupy, so that we can neither advance nor retreat, or is it a matter of opinion and strategy of war?" Muhammad replied that it was only his own idea. Hobab then suggested that they move forward because of tactical reasons. When the Prophet found Hobab's reasons logical and

sensible, he moved the army according to his proposal.[29]

After the battle, which ended with the victory of Muslims, the question of the prisoners was dealt with through consultation. Abu Bakr and the majority of companions were in favour of pardoning them, while Umar and some others were for their execution. The Prophet then acted according to the view of the majority.

1-4-2: The Battle of *Uhud*

The most important and remarkable historical event which is used to prove the importance of consultation in the eyes of Muhammad is what happened in the battle of *Uhud*. As previously mentioned, one of the Qur'anic verses concerning consultation was revealed after this battle. One year after the battle of *Badr*, Meccans organised a strong invasion of Medina in response to their failure in *Badr*. Muhammad asked the companions' opinion regarding remaining in Medina and defence or going out of the city and fighting. Muhammad himself, plus a minority of companions, were in favour of the first option but the majority, mostly younger believers, said that remaining in the city was a disgrace for them and they preferred to fight outside of Medina. Muhammad, finally, accepted the idea of the majority, against his will. The consequence of the battle, however, proved that his opinion had been correct. Martin Lings explains the situation as follows:

> His first thought was not to go out from the city, but to stand a siege within its walls. He none the less wished to have his opinion confirmed by others, for it was by no means a conviction, so he held a consultation as to whether they should march out or not.

After quoting from some companions who spoke for and against remaining in the city, he continues:

> It was now clear, not only from the words that were spoken but from the general approval with which they were received, that the majority

were against remaining behind the city walls, and the Prophet decided to attack.[30]

1-4-3: The Battle of *Khandaq* (Trench)

Two years after the battle of *Uhud*, unbelievers of Mecca managed to amass their biggest army consisting of themselves and their immediate confederates, pagans and Jews, to invade Medina. In this battle, called *Khandaq* or Trench, Muhammad consulted the companions on the ways and means available to defend the city. They discussed the problem and all agreed on the proposal of Salman al-Farisi to dig a trench across the open part of the north site of the city -the other sides were protected by lava flows. This idea, ultimately, led the Muslims to victory and caused the Meccans to withdraw after a siege of about a fortnight. Salman al-Farisi was the only Persian convert among the companions who had seen this tactic used by Persian. Lings has described the event as follows:

> Then, as he [the Prophet] had done at *Uhud*, he summoned them to a consultation at which many opinions were expressed as to what would be the best plan of action; but finally *Salman* rose to his feet and said: 'O Messenger of God, in Persia when we feared an attack of horse, we would surround ourselves with a trench, so let us dig a trench about us now.' Everyone agreed to this plan with enthusiasm, the more so as they were averse to repeating the strategy of *Uhud*.[31]

During the siege, Muhammad made a secret agreement with the tribe of *Ghatafan* to separate them from the unbelievers' alliance. On the basis of the agreement, the Prophet offered them one third of the date harvest of Medina if they would withdraw from the battlefield. Before signing the agreement, Muhammad discussed the matter with his companions. According to J. Glubb:

> As has already been explained, the Muslims differentiated sharply between the revelations sent down to the Prophet, which they believed to be the exact words of God, and Muhammad's own human ideas,

which were far from infallible. 'Is this an order from God, which we are bound to obey,' they enquired, 'or is it just an idea of yours, to which you want our consent?' 'It is something which I am doing for your sake,' replied Muhammad. 'I am distressed to see the Arabs all collected around you, and I wish to save you by causing them to disperse.'

'When we and all these people were idolaters,' replied *Saad ibn Muadh*, 'they never could wrest a single date from us by force. Are we to hand over our property to them now, when God has guided us to Islam? We most certainly will not!' 'Have it as you will,' said the Apostle mildly, and the siege continued. This is one of several occasions on which we see the Apostle himself leaning to compromise, but obliged to fight it out by the intransigence of his followers.[32]

1-5: *Ijma'* (Consensus)

Ijma' is one of the recognized, though secondary, sources of the law, after the Qur'an and the Tradition, for both Sunni and Shiite Islam. It is principally based on a tradition of the Prophet to the effect that "my people will never agree on error". This has been used to give a degree of authority and legitimacy to any matter on which consensus has been reached.

In spite of different interpretations of the above saying of the Prophet, one point is always implied: the infallibility of the consensus.

All that is approved by the sense of the community of believers is correct and can lay claim to obligatory acknowledgement, and is correct only in the form that the sense of the community, the consensus, has given it.[33]

There has been considerable dissension over the proper identification of those qualified to participate in the consensus. For some jurists, only the *ulama*, the men of learning, were so qualified; for others it had to be, based on precedent of the early Islam, the entire Muslim community; for some, the first generation of Muslims only,

or, in fact, the companions of the Prophet; for some the recognized medieval jurists; and for some it is the recognized scholars of a particular period. The most workable and justifiable formula, however, evolved as a result of practicality and pragmatism. *Ijma'* was defined as the doctrines and opinions of those influential figures of the community who possess the power 'to bind and to loose', *ahl al-hall wa-l-'aqd*, or, in short, the consensus of the elite. In modern language this body is usually introduced as the representatives of people which form a parliament or consultative assemblies.

Shiite Islam, however, has used the term *ijma'* in a radically different sense from the one understood by this word among Sunnis. *Ijma'*, for Shiites, is not the living practice of the community based on a collective memory of the practice of the Prophet and Imams. It is, rather, a consensus about what these holy figures have said, and its meaning. At most, it means the consensus of opinion of the *ulama* of a particular time, but must include -or reflect- the opinion of the Prophet or one of the twelve Imams. *Ijma'* is authorised 'because it certainly covers the Divine legal opinion (Divine Will) which is always correct.'[34] In practice however, Shiite scholars, like their Sunni counterparts, have reached the point where consensus is the function of *ahl al-hall wal-'aqd* as the representatives of people.[35]/

1-6: Typology

Modern Islamic resurgence has been referred to by a number of different names: Islamic fundamentalism, revivalism, modernism, reformism, radicalism, extremism, neo-revivalism and so on. All of which, however, still remain without precise definition. The phrase 'Islamic fundamentalism', coined by the West for this phenomenon, has been extremely misleading to both the Western as well as the Islamic world by creating considerable misconceptions. Islamic fundamentalism, in fact, is a flawed term. The Western world has adopted a concept which derives from

Christian, not Muslim, ideas. The term 'Fundamentalism' is developed in Protestant Christianity in order to describe the belief of some Evangelicals in the Bible. It implies an adoption of the *literal* truth of the Old and New Testament, as against an interpretive or metaphoric reading. Christian fundamentalism often has been regarded popularly as referring to those who wish to return to and replicate the past. But, in fact, few Moslem individuals or organisations fit such a stereotype.

The phrases "Islamic fundamentalism", "Islamic modernism" and "Islamic radicalism" are used in this study for referring to three main streams of Islamic political thinking of this century. It is, thus, necessary to define them in advance.

1-6-1: Islamic Modernism

Islamic modernism emerged during the late nineteenth century as a response to the challenges of the West. It searched to delineate an alternative to Western and secular adaptationism on the one hand and religiously motivated rejectionism on the other. A group of reform-minded Muslims sought to respond to, rather than react against, the challenge of Western imperialism. They proclaimed the need for Islamic reform. They blamed the internal decline of Muslim societies, their loss of power and backwardness, and their inability to respond effectively to European colonialism on a blind and unquestioned clinging to the past (*taqlid*). Islamic reformers stressed the dynamism, flexibility, and adaptability that had characterized the early development of Islam, notable for its achievements in law, education, and the sciences. They pressed for internal reform through a process of reinterpretation (*ijtihad*) and selective adaptation (Islamization) of Western ideas and technology. From this perspective, Islamic modernism was a process of internal self-criticism, a struggle to redefine Islam to demonstrate its relevance to the new situations that Muslims found themselves in as their societies modernized. It tried to free the Muslim mind both from centuries of tradition and from the intellectual and spiritual domination of the West. Islamic modernists were pioneers who did not simply seek to purify their religion by a return

to an Islam that merely reappropriated past solutions. Instead, they wished to chart its future direction through a reinterpretation of Islam in light of modern realities. Islamic modernism influenced attitudes toward Islam regarding both its past significance and its modern relevance.

1-6-2: Islamic Fundamentalism

Islamic fundamentalism is a very controversial term. Western media have used it in a misleading manner to point to each and every Islamic group or individual engaged in political activism. Different writers, however, have presented dissimilar definitions for it. Youssef Choueiri believes that it includes Islamic movements from the eighteenth century onwards.[36] In contrast, Anthony Hyman maintains that it has started only after the second World War.[37] Esposito in his two books *Islam, the Straight Path* and *Islamic Threat, Myth or Reality?* presents various categories and branches of Islamic fundamentalism. However in the latter he express his preference for the use of Islamic revivalism or Islamic activism instead of Islamic fundamentalism since fundamentalism is a very misleading word.[38] In this work 'Islamic fundamentalism' is utilised to identify only the movements which appeared in the second half of this century. Although capable of creating misunderstandings, I have used this term because of its common usage particularly in the Western literature.

Islamic fundamentalism is influenced by both the ideas of Islamic modernists and a combination of circumstances arising from the collapse of the Caliphate system and the secularisation of Turkey, the setbacks to secular-liberal ideologies in Egypt, the aggressiveness of some Western powers, and last but not least, the consequences of the Palestine crisis. Like Islamic modernism, it acknowledges the internal weakness of the community, the external threat of Western imperialism, and the value of science and technology. However, they are more sweeping in their condemnation of the West and assertion of the total self-sufficiency of Islam. Islamic fundamentalism combined religion with social activism. It established activist organizations of which the Muslim

Brotherhood in Egypt and the Jama'at-i Islami in the Indian sub-continent are known best.

1-6-3: Islamic Radicalism

Radicalism is used in this study in a sense different from extremism. I distinguish between radicalism in theory and radicalism in practice. It is not merely the doctrinal convictions, I believe, but, more importantly, political suppression, social corruptions and deprivations, biased policies of certain Western countries, and to some extent, the media coverage of the Muslim world in the West, that have driven many Islamic organizations and movements to the radical camp. This can be perceived by the examination of many present extremist Muslim organizations. Though they have opted for militant activities, their doctrinal beliefs include many modern and progressive attitudes which in effect are not associated with violence at all. Radicals in this thesis, therefore, are those who advocate a rejectionist revolutionary theory which does not necessarily insist on a combative strategy in practice.

1-7: Political Theory and Practice

In studying the political theories of twentieth century's Muslim thinkers one point should be taken into consideration and that is the link between the political theory on one hand and political and social activism on the other. Most of the contemporary Muslim thinkers have been extremely involved in the political processes which have left inevitable influences on their political doctrines. They have been engaged in either overthrowing the existing regimes or participating in democratic processes. Both cases have been also accompanied by social activities such as running educational and social programs, youth camps and centres, legal aid societies and hospitals; participating in government and student campus elections; and have even been serving in the cabinets of pakistan, the sudan, Lebanon and Malaysia.

One should bear in mind that appreciating the political ideas of the thinkers who are going to be studied in this research is not complete without understanding the social and political contexts in which they have presented their ideas. For this reason I have included a brief review of the political life of each thinker to the study of their political ideas.

CHAPTER TWO

The Classical Theory of the Caliphate

Introduction:

The most distinguished political theory of Sunni Islam is that of Caliphate, emerged after Muhammad's death in 632 and continued, in one form or another, from that time on until the termination of Ottoman Caliphate in 1924. For about fourteen hundred years, Caliphate, as the hallmark of the governmental organization in the Islamic state, was essentially the symbol of the supremacy of the *shari'ah* or divine law, and the Caliph was, in a sense, the representative of God upon His earth. It was that form of government which supposedly safeguarded the ordinances of the *shari'ah* and sees that they were put into practice.

This chapter will study the Caliphate theory as set forth in the works of classical Sunni scholars. To this end, it will firstly attempt an historic review of the situation from which the Caliphate institution emerged. It follows by a review of the classical approaches to the Caliph's position within the Islamic political system, the ways in which the Caliph could be appointed and the necessary qualifications for him to possess. Finally, the chapter will conclude by considering major developments in the theory during its first centuries.

Caliphate, of course, is approached differently among Muslims as from one thinker to another. It, moreover, has not been static but evolved in reaction to historical changes. In this study, however, my intention is not to go through a detailed historic survey but to present a general outlook -based on an overall views of orthodox and medieval Sunni writers- which can provide a proper background for the next chapters. Nevertheless, I have considered the views of al-Mawardi (972-1058) and Ibn Khaldun (1332-1406), more than others, because of their prominent standing in this subject. Mawardi was a great jurist of his day. His well known *Al-Ahkam al-*

Sultaniyyah (Principles of Government) 'is accepted by Sunnis as the classical exposition of ideal government.'[1] Hamilton Gibb considers him as belonging to one school only of Sunni Islam, *al-Ash'ari*, but he admits:

> in all discussions on the Caliphate, it seems to be generally assumed
> that al-Mawardi codified, as it were, the orthodox Sunni doctrine on the
> subject, and laid down once and for all the authoritative Sunni theory
> of the Caliphate.[2]

Ibn Khaldun is also a distinguished figure who, as Sir Thomas Arnold describes him,

> [i]n any study of the theoretic exposition of the doctrine of the
> Caliphate mention must be made of Ibn Khaldun, one of the greatest
> thinkers that the Mohammadan world has produced. ...As the first one
> who worked in the field of sociology, he introduced an attractive theory
> of the origin and development of human society and culture.[3]

Certainly, the views of both Mawardi and Ibn Khaldun have to be seen in an historical context and cannot count as the only valid manifestations of the Caliphate theory. Nevertheless, I think they can, to some extent, represent the main streams of thoughts in this regard.

2-1: Basis of the Theory

The Sunni approach to any aspect of Islam, including politics, is generally based on realism, on what actually happened in the history of early Islam. The real Islam, for Sunnis, was that practised during the era of the Prophet as well as the first four Caliphs. This era constitutes an exemplary pattern for them to follow. Therefore, the main efforts of the Sunni jurists have, necessarily, been directed towards justifying the historical situation. In contrast to Shiite idealism, this special nature of Sunni realism has displayed much greater flexibility in adapting political ideas with political

realities.

Caliphate doctrine is primarily based on the principle of *ijma'* (consensus) or, more precisely, on the consensus of the companions. Sunni scholars have found a few verses in the Qur'an along with the sayings of the Prophet to support their theory. So the essential part of the theory is fundamentally built according to the practices of Muhammad's companions after his death. During the past centuries, as Gibb says:

> Sunni jurists were inevitably forced into arguments in defence or condonation of the actual historical process. They obviously could not admit any principle which might lead to the conclusion that the *Jama'a*, the community in being, had fallen into sin, with the corollary that all its religious and judicial activities were void.[4]

The fully developed political theory of the Sunni jurists was thus -in contrast to the theories of the Shiites- not speculatively derived from the sources of revelation, but rather based upon an interpretation of these sources in the light of later political developments, and reinforced by the dogma of the divine guidance of the community and the infallibility of its *ijma'*.

The Caliphate, in itself, emerged from the consensus of the companions who discussed it, in a place called *Saqifah*, after the death of Muhammad. It is said that they even delayed the burial of the Prophet whilst they were engaged in appointing his successor. While Shiite Muslims criticise certain companions for what they consider as an insult to the Prophet, Sunni scholars justify it by mentioning the dangers which threatened the political and religious unity of Muslims at the time.[5]

The core of the Caliphate theory is the belief that the Prophet did not appoint - or even recommend- anyone to succeed him and to conduct the affairs of the Islamic state after his death. Nor did he prescribe any course or procedure to be followed for the selection of his successor. Why did Muhammad, as S. T. Arnold has said, 'with his genius for organisation, neglect to make such provision for the future of the new

religious community he had founded?' Arnold, after considering the possibility of Muhammad's illness in his last days, suggests:

> it is more probable that he was a child of his age and fully realized the strength of Arab tribal feeling, which recognized no hereditary principle in its primitive forms of political life, left the members of the tribe entirely free to select their own leader.[6]

But it seems that Arnold has gone too far in emphasizing Arab tribalism. One of the greatest successes of Muhammad was, as many historians agree, his ability to change the foundation of Arab society from tribalism to one with an established central authority. This becomes more clear if the fact is taken into consideration that just two years later, the first Caliph, Abu Bakr, appointed his successor, Umar, and this was accepted without any serious objections. It goes without saying that the Prophet would be more readily obeyed than Abu Bakr.

On the other hand, whatever the true intention of the Prophet was, almost all Sunni scholars are agreed upon the fact that the Prophet by omitting to nominate a successor deliberately intended to leave the question of his successor open, allowing the Muslim community to decide who would be the most competent person to assume its leadership. He only illuminated, by the very manner on which he lived among the Muslims, the general principles for running the government and those by which a ruler must abide. Therefore Sunni scholars uphold the right of the Muslim community to choose the Prophet's successor in political leadership rather than a belief in the pre-emptive entitlement of a particular individual.

2-2: *Saqifah* Meeting

In a sense, the institution of the Caliphate was born on the day after the death of the Prophet, in 632, when the new head of the community, in the event the trusted

companion Abu Bakr, became *Khalifat Rasul Allah*, which means the Caliph or the successor of the Messenger of God.

The decision to appoint a new leader after the death of the Prophet was made in *Saqifah Bani Sa'idah*. It is indeed difficult to reconstruct the history of the first two hundred years of the Muslim polity on the basis of written sources which all date from after that time and reflect particular viewpoints. However, for one who is not interested in the historic details, these sources can provide a general picture of the situation. Immediately after Muhammad passed away, the leaders of *Ansar*, Medinan Muslims who invited Muhammad to their city and helped him to establish his state, gathered in this place. Their intention was to elect the successor from among themselves. When leaders of *Muhajirun*, Meccan Muslims who emigrated to Medina along with the Prophet, understood that such a meeting was in progress, they rushed there and entered into a discussion with them on the matter. In fact, the first political theory among Muslims evolved out of that discussion: "The ruler should belong to the tribe of Quraysh." Abu Bakr, a distinguished member of the community and a close companion of the Prophet who himself was from the Quraysh, made use of this idea

> as an argument against the *Ansar* so as to withhold the Caliphate from them when they had invested Sa'ad ibn Ubada, quoting against them the words of the Prophet, 'The Imams (rulers) are of Quraysh.' The *Ansar* then gave up their attempt to take over the Imamate (rulership) and even abandoned their proposal to share it, as when they had said, 'A ruler from among you, and a ruler from among us.' Thus they submitted to what he told them, [and] accepted its authenticity....[7]

After the discussion, which was unexpectedly animated and at times stormy, those *Muhajirun* in the meeting agreed on Abu Bakr, and the *Ansar* assented.[8] For Sunnis, the procedure of the *Saqifah* meeting in the election of Abu Bakr, which was followed by the election of his three immediate successors (who, together with Abu Bakr, are known as Rightly Guided or *Rashidun* Caliphs) was a 'consensus (*ijma'*) of

the companions'. Some Sunni thinkers are of the opinion that those who elected Abu Bakr cannot be considered as all of the companions but they were the most influential of them. In this case, the election of Abu Bakr was by the consensus of the elite, or those who are *ahl al-hall wa-l-'aqd*, (lit. 'the people who loose and bind').

Besides the principle of *ijma'* or consensus, another substantial point which created a strong political impression in the *Saqifah* meeting and then later in the history of the Caliphate, was *bay'ah* (the oath of allegiance). *Bay'ah was an old* tradition among Arabs of expressing their loyalty to somebody, as a chieftain or as their ally, by a clasping of hands. The Islamic state of Muhammad was itself established after the two historical *bay'ahs* of Medinan people.[9] In *Saqifah* too, when they decided upon Abu Bakr, they all pledged their *bay'ah* to him. The next day, they gathered in the Mosque of the Prophet and invited the people to pledge their *bay'ah* to Abu Bakr and the people did so. The same tradition was followed for the election of the next *Rashidun* Caliphs and continued, though only as a formality, in the Ummayad (662-750) and Abbasid (750-1258) dynasties.

Therefore, in the opinion of Sunni legists, the Caliphate was always an elective office. In their view, after the nomination of a Caliph (for which different methods of nomination are mentioned -discussed later) his investiture in office is subject to the *bay'ah* being pledged to him by the Muslim community. So, according to Sunni thinkers, the idea of election, through *bay'ah*, was always maintained as a principle in the Caliphate theory.

It is worth mentioning that the *bay'ah* in the early Islam was considered as an *'ahd*, or the covenant whereby the Caliph undertook, in the face of the Muslim community, to rule in accordance with the provisions of the *shari'ah* (Islamic law) and the community promised to obey him. So, many Sunni thinkers consider the Caliphate as a contract between the Muslim community and the Caliph, on the basis of mutual consent.

2-3: Caliph's Position

After being appointed, Abu Bakr was called *Khalifat Rasul Allah* (the successor of the Prophet of God) or briefly *Khalifa* (Caliph). At the outset, the title of Caliph merely implied successor to the prophet. Since, according to Islamic belief, Muhammad was the last of the prophets, of course the prophetic office ceased with him, and none of his successors could lay claim to speaking as the mouthpiece of divine revelation. But for the community that acknowledged him as their head, Muhammad had been ruler, judge, administrator, commander in the battles, and leader of public worship, and these functions were necessarily passed on to his successors.

The office of Caliph was indeed set up in order to replace the office of the Prophet in his temporal and non-prophetical functions such as in the defence of the faith, administrating society and so on. Arnold by comparing the position of the Caliph with that of the Pope in Christianity says:

> The Caliph has never at any time been held to be the depository of divine truth. He can promulgate no new religious dogma nor even issue a definition of one. He cannot forgive sins nor exercise any sacerdotal function, nor indeed is there any such thing as a priesthood in Islam. His relation to the Muslim religion is merely that of a protector; as protector of religion he wages war against unbelievers and punishes and suppresses heretics. As leading the prayers during public worship and as pronouncing the *Khutbah*,[10] he can indeed perform definite religious functions, but none of these functions can rightly be described as spiritual.[11]

The arbitrary power of the caliph was limited under the Islamic law. He, just as every other Muslim, was obliged to submit to the ordinances of the *shari'ah*, or the law of Islam. This limitation arose from the peculiar character of Muslim law as being primarily (in theory at least) derived from the inspired Word of God, and as laying down regulations for the conduct of every aspect of human life.

Regarding the nature and origin of the Caliph's position, two different

approaches among classical Sunni philosophers can be distinguished. The first approach put forward a rational basis for the necessity of a Caliph and urge that human beings must have a leader, because civilized life is only possible in an ordered society. The Caliphate, therefore, exists because reason dictates it in order to implement *shari'ah* and to accomplish Islamic ideals. Al-Jahiz (d. 868), for example, was of such an idea.[12] The other approach maintains that the Caliph exists by divine appointment; God has made him His vicegerent in order to guide men to the good and turn them away from evil. Thus, the Caliphate is based on revelation and it is a religious duty to establish and maintain one. Mawardi believes that the Caliphate is obligatory by revelation and not by reason. Ibn Khaldun, too, bases the necessity of a ruler or Caliph on the religious law given by divine revelation, adding to it, in accordance with the commonly accepted doctrine of the Sunni legists, the consensus of the companions of the Prophet and their followers. He considers the Caliph as being in the position of a prophet to guide people. Whereas ordinary kingship is a human institution, and the laws made by a king are based only upon reason and have reference only to the well-being of men on earth, the Caliph guides men in accordance with the dictates of the religious law.[13]

Nevertheless, both approaches share the opinion that when a Caliph has established his authority, there is an obligation for the whole Muslim community to obey him. The main verse in the Qur'an, which has been referred to by all writers in this subject, is that of 4:62 saying: "O you who believe, obey God, obey the Prophet, **and obey those among you who are in authority**" (emphasis is added). There are also sayings attributed to the Prophet as, for instance, he said:

> after me will come rulers; render them your obedience... if they are righteous and rule you well, they shall have their reward; but if they do evil and rule you ill, then punishment will fall upon them and you will be quit of it, for they are responsible for you, but you have not responsibility.[14]

Sunni scholars have different views regarding the extension of the obedience and the condition on which one may disobey a Caliph. Obedience to the Caliph, however, gradually evolved as absolute, unconditional and even sacred. Mawardi, by referring to the above mentioned phrase of the Qur'an, believes that God has 'explicitly enjoined us to obey those among us who are in authority, and they are the Imams (rulers) who hold sway over us.'[15]

2-4: Caliph's Appointment

By considering the realities which happened after the death of the prophet, Sunni scholars have recognised different methods for appointing a Caliph. The first and the most important one is *ijma'*, consensus of the companions or of the Muslim community. Consensus, as already explained, was the manner in which the first Caliph, Abu Bakr, was elected.

The second method is *istikhlaf* or nomination by the previous Caliph. The idea came from the appointment of Umar (the second Caliph) by Abu Bakr. According to this method, or rather precedent, a certain right has been recognized for the Caliph to nominate his successor, provided that he chooses a suitable and qualified person.

The third way is *shura* or consultation. The second Caliph authorized a six-member council to elect his successor from among themselves. This manner could also be considered as a kind of consensus among the companions. With regard to the appointment of the fourth Caliph, Ali, Sunni scholars again consider it as the consensus, but this time the consensus of all Muslims who asked him to accept Caliphate after a period of crisis and unrest which ended with the murder of the third Caliph, Uthman.

Consequently, with the designation of the first four caliphs, three different methods were explored, *ijma'*, *istikhlaf* and *shura*; all, however, were only to be put into effect if ratified by the community, or by its most influential members through

the *bay'ah*. These three aforementioned courses are accepted by all Sunni scholars. These scholars are also in agreement that the Caliph should receive the *bay'ah*, the general oath or pledge of fealty, by which Muslims express their view in choosing the head of state.

Mawardi maintains that the office of Caliph is elective and election cannot be dispensed with, even if there is only a single qualified candidate. For him nomination of a Caliph by *shura* (consultation) is a matter of consensus among *ahl al-hall wa-l-'aqd*, so he recognizes only two ways for conferring the Caliphate: 'one is by the choice of the electors and the other is by the nomination of the previous Imam.'[16] Moreover, he introduces a practical manner to elect and appoint a Caliph. He says:

> The obligation of the *Imamate* (leadership), which is thus confirmed, is a collective duty, like the Holy War and the pursuit of knowledge, so that when it is performed by those whose charge it is, the general obligation of the rest of the community lapses. If no one discharges it, then two groups of people must be distinguished from the rest: first, the electors, who choose an Imam for the community; and second, those eligible for the *Imamate*, one of whom must be made Imam.[17]

The electors, he continues, must be of good reputation and lead an upright life; of the male sex and of full age; they must have knowledge of the qualities required in a ruler, and necessary insight and judgement for making a wise choice. In fact, Mawardi tried to make the theory of election compatible with the actual reality; the reality in which nearly all Caliphs had nominated their successors. Since a gathering of all duly qualified Muslims in every part of the Muslim world to elect the Caliph was not possible, he cited, by referring to the election of the first Caliph, Abu Bakr, that those present at the time of the death of the former leader of the community are sufficient to represent the whole body of the Muslim world. Regarding the number of people who could in such a case be permitted to represent the opinion of the whole community, Mawardi states different numbers by quoting some historical facts or canonical instructions. He mentions: there were five people who nominated Abu Bakr;

Umar appointed six people to choose his successor; three people are sufficient for a contract of marriage to be drawn up, and other similar cases. He finally ends by claiming that an election even by a single voice may be considered valid. Thus, Mawardi arrives at the conclusion that each Caliph may appoint his own successor, and yet the elective character of the institution is nonetheless preserved.[18]

There is yet another method which is in fact the dominant one in the history of the post-*Rashidun* Caliphate. It may be called 'Caliphate by Compulsion', as again the manifestation of realistic attitudes among Sunni scholars. Political realities directed the flexibility of Sunni realism to acknowledge the necessity of strong government to repulse foreign aggressors, but this eventually reached a point at which tyranny was justified in the name of religion. Many medieval jurists and writers by exposing a concern for expediency accepted superior force as a legitimate origin for the Caliphate institution and declared that government was a result solely of military power, and that military power pure and simple constituted the essence of rulership. Mawardi, Ghazali (d. 1111) and Ibn Jama'ah (d. 1332) are perhaps the best known writers of this kind.

Thus, the theory of *Istila'* (power, force) emerged when Caliphs or governors of provinces imposed their rule by coercive force. According to *Istila'* theory, people have to obey anyone, a Caliph or a governor, who acquires power by military force, even though he is unjust or has occupied his position in a wrongful manner. These thinkers advised the Caliph or even obliged him, as Mawardi did,[19] to grant recognition for those governors who seize authority in a particular part or province of the Islamic empire in order to prevent driving them into rebellion against the Caliph.

It is true that the real intention of many scholars of this kind was simply to prevent a worse situation such as anarchy, disunity of the Muslim community or their territory, external threats and so on. But as time went on, accepting the notion of 'Caliphate by compulsion' became a political theory in itself. This theory, encouraged by Caliphs and supported by forged sayings ascribed to the Prophet -which demanded

unconditional obedience to the Caliph- became, in fact, a predominant idea for a long time in Islamic history. The well known relevant passage of Ibn Jama'ah in his book, *Tahrir al-Ahkam*, is worth mentioning here.

> At a time when there is no Imam and an unqualified person seeks the imamate and compels the people by his power and his armies, without any *bay'ah* or succession, then his *bay'ah* is validly contracted and obedience to him is obligatory, so as to maintain the unity of the Muslims and preserve agreement among them. This is still so, even if he is barbarous or vicious, according to the best opinion. When the imamate is thus contracted by force and violence to one, and then another arises, who overcomes the first by his power and his armies, then the first is deposed and the second becomes Imam, for the welfare of the Muslims and the preservation of their unity, as we have stated. It was for this reason that the son of Umar said at the battle of *al-Harra*, 'we are with the victors'.[20]

A passage from al-Ghazali, an eminent Sunni scholar in the Abbasid period, is also worth mentioning:

> Government, in these days, is a consequence solely of military power, and whosoever he may be to whom the possessor of military power gives his allegiance, that person is the Caliph.[21]

2-5: Qualifications of the Caliph

As mentioned earlier, the first condition propounded for a Caliph was his membership of the tribe of Quraysh, to which the Prophet himself belonged. This qualification was fulfilled throughout the period of *Rashidun* as well as the Ummayad and Abbasid Caliphs. For Sunni scholars there is no doubt about the validity of the saying, as being the words of the Prophet, that: "The rulers are from among the Quraysh." Mawardi had a strong belief that Imam must be of the tribe of Quraysh. He even classed those who are of the opinion that all mankind are eligible to be Imam

as *Dirar* (those who try to injure Islam).[22]

But in the course of time, when the Quraysh lost their power and political influence, and became unable to rule the world of Islam, this condition was transformed into a recommendation of preference instead of being obligatory.

Ibn Khaldun, for instance, belongs to this period of time. He defends at some length the principle that the Caliph must belong to the tribe of Quraysh, not only on theological grounds, that the office would thus enjoy the blessing of God, but also on the basis of certain considerations of a purely historical character. However, he brings two facts into consideration: firstly, the matter of competency which was the main reason, in his opinion, for the Quraysh superiority in early Islam, and secondly, the political fall of the Quraysh. Thus, he suggests that since the power of the Quraysh has vanished, and since the primary duty of a Caliph is to handle the affairs of God's servants (i.e. the Muslims), there is no alternative but to accept the most powerful and competent man as Caliph who belongs to a people who possess a strong group feeling, superior to that of their contemporaries, so that they are able to impel others to follow them.[23]

Besides the matter of belonging to the tribe of Quraysh, Sunni thinkers have specified some other conditions for the Caliph or the ruler of an Islamic state. These conditions differ from one scholar to another; however, the preliminary qualifications according to all of them are to be a Muslim, male, mature, sane, just and free (i.e not a slave). Other conditions such as being morally honest or just, knowledgeable with respect to the divine law, possessed of sound judgement, courageous enough to defend the interests of the community by waging war, accessible and not concealed or hidden, and so on, are considered as obligatory qualification by some thinkers, but as preferential only by others.

Ibn Khaldun, who lays more emphasis than anything else on eligibility, distinguishes four conditions which govern the institution of the Caliphate: knowledge, probity, competence and freedom of the senses and limbs from any defect that might

effect judgment and action.[24] According to Mawardi, before any one can be eligible for election to this high office, he must possess the following qualifications: he must be a member of the tribe of the Quraysh; he must be of the male sex, of full age, of spotless character and be free from all physical or mental infirmity; he must have sufficient knowledge to be able to make decisions in difficult legal cases, and the sound judgment required for public administration. He must also show courage and energy in the defence of Muslim territory.[25]

2-6: Evolution of the Caliphate Theory

Although the Islamic empire continued to expand after the period of the *Rashidun* Caliphs, it faced substantial changes in the nature of its political system. The first and major change was the transformation of the Caliphate to a kind of monarchy with the principle of dynastic succession.

When Ali, the fourth Caliph, was murdered in 662, Mu'awiya who was the governor of Syria, acquired the power and established the Ummayad dynasty. The Ummayads on becoming installed in power, made efforts to maintain the idea that unconditional obedience was owed to the reigning caliph. Without abandoning the principle of election followed by the oath of fealty (*bay'ah*), Mu'awiya accomplished his object by means of an election, having guaranteed in advance that his son, Yazid, would be recognised as his successor.

At the same time this period saw a real attempt by the Ummayads to establish the legitimacy of their dynastic Caliphate. They even went so far as to advance the idea that the Ummayads had inherited the 'legacy of Muhammad'. Sayings appeared in which Muhammad predicted their coming. All this was nothing more than the outward signs of a different legitimacy, but the idea was disseminated.

New modifications to the concept of the Caliphate were brought about by the Abbasid dynasty, which assumed power in 750. Abbasid caliphs presented themselves

as belonging to the family of the Prophet, and it was with this title that the first among them to accede to power justified their ligitimacy. They thus maintained the thesis according to which the caliphate must revert to the kinsmen of the Prophet, and more particularly to the descendants of al-Abbas (the Prophet's uncle), who were considered the best qualified. Again, as in the Ummayad age, certain Traditions were invented by some political pamphleteers to justify the position of the Abbasid Caliphs. Nevertheless, this Abbasid legitimism raised difficulties in establishing principles against Shiite claims. According to the Shiites, those who were descended from the Prophet through his daughter, Fatima (the wife of Ali), and who were related to his two grandsons, al-Hasan and al-Husayn, are qualified to be caliphs. To prove that the descendants of al-Abbas, son of the Prophet's uncle, must take precedence over the sons of the Prophet's daughter, the third Abbasid Caliph, al-Mahdi (775-85), sought to adduce in addition the thesis according to which al-Abbas had been nominated by the Prophet himself as his successor, an attempt which did not last long.

Another significant development was the evolving of the position of Caliph from the successor of the Prophet to the successor of God. The title of *Khalifat Rasul Allah* (the successor of the Prophet), was changed to *Khalifat Allah* (the successor of God). This new phrase was taken to mean the Lieutenant or Substitute or Vicegerent of God. It is not clear when exactly this replacement was made and by whom. There are a few historic sources that suggest even the third Caliph, Uthman, made use of the phrase in some occasions. It is clear, however, that it was 'an official title of the Umayyad head of state.'[26] Under the Abbasid it became quite a common appellation. The second Caliph of this dynasty, Mansur (754-775), declared that he was the authority of God upon His earth and His treasurer in charge of the common property of the Muslim community.[27]

In the Ottoman period, it seems that this notion was advanced even further. An Ottoman Caliph used to be described as "the chosen Caliph of the Creator" and "the shadow of God upon His earth." Sir Thomas Arnold describes it as:

The title of Caliph seems during this period to have assumed a new significance; it certainly no longer implied descent from the house of Abbas or any claim to belong to the tribe of the Quraysh. The Muslim monarch now claimed to derive his authority directly from God, to be the vicegerent of Allah, not a mere successor of the Prophet.[28]

By frequently referring to the two Qur'anic verses, "And We have made thee a Caliph (vicegerent) on the earth" (38:25), and "He hath made you Caliphs on the earth" (6:165), the theologians of this period, regardless of any other Qur'anic verse or any Tradition that had been commonly adduced by theologians of an earlier age when dealing with the Caliphate issue, concluded that it was from God and only God alone that these rulers derived their authority and in such verses He Himself announced their appointment as *His Vicegerents.*

During the dominion of the three dynasties of Ummayad, Abbasid and Ottoman, which constitutes the whole history of the Islamic empire -except the period of Muhammad and *Rashidun* Caliphs as well as post 1924, the theory of *Istila'* (or power theory), as I mentioned earlier, was the main theory among Sunni theologians for whom reality and a pragmatic approach played a very substantial role. The dominant political theory in this long period appears to imply that all earthly rulers are such by divine appointment; the duty of subjects is to obey, whether the ruler is just or unjust, for responsibility rests with God, and the only satisfaction that the subjects can feel is that God will punish the unjust and unrighteous ruler for his wicked deeds, even as he will reward the righteous monarch./

CHAPTER THREE

The Collapse of the Caliphate System
and its Consequences

Introduction:

Islamic political thought reached a turning-point in modern times with the abolition of the Caliphate by the Grand National Assembly of Turkey. The abolition and its consequences, especially the secularisation of Turkey, strongly influenced politicians as well as intellectuals in Islamic societies. This led to the foundation of separate Muslim states, and more importantly, raised the concept of the 'Islamic state', as an alternative to the Caliphate system, for Sunni Muslims, both traditionalists and modernists.

This chapter will examine the abolition and its aftermaths. The main focus will be on the effects of this event on Sunni political thought. To this end, I start first to consider the claims of Ottoman emperors as the Caliphs of Muslims. Then the history of abolition will be briefly reviewed. A very significant document which Grand National Assembly of Turkey published unofficially to justify its decision, on the basis of religious principles, shall be studied next. And finally, after reviewing Muslims' reactions to the abolition, I will elaborate the consequences of it in the political thinking of Sunni scholars.

3-1: Ottomans and the Caliphate

In reality, the Caliphate, as many writers say, 'was something of a misnomer for the institution which stood at the summit of the Ottoman political hierarchy.'[1] the Ottoman empire was established in 1281 by a nomadic group in Asia Minor. After the

collapse of the Abbasid Caliphate in 1258 by the Mongols, the Caliphate institution experienced different claimants for the office. It took a long time for the Ottomans to overcome other claimants and reach to the peak of their strength in the sixteenth century and extend their authority over the most part of the Islamic world as well as eastern Europe. There were two more Muslim empires, however, which existed along side with the Ottomans: the Mongols in the Indian sub-continent and the Safavids in Iran, which were the Shiite rivals of the Sunni Ottomans on the eastern borders of it.

In the beginning, the Ottoman empire was actually a Sultanate with sultans (or kings) at its head. Sunni jurists refused, for a long time, to recognise the title Caliph for the Sultan either on the grounds that the real Caliphate existed only under the Rightly Guided (*Rashidun*) Caliphs, or because descent from the Arabian tribe of Quraysh was held to be an essential qualification of the Caliphs. Hence, the title Caliph was not officially used for the Sultans 'until the eighteenth century, when, for reasons of state, the Ottomans put all doctrinal and legal niceties aside and declared their Sultan a Caliph.'[2]

In the eighteenth Century, Ottoman sultans found it in their political interests to exercise the title of Caliph and being presented by their diplomats to foreigners, including European monarchs, as the holders of the 'Caliphate'. Turkish diplomats put this title forward when dealing with Christian powers, since it implied a relationship between the Ottoman Sultan and Muslims dwelling outside his dominions, that seemed to be similar to the relationship between Christian powers and members of the same Church living under another government. An example of this appeared in 1774 in the Treaty of *Kunchuk Kainarji* concluded between Sultan Abdul Hamid I (1774-1789) and the Empress Catharine of Russia; the Sultan was called 'the Imam of the Believers and the Caliph of those who profess the divine unity'. The intention was to retain the Sultan's religious authority over Muslim populations which had passed under foreign domination.

From this time onward, and throughout the nineteenth century when the

Ottoman empire was in the process of decline and was in serious need of all Muslims'
support to counter the pressure of European countries, the idea of pan-Islamism was
more actively advanced. The Ottoman sultan became not only the head of the Ottoman
empire but also the Caliph of all Muslims and the heir, in a sense not previously
accepted, of the Caliphs of early times. In various confrontations which occurred
between the Ottomans and the European states, the Ottoman sultans strove to present
themselves officially as Caliphs, that is to say, as the spiritual leaders of the Muslims
and defenders of Islam. One of the main benefits of using this concept was to enable
the Ottoman sultans to assert their authority over the Arab countries and furthermore
to embrace the ideal of pan-Islamic unity. They even claimed that the Caliphate had
been formally transferred to Sultan Salim I (1512-1520) in the sixteenth century by
the last Abbasid Caliph Mutawakkil;[3] a story which is not confirmed by historians.
As Bosworth says, the story that Mutawakkil 'transferred his rights in the Caliphate
to the Ottoman sultans is a piece of fiction originating in the nineteenth century.'[4]

It is not my intention to enter into the Ottoman history and its policies in the
eighteenth and nineteenth centuries. In spite of all historical facts and political
considerations, the important point is that the Ottoman empire was considered as a
'Caliphate system' and the symbol of an Islamic state, for Sunni Muslims, in the late
Nineteenth and early twentieth centuries. It should not be forgotten that extensive
attacks by the major European (and of course Christian) powers on it, had a vital
effect in accepting that idea. As Bernard Lewis has noticed,

> the religious loyalty of people [to the Ottoman Caliphate] had been
> sharpened and intensified by the long series of foreign and civil wars,
> all of them against Christian adversaries.[5]

Therefore, the abolition of the Caliphate induced large and significant consequences
which affected all Sunni Muslims in general and their thinkers in particular.

3-2: The abolition process

The circumstances leading to the abolition of the Caliphate arose from the Ottoman defeat in the First World War, and the efforts of Mustapha Kemal (known as the founder of modern Turkey) to establish a secular state. Mustapha Kemal was the champion of Turkish nationalism, which had nothing to do with the Caliphate.

The abolition of the Caliphate took place in two stages. Mustapha Kemal began by attacking the Sultanate, while recognising the Caliphate as 'a moral link, sacred and respected by the entire Muslim world.'[6] So the Grand National Assembly decided to separate the Sultanate from the Caliphate and replace the former with a republican regime. On 1st November 1922, the Assembly declared that the office of the Sultan of Turkey had ceased to exist and that its government had become a republic. Wahid ud-Din, the last Ottoman Sultan, did not wait for the Assembly's decision. On 16 November 1922, he wrote to the commander-in-chief of the Allied forces in Istanbul:

> Considering my life in danger in Istanbul, I take refuge with the illustrious English state and request my transfer as soon as possible from Istanbul to somewhere else.[7]

A British warship took him to Malta next morning. For a little while, he had the idea of going to Mecca and establishing himself there as Caliph. 'But the Arab world was too busy dividing itself up into nationalist states to bother with the living symbol of the unity of Islam.'[8]

The Grand National Assembly reserved for itself the right to choose the holder of the Caliphate under the terms of the Constitution adopted in January 1921. It deposed Sultan Wahid ud-Din and elected his cousin Abdul Majid as Caliph of all the Muslims. Abdul Majid was instructed on his election to the Caliphate

> to confine himself to the title 'Caliph of Muslims' and to issue a proclamation to the Muslim world expressing his pleasure at being elected Caliph by the Turkish Grand National Assembly, denouncing

the conduct of Wahid ud-Din [the deposed sultan], and giving an appreciative account of the services of the Grand National Assembly.[9]

This was an anomalous situation, which could not be tolerated for long. The new Ottoman Caliph was

> shorn of all real authority or concern in the political and administrative affairs of the country; he was invested with the mantle of the prophet, just as his ancestors had been, but he was deprived of the power of the sword.[10]

The separation of the Sultanate from the Caliphate increased the significance of the latter for Muslims in general. Some Muslim leaders called upon the Turkish government to place the Caliphate in a position which would hold the confidence and respect of the Muslim community. According to Bernard Lewis, it was this crisis, touched off by such protests, that ended with the abolition of the Caliphate.

> Mustapha Kemal agreed with his opponents in seeing in the Caliphate the link with the past and with Islam. It was precisely for that reason that he was determined to break it.[11]

Finally, on March 3rd 1924, the Grand National Assembly voted for the deposition of Abdul Majid, the abolition of the Caliphate altogether, and the banishment from Turkey of all members of the Ottoman family (this last provision was rescinded in 1952). Abdul Majid, the last of the Caliphs followed the last of the Ottoman Sultans into exile. In fact, as Arnold says,

> as a political reality, or as embodying the theories that had lent importance to it in the past, the Caliphate had long been dead, and the Turkish National Assembly had faced the realities of the situation in decreeing its abolition.[12]

3-3: The Document of the National Assembly

At the end of 1922 the Grand National Assembly of Turkey, subsequent to its decision on separating the Sultanate from the Caliphate, published a semi-official unsigned document, which had been prepared by a group of both intellectuals and clergy under the direction of a member of the Assembly. The purpose of this document was to prepare Muslim public opinion, inside and outside Turkey, for the complete absorption of the Caliphate theory into the idea of Nationalism. This document is decisive and important because it expresses the doctrinal arguments on which the Republicans based their plan for the abolition of the Caliphate.

The text of this document has an intriguingly hybrid character, drawing alternately on classical works of Sunni jurisprudence and modern concepts of national sovereignty, social contract and general will. The Assembly tried in this document to justify and legitimize the abolition of the Caliphate by religious as well as Western thinking. A point made both implicitly and explicitly throughout the document is that the Assembly, embodying the Islamic principle of consultation (*shura*), was fully authorised to make any decision ensuring the proper conduct of the nation's affairs, and that withdrawing the political functions of the Caliph was one such decision.

There are three fundamental arguments in the document, from a religious point of view, which are of vital importance as far as this thesis is concerned:

a. The Caliphate is a kind of mandate entrusted by the nation to the Caliph. It is based on free choice and follows the guidance of the Prophet in its exemplary behaviour, its noble character and in the administration of the political and religious affairs of Islam. In its relation to the nation, it is called the Caliphate of the Nation, and it has a mandate over the nation. It is subordinate to the choice, the complete adherence and the solemn recognition of the nation.

The jurists, so the document claims, say that the Caliphate is a kind of contract offered by the nation to the Caliph, concluded and accepted by both parties. Just as

no man can exercise a mandate without being given the power, in the same way no one can, on his own initiative and without being invested by the nation, fulfil the function of the Caliphate. A man can only become Caliph when the people, having judged him worthy of fulfilling these duties, willingly offer him this function. He must also willingly accept this offer and promise to fulfil this mission. The Caliphate then is only the contract involved in such a situation and it is no different from a power of attorney. All the rules of mandate must apply and the Caliph can be deposed by the nation.

The authority and power which the Caliph holds over the nation, the document maintains, are the rights inherent in the people and it is from the people that the Caliph acquires them. The people invest the Caliph with this authority in the same way that any man may entrust to a guardian through a power of attorney the administration of his own affairs. Religion only affirms this duty. There is, therefore, no difference in law between a Caliph and a guardian. The authority that the Caliph exercises therefore belongs in fact to the Muslim community and no one can take it over, yet everyone has a share in it. It is a whole belonging in common to all Muslims.

b. Another line of argument is about the authenticity of the Caliphate theory. The document reiterated the opinion of some previous scholars that the 'real Caliphate' lasted only for thirty years after the death of the prophet and what prevailed for the best part of Islamic history was a 'fictitious' Caliphate sustained by sheer force.

It apparently was very important for the authors of the document to repeat again and again that the only real Caliphate has been that of the *Rashidun* and that the Abbasid and the Ummayad had been fictitious Caliphates which only established despotism and arbitrariness. The real Caliphate, the authors claim, is based on free choice, on the acceptance and the solemn acclamation of the whole nation. After the

Rashidun the Caliphate had been despotic and contrary to the principles of religion and of the prophet; people are forced through necessity to obey it, fearing worse conditions; otherwise they would have been duty-bound to depose the Caliph.

c. And finally, the most notable debate of the document, which is of vital importance, is: the Caliphate, far from being divinely ordained, was simply a utilitarian institution, designed for the most judicious administration of the Muslim community. This claim is based on the belief of the authors that no hierarchy and no spiritual authority attaches to anybody in Islam, be he Caliph, clergy and so on. Thus, the Caliph is the head of the Muslim community; the full and complete power which he holds, however, is not like that of the Pope, inherently spiritual, but resembles rather the authority of the President of a Republic, or of an administrative and political ruler or head of state.

The document rejected the Caliphate as an integral part of religion. It emphasized the right of a nation to choose their best suited form of government as well as their ruler. The qualifications for election as Caliph, the document says, are numerous and well-known (although Qurayshi descent as a necessity had long fallen into disuse) and unless it is possible to elect a Caliph with all these qualifications there is no religious obligation to elect one at all. Moreover, the possession of the necessary qualifications alone cannot make a person into a Caliph; no man can arrogate to himself the power of the Caliph; he has to be invested by the nation.

In the second part of the document, which deals with the separation of the Sultanate from the Caliphate, the authors ask the question: Is it necessary to have an *Imam* (ruler) with general authority over the Muslims when it is possible to obtain a just and regular government under another form? Or in other words, the foundation of a regular and just government being possible, does the obligation to nominate an Imam holding absolute power still impose itself? The argument in favour of the separation of the Sultanate from the Caliphate is a complex one. Religion imposes

restraints on the power of the Caliph: *shura* (consultation), is one of the fundamental principles of Islam, and the mandate given by the nation to the Caliph is a form of restraint because it is the people who impose the conditions under which this power is held and it is their responsibility to cancel this mandate if they find it necessary. The Caliph himself, moreover, delegates duties and rights to one person or to many or to the members of an executive council or to a national assembly or to the whole of this governmental organ.

In conclusion, the document states that it is quite clear then that Islam did not prescribe a particular governmental system, but only that justice and order should prevail. It is, therefore, immaterial how this is attained. With the Caliphate having outlived its purpose, the Muslims are now free to choose whatever form of government is suitable to their present needs and conditions.[13]

It is worth adding here the opinion of Abdul Ghani Sani, official spokesman for the Grand National Assembly, who in an article published on November 14, 1923 wrote:

> The question of the Caliphate is not a matter of theology but one of law. ...It is in the field of law and must be considered purely as a political and temporal matter to be treated directly by the Muslims. ...There is no precise indication in the Qur'an or the *Hadith* (Tradition) relating to the basic questions of the Caliphate. It is to be noted that Mohammed who devoted, for instance, so much attention to the question of hygiene, leaves this question undiscussed in the Qur'an. There is indeed in the Qur'an general advice that obedience is due to the holder of power, but it is only logical to conclude that the Caliphate is not a fundamental requirement of Islam.... It is therefore obvious that Mohammed named no successor and gave no advice about the Caliph in order to leave to the Muslims the freedom to deal with this question because it is more temporal than religious.[14]

3-4: Reactions to the Abolition

Reaction to the abolition of the Caliphate seems to have come mostly from non-Arab Muslims. The growing hostility between Arab and Turk nations, culminating in the Arab Revolt of 1916, led Arab nationalists to lose any interest in the Caliphate by 1924. They were becoming concerned either with the grandiose ideal of Arab unity, or with the machinations for establishing separate Arab states after the First World War.

The most serious attempts to prevent the abolition of the Caliphate were those of Indian Muslims. Indian Muslims looked upon the Ottoman Caliph as the supreme head of Islam. There are different views about the reasons of such a motive among them. There is no doubt, however, that their efforts against the Caliphate abolition were led by anti-British Muslim leaders. They held a series of All-India Caliphate Conferences in 1919 and sent an unsuccessful delegation to London to prevent the dismemberment of the Ottoman Empire as planned in the *Sévres* Treaty. In November 1923, two distinguished Indian Muslim leaders wrote to the Turkish Prime Minister to draw attention to the 'disturbing effects that the uncertain position of the Caliph Imam was having among the Sunni community' and to urge for the

> imminent necessity for maintaining the religious and moral solidarity of Islam by placing the Caliph-Imamate on a basis which would command the confidence and esteem of the Muslim nations.[15]

As was mentioned earlier, expression of concern over the development in the Caliph's position, only encouraged Mustapha Kemal to expedite the process of abolition.

Outside India, the only authoritative religious response to the abolition of Caliphate came from a group of orthodox religious scholars of Egypt, including the Rector of al-Azhar and the president of the High Religious Court of Egypt. In the resolution of their gathering on March 25, 1924, they defined the Caliph as

the representative of the Prophet in guarding the religion, and
implementing its precepts, and administrating the affairs of the people
in accord with the religious law.

By this definition, they declined to recognise the legitimacy of the last Ottoman
Caliph, Abdul Majid, as he was coerced to become a nominal Caliph, without any
political authority, by the Grand National Assembly of Turkey:

> the Caliphate of Abdul Majid was not a legal Caliphate, since the
> Islamic religion does not recognise a Caliphate in the terms laid down
> for him by the Turkish Government and which he accepted. Hence the
> allegiance (bay'ah) paid to him by Muslims was not valid in Islamic
> Law.[16]

The resolution of those prominent Egyptian scholars, 'who', as Enayat says,
'could hardly be suspect of harbouring any modernistic, let alone secularist,
intentions,'[17] shows that even in this body, despite its orthodox pronouncements,
there was a willingness to come to terms with the new development. They did not
make any claim about the Caliphate being necessitated by the divine revelation, they
did not recognise the last Ottoman Caliph, and last but not least, they admitted the
situation of not having a Caliph. They accepted the abolition of the Caliphate as a *fait
accompli* and then, noting the consternation and anxiety that it had caused among
Muslims, put forward the idea of an Islamic congress to decide the future of the
Caliphate 'on a basis which would not only conform to Islamic tenets, but would also
fit the Islamic arrangements to which the Muslims had consented for their
government.' It was 'a clear reference to the modern political systems adopted by
various Muslim nations in recent time.'[18]

Subsequently in May 1926 the Cairo Conference was organized to select a new
Caliph for the Muslim world. Obviously the circumstances had completely changed
since the Congress was first mooted. The Conference was not welcomed by the

majority of the Muslim world. Even Indian Muslims, who had tried hard to preserve the Caliphate, turned down the invitation to attend the Conference and announced that they prefered to pay more attention to the communal welfare of their community. The Conference was postponed for a year and when it finally took place, it was clear that there was no question of electing a Caliph. Each participating delegation wished to have the ruler of their own country proclaimed. Consequently, the Conference concluded without any specific result. It admitted that a Caliphate is obligatory but that it was impossible to establish one immediately and therefore decided to leave the question for further deliberations. After the Conference, according to Sylvia Haim, 'the proclamations of republics in so many Muslim countries seem to indicate a more secular trend rather than a revival of the Caliphate.'[19]

3-5: Consequences

The abolition of the Caliphate, as a turning point in the history of Islam, was followed by important consequences. Perhaps, in political realities, the emergence of independent Islamic states which were dominated by the idea of Nationalism, specially Arab Nationalism, was the main effect of that event. As Professor Khadduri has argued, the abolition of the Caliphate was the beginning of the 'National stage' in Islamic history.[20] Islamic countries from 1920's onward, putting the idea of the Caliphate or Islamic government aside, experienced different kinds of political systems, from monarchy, dictatorship and military regimes to secularist, socialist, communist, semi-democratic and, most importantly, nationalist governments.

The Caliphate's abolition significantly influenced Muslim political thinking, too. It helped the creation of an extreme range of thinkers with different attitudes. At the one end of this range, there are those who have completely abandoned Islamic thought, as an idea defeated by the West, and recommend Western values as the sole solution to the retarded growth of Islamic countries. Some others, in between, have

tried to create a compound thinking which can enter the Western values into Muslim societies and combine it with their traditional attachments. A group of more religiously minded intellectuals, committed to the principles of Islam, believed that the problems within Islamic society have been caused by ignoring and forgetting true Islamic values and notions. They acknowledge the necessity of modernism for Muslim societies, but reject Western ideologies and demand a return to the basic principles of Islam. At the other extreme of the spectrum are placed those thinkers who categorically rejected the West and whatever is Western, and tried, though largely unsuccessfully, to keep their constituencies as close as possible at their traditional manner.

In spite of what happened in the political scene, the Caliphate's abolition left major effects on the political thinking of those Sunni scholars who were committed to the Islamic fundamentals and the only way to a prosperous community for them was to practise Islamic precepts through an Islamic government. Among these thinkers, too, there are different kinds of approaches, from those who believe in re-establishing the Caliphate system (either as a divine order or as the most appropriate system for the unity of Muslim community) to those who put forward the idea of Islamic Nation-states, from orthodox traditionalists to moderate modernists, and from those who propose armed struggle to those who recommend participating in democratic processes. In any case, all of these thinkers are influenced, in one form or another, by the abolition of the Caliphate and its aftermath. The most important consequences of the abolition may be categorised as follows:

1. First of all, the sanctity of the Caliphate office was destroyed. As a matter of fact, there was no sanctity for the office of the Caliph when it was first initiated. The Caliph was nothing more than an executive to divine verdicts. As a result of huge propaganda by Ummayad and Abbasid dynasties to increase the dignity of the Caliph (and receive more obedience) and since the next generations of early Muslims (who

did not see the Prophet and even *Rashidun* Caliphs), considered the Caliph as the alternative of the Prophet in the earth, the Caliphate gradually became a very respectful and even holy office. This type of sanctity, even in the time that the Caliph had no real power, was the only element which legitimized the authority of governors and regional rulers or that of those who exercised real power in the name of the Caliph. The Caliph's sanctity was, therefore, as excessive as it was absolutely unimaginable for Sunni Muslims to have no Caliph. When the Abbasid Caliphate in Baghdad was terminated by the Mongols, in 1258, it took approximately three years to re-establish a nominal Caliphate in Cairo. To the Sunni jurists of that time this event was a 'dread disaster that caused the world to be without a Caliph for three years and a half.'[21] The abolition of the Ottoman Caliphate and the fact that it was impossible to appoint a new Caliph, forced Sunnis to adapt themselves to the reality of the no-Caliph situation.

2. The second effect of the Caliphate abolition was the reinforcement of the idea that the real Caliphate had only lasted thirty years, and afterwards there was only a government by kings without true Islamic features. Although Mustapha Kemal and Turkish nationalists encouraged and focused on this notion, they were not its originator. Probably by the end of the thirteen century this impression gained strength in the minds of thinking Muslims that the institution of the Caliphate had really ceased after the first four Caliphs. Accepting any ruler by Sunni scholars, based on their realistic tendency, did not make them completely forget the values of early Islam. Many of the Sunni legists, including those belonging to the *Hanafi* school of law, which is one of the four main schools among Sunnis, had already come to adopt that idea. The Caliphate abolition, however, encouraged contemporary Sunni thinkers to revive this theory and put it forward without any political concern.

3. Another significant result of the Caliphate abolition was a fundamental

modification in the concept of Islamic government. The Caliphate from a divinely-appointed form of government transferred, in a sense, to merely a method of administration. It gradually became an accepted notion that the Caliphate is not an end in itself but a means to an end. It is no more than a form of government instituted to secure the happiness of the Muslims, to administer justice, and to protect the rights of the people and in this way to fulfil the principal aims of Islam. Many Sunni legists reached the point where establishing the Caliphate system was not based on divine order nor on the Prophet's recommendations. Muslims chose the Caliphate system, after the Prophet's death, simply because they found it the best way of government either because the Prophet had governed them in that manner or because they probably were not familiar with other forms of governments. Therefore, admitting any other political system, if is committed to carrying out *shari'ah* or Islamic law, is not forbidden.

4. Another consequence of the abolition was the suspension of pan-Islamism doctrine. Islam, being a universal religion to create a single community, naturally requires a single government too. Complete unity in the entire Islamic world and one recognised Caliphate in the whole Muslim territory, however, have been seen only in the first three centuries of Islam. From that time, the decentralization process was started which lasted for a long period. The Islamic world in this period

> became internally divided into several political entities. Such division
> kept recurring, but the most lasting one was that which took place at
> the opening of the sixteenth century when two powerful dynasties -the
> Ottoman and Safavid- after a long period of conflict relegated their
> doctrinal differences to the domestic level and recognised the sovereign
> attributes of one another.[22]

The pure idea of pan-Islamism, nevertheless, emerged in the middle of the nineteenth century, mainly by the efforts of Jamal al-Din al-Afghani (Asadabadi), about which

there is no room to elaborate at this juncture. Ottomans' policies, as I said earlier, caused the idea to improve and spread but the abolition suspended the doctrine both in theory and practice. The ambition, however, is not forgotten and has still remained as an ideal.

5. And finally, the crisis over the Caliphate introduced the idea of the Islamic state as an alternative to the Caliphate. The Caliphate was declared, either implicitly or explicitly, not only by the Turkish secularists but also by traditional Muslims to be impossible to resuscitate. Soon the idea of having different Islamic states moved into the centre of religio-political thinking. The essence of the idea indicates that although all Muslims constitute a single community, it does not necessarily mean that they cannot inhabit different countries. Contrary to the classical approach to the Islamic state which was universal and not territorial, the new concept recognized territorial sovereignties and the right of each Muslim nation to establish its national state in its own territory./

CHAPTER FOUR

The Earliest Islamic Modernists,
Jamal al-Din al-Afghani and Muhammad Abduh

Introduction:

The purpose of this chapter is to study the thought of two great Islamic reformists, in the second half of the nineteenth century, with whom a new age of thinking among Muslim scholars has been started: Jamal al-Din al-Afghani (Asadabadi) and Muhammad Abduh. As the pioneers of Islamic modernism, their doctrines, in general, and their political ideals, in particular, are the subjects of this study. I will start, necessarily, with the circumstances of the Islamic world, in the mentioned period of time, which led to the emergence of the modernist ideas of Afghani and Abduh.

4-1: European Colonialism and Muslim Responses

The history of Islam has witnessed many reformist movements aiming to revitalise the community in times of internal corruption or weakness, and to respond to the apparent gap between the Islamic ideals and the realities of Muslim life. In fact, the emergence of different sects in Islam was a response to the deviations or perceived deviations from the true Islam. But the situation in the nineteenth century was a different one. The glorious age of the Muslims was long past and now they increasingly found themselves on the defensive in the face of the West. European colonialism and imperialism not only defeated Muslims militarily, dictated its policies and dominated the sources of wealth in the Islamic world, but also threatened the political and religio-cultural identity and history of Muslims too. The real threat of the

West was exposing itself. It challenged Islam politically, economically, culturally, and more importantly, ideologically.

For many Muslims, colonialism reminded them of memories of the Crusades; the European challenge and aggression was considered as another phase of militant Christianity's war against Islam; Europe was the enemy that threatened both the faith of Islam and the political life of the Muslim community. These images of a Crusader West were reinforced by the policies of colonial powers. Colonialism was experienced as a threat to Muslim identity and faith. Europe came not only with its armies of bureaucrats and soldiers but also with its Christian missionaries. The double threat of colonialism was that of the crown and the cross. The preachers and missionary institutions (churches, schools, hospitals, publishing houses and so on) were regarded by many Muslims as an arm of imperialism, one aspect of a policy that removed indigenous institutions, replaced local languages and history with Western curricula, and demolished the values and ideals of the society.

Muslim reactions to the challenge of colonialism and their responses to the West and its ideas varied from rejection and confrontation to admiration and imitation. The prevailing mood, however, was one of conflict and competition. In fact, three kinds of responses can be recognised: rejection and withdrawal; secularism and Westernization; and Islamic modernism.

As for rejection and withdrawal, many Muslims referred to the Prophet's twin response to the attacks of his early enemies which consisted of *hijra* (emigration) or *jihad* (sacred struggle): leaving a territory no longer under Muslim rule, or fighting to defend and defeat the infidels. Although Christians had always been regarded as believers -People of the Book, European Christian colonisers were now rejected as infidels, the enemies of Islam. While resistance or confrontation initially proved attractive, emigration proved impractical for large numbers of people and, considering the superior military strength of Europe, holy war was doomed to defeat. For many religious leaders, the alternative was simply to refuse to deal with their colonial

masters, to shun their companies, schools, and institutions. Any form of cooperation was regarded as capitulation to the enemy or treason. Modern European education was condemned as alien, superfluous, and a threat to religious belief. Nevertheless, as the waves of modernity and Western influence became stronger and expanded more, resistance to it became more difficult and even impossible.

The second kind of response was that of secularism and Westernization. For some Muslims the realities of European ascendancy had to be acknowledged and dealt with, and its lessons perceived in order to survive. Muslim rulers in the Ottoman empire, Egypt, and Iran looked to the West to develop military, economic, and political modernization programs based upon European learning and technology. European teachers and schools were imported. Educational missions were sent to Europe, where Muslims studied languages, science, and politics. The result was a series of military, administrative, educational, economic, legal, and social reforms, strongly influenced and inspired by the West, aimed at 'modernising' Muslim societies. At the same time, a new intellectual elite was born: modern-educated and Western-oriented with a secular outlook that restricted religion to personal life while turning to the West for development models in public life. The problem was that change founded upon imitation came from above, initiated and imposed by rulers in an unwise and ill-considered manner, and not as a response to internal social demands. The state initiated this change, and a small elite implemented and were the primary beneficiaries of reform. Consequently, two classes with divergent world-views appeared in Muslim societies: a modern Westernised elite minority and a more traditional, Islamically oriented majority.

A third response to the challenge of the West, the Islamic modernist movement, sought to bridge the gap between Islamic traditionalists and secular reformers. Islamic modernists incorporated the internal community concerns with the

need to respond to the threat of European colonialism and the demands of modernity. Like their secular counterparts, Islamic reformers responded to European colonialism and were influenced by their perception of the 'Success of the West'. The West was strong and successful; Muslims were weak and subject to domination and dependence; and the solution, as Islamic modernists saw it, was theoretically simple: Muslims must look to Islam as their source of strength and unity, but learn the secrets of Western power in order to discard foreign rule and regain their identity. Muslims are able to repel the West not by ignoring or rejecting the sources of Western strength (i.e. science and technology), but instead by reclaiming and reappropriating reason, science, and technology, which, they maintained, has been integral to Islam and the grand accomplishments of Islamic civilisation.

Islamic modernism had an ambivalent attitude toward the West, a simultaneous attraction and repulsion. Europe was admired for its strength, technology, and some political ideals, but rejected for its imperialistic goals and policies. Reformers of this kind, like Jamal al-Din al-Afghani and Muhammad Abduh whose thoughts will now be discussed, argued for the compatibility of Islam with modern sciences and the best of Western thought. They preached the need for and acceptability of a selective synthesis of Islam and modern Western thought; condemned unquestioned veneration and imitation of the past; reasserted their right to reinterpret Islam in light of modern conditions (ijtihad); and sought to provide an Islamically based rationale for educational, legal, and social reform to revitalize an inactive and impotent Muslim community. Islamic modernism did not seek to restore a pristine past but instead wished to reformulate its Islamic heritage in response to the political, scientific, and cultural challenges of the West. Since the sources of the West's strength must be understood and accommodated, Islamic modernism tried to provide an Islamic rationale for accepting modern ideas and institutions, whether scientific or political. Constitutionalism and representative governments are among those political ideas which were Islamically rationalised by the modernists.

4-2: Jamal al-Din al-Afghani (Asadabadi) 1838-1897

Jamal al-Din al-Afghani, known in Arabic literature as the 'Sage of the East',[1] is remembered as the pioneer of the first generation of Islamic modernists. Many writers have described him as an outstanding figure of nineteenth-century Islam and a major catalyst for Islamic reform.

> He roamed the Muslim world, calling for internal reform in order to defend Islam, strengthen the Muslim community and, eventually, drive out the West. An orator, teacher, journalist, and political activist, he lived and preached his reformist message in Afghanistan, Egypt, Turkey, Persia, India, Russia, France, and England. Afghani attempted to bridge the gap between secular modernists and religious traditionalists.[2]

4-2-1: Biography

Although he always described himself in later life as an Afghan and was interested, for both religious and political purposes, to be called 'al-Afghani', he was in fact born and educated in Iran.[3] He studied almost all branches of Islamic theology and acquired a remarkable familiarity with various subjects of the religion. When eighteen years of age he went to Afghanistan and then India where he learned some acquaintance with the European sciences and their methods, together with some knowledge of English. He had already known Persian, Turkish, and Arabic.

In 1857 he returned to Afghanistan and entered the service of its then rulers. In 1866, when he was twenty seven years old, he advanced to the position of Prime Minister. A civil war in Afghanistan which ended by the succession of a British-supported ruler, forced him to leave the country in 1869. After a very short stay in Egypt, he went to Constantinople, where he was received with unusual honours by the Sultan Abd al-Hamid and the leading officials and scholars. He at once entered enthusiastically into the religious and intellectual circles, losing no opportunity to make known his views, and soon acquired great influence. His lectures created an

atmosphere of furore which could not be tolerated by Ottoman authorities. He was finally ordered to leave the country. He returned to Egypt in 1871.

Jamal settled in Egypt for about eight years which was a very productive period in his life. He was besieged by eager students to whom he expounded some of the most advanced materials on theology, philosophy and jurisprudence. He had his own method of teaching which was very different from the traditional one of theology schools. He introduced his pupils to a number of modern works on various sciences, which had been translated into Arabic. Moreover, his manner was to create a living spirit of dynamism inside his students rather than mere instruction.

He also took an active interest in Egyptian political affairs. He did his best to arouse the country to the dangers of foreign intervention and control. Inevitably he faced opposition both from the conservative theologians, who distrusted his advanced views of learning, and from the government, specially British officials in Egypt, who were suspicious of his political activities. In September 1879, he was expelled from Egypt and went again to India.

In the year 1882, the 'Young Egyptian Movement', with which Jamal, and also Abduh, had been so prominently identified, culminated in the 'Arabi movement and the subsequent occupation of Egypt by Great Britain. During the progress of hostilities, Jamal was detained by the Indian government in Calcutta under surveillance, but on the collapse of the Egyptian nationalist movement he was permitted to leave India. He went to London and then to Paris, where he stayed three years.

Upon his arrival in Paris, he entered on a period of active international propaganda. He published his political views in the French press (for by this time he had learned some French) and together with his the most prominent disciple, Muhammad Abduh who had been exiled from Egypt too, began the publication of an Arabic weekly journal named Al-Urwa al-Wuthqa, (The Indissoluble Bond), with the object of arousing the Muslim peoples to the need of uniting their forces against

Western aggression and exploitation. Great Britain excluded the paper from India and Egypt, the two countries chiefly to be influenced by its publication. The paper lasted for only eighteen issues but it exerted, however, a very great influence throughout the Muslim world.[4]

After a brief visit to London to discuss with British officials the affairs of the *Mahdi* uprising in the Sudan, he went to Russia and continued to publish his articles on the political affairs of Afghanistan, Persia, Turkey and England.

In 1889, upon the invitation by the Shah of Iran, Nasir al-Din Shah, he went to Iran and received by the people as their leader and spokesman in their hopes for the improving of the deplorable conditions of the country. After a while, his speeches against despotism and dictatorship and also his efforts to propagate constitutionalism raised the Shah's suspicions. In 1890, the Shah ordered to arrest and depose him to the Turkish frontier, although he had taken refuge in a sanctuary and was seriously ill.

He returned to London and then in 1892 to Constantinople where he remained until his death. Although he was accorded high honours by the Ottoman Sultan, Abd al-Hamid, he was in reality being kept in gilded captivity. His death occurred on March 9, 1897, as a result of cancer.

Jamal, expresses almost all the attitudes adopted between 1900 and 1950 by Muslim apologetics. As his background was steeped in both Sunni and Shiite traditions and because of his 'statelessness', his words were admitted by almost all Muslim peoples and he was able to preach a high degree of religious tolerance. By the spoken and written words, he preached the necessity of a Muslim revival, both in thought (the need to throw off blind fatalism and give intelligence and freedom their proper place in life) and in action. He supported movements working for constitutional liberties and fought for liberation from foreign control (Egypt, Persia). The Persian Constitutional Revolution, which had its beginning in the agitation against the Tobacco Monopoly in 1891 and culminated with the inauguration of the Constitution on August

5, 1906, was inspired and sustained in its earlier stages by his advice and encouragement.[5]

4-2-2: Doctrine

Jamal articulated a cluster of ideas and attitudes that influenced Islamic reformist thought and Muslim anticolonial sentiment for much of the first half of the twentieth century. His disciples included many of the great political and intellectual leaders of the Muslim world. Said Bensaid, and many others, maintain that the history of modern fundamentalist thought among Muslims began with the appearance of his doctrine.[6]

For Jamal, the religion of Islam was, in all essentials, a world religion and thoroughly capable, by reason of its inner spiritual force, of adaptation to the changing conditions of every age. He appealed to the Muslim religious leaders with his assertion that Muslims needed to remember that Islam was the source of strength and that Muslims must return to a more faithful observance of its guidance. Jamal rejected the passivity, fatalism, and otherworldliness ideas among Muslims as well as the Western secular tendency to restrict religion to personal life or worship. He countered by preaching an activist and this-worldly Islam that, first, is a comprehensive way of life, encompassing worship, law, government, and society; and second, seeks success in this life as well as the next. In an article, Islam and Solidarity, he writes:

> The principles of Islamic religion are not restricted to calling man to the truth or to considering the soul only in a spiritual context which is concerned with the relationship between this world and the world to come.... There is more besides: Islamic principles are concerned with relationships among the believers, they explain the law in general and in detail, they define the executive power which administers the law.... Thus, in truth, the ruler of the Muslims will be their religious, holy, and divine law.... Let me repeat... that unlike other religions, Islam is concerned not only with the life to come. Islam is more: it is concerned with the believers' interests in the world here below and with allowing them to realize success in this life as well as peace in the next life. It

seeks 'good fortune in two worlds'.[7]

He seems to have been the first Muslim revivalist who used the concepts 'Islam' and 'the West' as connoting correlative, and of course antagonistic, historical phenomena. He believed, however, that the way to repel the West is not by ignoring or rejecting the sources of Western strength (science and technology). Muslims, instead, should reclaim and reappropriate reason and science which have been integral to Islam from the very beginning. He exhorted Muslims to realize that Islam was the religion of reason and science; a dynamic, progressive, creative force capable of responding to the demands of modernity:

> The Europeans have now everywhere put their hands on every part of the world. The English have reached Afghanistan; the French have seized Tunisia. In reality this usurpation, aggression, and conquest have not come from the French or the English. Rather it is science that everywhere manifests its greatness and power... the world is a world of science... those who forbid science and knowledge in the belief that they are safeguarding the Islamic religion are really the enemies of that religion. The Islamic religion is the closest of religions to science and knowledge, and there is no incompatibility between science and knowledge and the foundation of the Islamic faith.[8]

Therefore, science and learning from the West did not pose a threat to Islam; they could, and should, be studied and utilized. Jamal exhibited, in fact, a partial appreciation of intellectualism and of Western values and particularly Western science and techniques. 'He saw the West as something primarily to be resisted, because it threatened Islam and the community, but secondly, in part to be imitated.'[9] The West was both the problem and part of the solution. On the one hand, Europe had subdued and threatened the identity and autonomy of the community. On the other hand, the Islamic community nationally and transnationally must learn from the West, as well as identify, control and direct the sources of its power. Thus, in addition to science

and technology, he appropriated political ideas such as constitutionalism and political participation through elected assemblies. The revitalization of Islam and Muslim solidarity were the keys to attain the ultimate goal, independence from the West and the restoration of Muslim fortunes.

4-2-3: Pan-Islamism

Jamal is also remembered as the father of Pan-Islamism in the nineteenth century. His ultimate aim was to unite Muslim nations (including Shiite Persia) and establish a powerful bloc, able to repulse European interference and recreate the glory of Islam. His objective, as Rashid Rida, says,

> was to raise up some Muslim power that would become a rallying point for all Muslim nations. He began with Egypt; when his plans failed there, he pinned his hopes on the *Mahdi* uprising in the Sudan; then he tried Persia, and finally, the Ottoman Empire.[10]

Jamal maintained that the strength and survival of the Muslim community was dependent on the reassertion of Islamic identity and solidarity. In his holistic interpretation of Islam, the reform of Islam was inseparably connected with liberation from colonial rule. The reassertion of Muslim identity and solidarity was a prerequisite for the restoration of political and cultural independence.

To reach his purposes, he dared to examine cooperation with the despotic rulers in Egypt, Iran and Turkey which was bitterly, for him, unfruitful. On another occasion, he managed to organise a league of Muslims in Mecca from the representatives of all Muslim nations to work on the issue of a single Caliphate and presumably elect a Caliph. But his attempt failed as the result of opposition by the Ottoman Sultan. He clearly understood, finally, that the idea of Pan-Islamism in the form of establishing a single Muslim government with one Caliph, is not realistic and would not work. He redirected his aim, therefore, to establish strong relations between

all Muslim societies in order to moving toward same direction and enjoying just and competent Islamic states based on consultation. Inviting all Muslim nations to be united, he argues:

> By this, I do not mean that we should have a single state, because probably it is not practical, but what I hope to, is that only the Qur'an rule us and each of us tries to preserve the interests of the others.[11]

In his last years, he tried, though unsuccessfully, to make Ottoman and Persian Empires, on one hand, and Sunni and Shiite clergies on the other, close to each other through mutual concessions and adjustments. The Ottoman Sultan encouraged him in his endeavour, though primarily political in significance, but he was not welcomed by the other side. The idea of Pan-Islamism, after all, remained the great passion of his life.

4-2-4: Methods

The basic way of struggle for Jamal was education and training people in order to increase the level of understanding and to eliminate the roots of ignorance among them. As a teacher, he believed primarily that to change anything in the society into better, first of all people have to be changed. They should become more educated and more morally purified. Before government, they are minds and souls of people that need to be reformed.

> We should try first to purify the minds and souls of the people and then to establish government. ...What can a good government do without a prudent and capable nation? History has taught us that there cannot be a stable and competent government without a correct opinion among nation, named 'public opinion'. If government does not fear of public opinion, it would not act properly. Without public opinion, which controls and observes, it is quite natural that rulers and statesmen would prefer their interests and desires.[12]

In order to attain the happiness of nations, he says at the end of his book *Al-Radd ala al-Dahriyyin* (Refutation of the Materialists), it is necessary:

> 1. That the minds of the people should be purified of belief in superstitions and foolish notions.
>
> 2. That the people should feel themselves capable of attaining the highest levels of nobility of character and should be desirous of doing so.
>
> 3. That the articles of belief of the religion of the nation should be the first subject taught to the people, and this should be done by teaching also the proper reasons and arguments in support of these beliefs, that the religious beliefs of the people should not rest upon mere acceptance of authoritative teaching (*taqlid*).
>
> 4. That in every nation there should be a special class whose function would be the education of the rest of the people, and another class whose function would be the training of the people in morals. One class would combat natural ignorance and the need of instruction, the other would combat the natural passions and the need of discipline. These two provisions, the teacher to perform the work of instruction, and the disciplinarian to command that which is good and to prohibit that which should be avoided, are among the most important provisions of Islam.
>
> Islam is thus the only religion by which the happiness of nations can be attained.
>
> If it be objected, 'Why then are the Muslims in the evil state in which we find them?', the answer may be given in the words of the Qur'an: 'Verily God will not change the state of a people until they change their own state' (13:12).[13]

It is true, however, that on some occasions he preferred to find a short cut to achieve reform by starting at the top of the social pyramid. As a matter of fact, his dynamic political activities including high level contacts with the heads of Islamic states and even Western officials, on the one hand, and organising secretly or openly political circles and groups on the other, have convinced some of his biographers that the only way in which he believed for the realization of his ideals was that of political revolution. Adams, for instance, says

This [political revolution] seemed to him the quick and sure way of securing for Islamic peoples the freedom necessary to enable them to set their own house in order. The way of gradual reform and education was too long and uncertain for him.[14]

But it seems that he was simultaneously after both gradual reformism and political activism. The latter does not necessarily mean revolution, but includes, perhaps primarily, diplomacy and political contacts too. His disciples, however, due to his fruitless experiences, avoided direct contacts with the governments and tried, instead, to spread the general concept of reform to the lowest levels of society by targeting ordinary people.

4-2-5: Representative Government

One of the most remarkable feathers of Jamal was his constant struggle against tyranny and despotism, as well as his efforts to persuade representative governments in the Islamic countries. Egyptian Dr. Amin describes him thus:

> In his public speeches he aimed to free people from the tyrant rulers. He wanted people to understand their position against the rulers and vice versa, in a manner that each one knows his rights and responsibilities. Therefore, if the ruler abused power, people could explicitly and with a loud voice say: No. Sayyid Jamal's intention was to create a strong and stable public opinion which can enable people to understand what is going on, have a correct conclusion and eventually impose their desires to the authorities and not let them play with their rights. People should know that they have the right to participate in government and strive to establish a consultative body in the government. Parliament or national assembly is among the people's rights and is not something to be donated to them as a favour. If people understand their rights, they will preserve them as a valuable thing in their life. It is only thereafter that nothing could oppress them.[15]

Although the most ideal prototype state for Jamal was that of early Islam and the period of *Rashidun* Caliphs,[16] due to the force of realities, he became an ardent

advocate of constitutionalism and parliamentary government as the best form of government which limits the power of rulers and fits the Islamic requirements. 'Government in Islam,' he maintains,

> is not something to be inherited anybody. There is no privilege based on race, family and so on for anyone to become a Caliph or ruler. He, who has enough knowledge about Islamic law and is able to practice and provide people with satisfaction and happiness, is competent to be the ruler of an Islamic state.[17]

Moreover, this ruler has to follow people's wishes stated by their representatives through the Islamic principle of consultation. In 1878 when he was involved in all requests for a parliamentary regime, he recommended the ruler of Egypt, Khedive Pasha (1863-1879), who had asked to meet him, the following:

> Your excellency! let me to sincerely tell you that... the people of Egypt see you in the same manner you see them. If you accept my advice and participate people in the affairs, by establishing a consultative assembly as soon as possible, it would be the best for the stability and continuity of your government.[18]

Jamal maintained that representative institutions were necessary because they were prescribed by Islam under the general principle of *shura* (consultation) and they were of vital importance for the progress of a country. To support his argument, he mentioned the Qur'anic story of Solomon and the Queen of Sheba, which set a precedent for consultation with the people's representatives. According to this story, when the Queen received an important invitation by Solomon to "Behave not proudly towards me, but come to me in submission [to my religion]" (the Qur'an, 27:31), she called upon the men of influence and said: "O my nobles, advise me in the matter that is before me. I never decide any matter until you are present with me [and give me your advice]" (27:32). The principle of consultation, more specifically, has been set

forth in the Qur'an in the following terms: "...and who conduct their affairs by counsel..." (42:38). These verses, cited by Jamal from the primary source of Islam, can be taken as a clear evidence that Muslim rulers should call on the representatives of people for advice before taking decisions on public affairs.[19]

Jamal, however, was not content to halt at this point. He continued by claiming that according to these texts, authority ultimately belongs to the people and rulers have no right to govern without the consent of their subjects. He criticized those governments which had installed rubber-stamp parliaments. 'The authority of Parliament,' he says,

> would never be considered as the real power of people unless it be originated from the people. Any Parliament or National Assembly, which is planted by a king or by foreigners, is a fictitious one and will follow the desires of those who have initiated it.[20]

Such ideas, coming from an influential religious leader, had an immense impact on the religious groups who supported the European-inspired constitutional movements. As Khadduri says,

> It was on the momentum of Jamal al-din's efforts that religious groups in Istanbul, Cairo and Teheran, supported the constitutional experiments launched by Turkey in 1876, Egypt in 1881 and Persia in 1905.[21]

To conclude, Jamal al-Din al-Afghani (Asadabadi) was a teacher and tireless political activist who roamed the Muslim world from Egypt to India. He preached a message of renewal and change that challenged both Muslim and European authorities, citing the danger of European intervention, the need for national unity to resist it, the need for a broader unity of the Islamic peoples, and the need for a constitution to limit the ruler's power. These themes of anti-imperialism, Pan-Islamism (Islamic solidarity), political participation through elected assemblies, and constitutionalism were a major

part of his legacy.

4-3: Sheik Muhammad Abduh 1849-1905

Muhammad Abduh was a prominent Egyptian Muslim scholar and the main disciple of Jamal. Contrary to Jamal, who was primarily a political activist, Muhammad Abduh, is respected as the developer of the intellectual and social reformist dimensions of Islamic modernism.

4-3-1: Biography

Muhammad Abduh was born in 1849 in Egypt. He studied Islamic sciences in theological schools and entered the university of *Al-Azhar* in *1866*.[22] In *1870 he met* Jamal and began to attend his classes. He soon became his close disciple and companion. In 1877 he graduated from the Azhar University and received his degree as *alim* (cleric). He almost immediately started his job as a teacher and lecturer at the Azhar University and *Dar al-Ulum* school, a new college that incorporated a modern curriculum to prepare Azhar graduates for government positions. In 1879 the new Khedive of Egypt who was against a liberal policy of reform expelled Jamal and banned Abduh from teaching. Abduh then entered journalism and by the influence of then Prime Minister became editor-in-chief of *Journal Officiel*, the official journal of the Government.

The period in which he was in *Journal Officiel* coincided to a large extent with the *'Arabi* nationalist movement which was against the privileged position and dominant influence of foreigners in Egypt. Abduh is considered as one of the leading spirits of the movement. According to Adams:

> With his position of leadership of the progressive forces of the nation,
> and his advocacy of representative institutions as not only permissable
> for a Muslim country like Egypt but also as the ideal to be striven for,

and his convictions of the evils of foreign intervention, it was inevitable that he should take some part in a movement which was ...in some degree unquestionably national.[23]

When Nationalist cause failed, as a result of the British intervention on July 1882, he was arraigned with the other leaders of the uprising, tried and sentenced to exile from the country.

He left Egypt at the end of 1882, stayed one year in Beirut and then joined Jamal in Paris. There they formed a secret society and published Al-Urwa al-Wuthqa that continued to preach Jamal's message of Islamic reform and anticolonialism. When the publication was suppressed and Jamal left Paris to Russia, he went to the Lebanon and stayed for a three and a half years. During his stay in Beirut he continued his teaching and literary work and travelled to other Muslim and European countries. Finally in 1888, through the mediation of a number of his influential friends, he was pardoned and returned to Egypt.

Upon his return from exile, Abduh turned away from political activism and focused on intellectual, religious, educational, and social reform. The years from his return until his death form the period of his greatest activity and of his most important contributions to the future of Egypt and to Islam. He came to favour openly the existing government and became the close friend and advisor of the Prime Minister. He was granted with the most responsible and influential positions. He was appointed as a judge in the courts of Egypt, a member of different executive or consultative committees and a permanent member of the Legislative Council. In 1899, he was appointed *Grand Mufti* of all Egypt. As holder of this office, by virtue of his appointment by the state, he was the supreme official interpreter of the Islamic law for the whole country and his *fatwas*, or legal decrees, touching any matters that were referred to him, were authoritative and final. He held this office until his death in 1905.

4-3-2: Doctrine

Abduh's ideas of Islamic reform were based on two fundamental assumptions: first, the inescapable role of religion in the life of nations, especially in nations whose social polity is based on religion; and second, the need for new institutions and technical skills, in the efficiency of which the West has excelled, to meet the demands of modern life. Since it had become fashionable, almost irresistible, throughout the world to adopt these Western novelties, Muslims could no longer afford to ignore them. Some of Abduh's contemporaries still held that Western ideas were incompatible with Islam, but Abduh argued that Western scientific and technical achievements were not inherently incompatible with Islamic religious and moral values. The history of Islamic civilization bears evidence that Islam was never opposed to scientific investigation and that leading Muslim scientists were encouraged by the governments. Abduh maintained that the scientific achievements of the West, to which Islamic science had contributed, could be safely adopted without violating the spirit of Islam. Failure to adopt the achievements of modern science might lead to the indiscriminate importation of Western civilization with the consequent submergence of Islamic values in Western materialism.

Having established a common ground between Islamic and Western thought, Abduh turned to examine the problem of modernizing Islam from another angle. Like Jamal, he saw Islam in a state of decadence, but both were convinced of Islam's capacity for progress. The concept of 'decadence' in the Jamal-Abduh scheme of thought implied the pressing need for 'progress' and 'development' under the changing conditions of life, if Islam were to catch up with the West.[24]

In Abduh's scheme of thought, Islam could not overcome decadence without abandoning *taqlid,* the time-honoured doctrine of conformity, and without resorting to reason. His writings are full of admonitions against *taqlid* and of repeated calls for the exercise of reason, without which, he pointed out, Islam could not achieve progress and development.

> The hearts of the majority of the people have been infected by the religious leaders with the disease of blind acceptance of belief on the authority of others (taqlid).[25]
> Religion is a general sense,... but it is reason which has final authority in the recognition of this sense....[26]

In his treatise 'Islam and Christianity', Abduh explained the general role of reason in life and asserted that Islam was pre-eminently a religion of reason, since the Qur'an gave it a place of first importance by stating that reason is the power which enables men to distinguish truth from falsehood and the harmful from the beneficial.[27] From this basic assumption, Abduh suggested that Islamic law must be interpreted by reason, and in the case of conflict between the literal meaning of law and reason, reason must be given priority. He himself demonstrated the significance of reason in the application of law in his capacity as both Qadi (Judge) and Mufti (the supreme official interpreter of the Islamic law), by giving legal opinions like declaring it lawful for Muslims to eat the flesh of animals slaughtered by Christians and Jews, permitting Muslims to wear European forms of dress and to deposit money in Postal Savings Banks which yielded interest. These legal opinions were made possible in the absence of any authoritative texts prohibiting such actions.[28]

The key to progress in Abduh's eyes was the adoption of Western science and education. In one of his early articles he pointed out that the ascendancy of Europe lay in the superiority of its educational system and in the advancement of scientific investigation.

> We see no reason for their [European] progress to wealth and power except the advancement of education and science. Our first duty, then, is to endeavour with all our might and main to spread these sciences in our country.[29]

He insisted that Islam was never in conflict with science and that Muslim rulers were patrons of men of science and literature. If reason were the basis for the

belief in One God who, as stated in the Qur'an, "created for you all that is on Earth" (2:29), Islam must necessarily be in conformity with science. Science, like religion, reveals to men the secrets of nature. Abduh reconciled this view with prophecy and contended that the Prophet's function was to teach men how to understand nature and profit by it within the limits set forth in the sacred law. Thus, he concluded, both religion and science address themselves to the study of the same phenomena, each with its own object in view. Frequent references in the Qur'an to natural phenomena gave Abduh the justification to equate the study of religion with the study of nature. In one of his commentaries on the Qur'an he says:

> God has sent two books [to men], one created, which is nature, and one revealed, which is the Qur'an. The latter leads us to investigate the former by means of the intelligence which was given to us.[30]

Abduh may have not fully grasped the scientific theories with which he had become acquainted through second hand sources, but he fully understood the significance of supporting the findings of science. In his firm trust to science he went as far as to validate by religion the Darwinian theory of the evolution of the human species 'by interpreting a Qur'anic citation to the effect that the origin of the human race was not Adam, but a *nafs* (soul) from which all men descended.[31]

Abduh laid no less emphasis on education. He had observed European institutions of learning during his visits to Europe and had read related Western literature on education,[32] believing that the contribution of the West to education would be of great importance to an Islamic revival. From the beginning he directed attention to the state of education in Egypt and published frequent criticisms of the schools, teachers, methods of instruction, and general conduct of the educational programs. In some of his reports, he urged his countrymen to reform the educational system in order to catch up with the West, arguing that the ascendancy of the West lay in the superiority of its educational system and its scientific investigation. He

maintained that if Muslims armed with Islamic religious and moral values and acquired modern disciplines, they would be able to compete with Westerners. It was his deep belief that

> The Muslims, if their characters are disciplined by their religion, can compete with Europeans in the acquirement of the sciences and education, and equal them in civilization.[13]

The problem of raising the whole nation to a higher level of culture and education, in Abduh's opinion, is a very complicated one. It is not simply a matter of acquiring a smattering of European sciences or of imitating Europeans in their manner of life, for, in the majority of instances where such views of education have been held, the result has been the imitation of Europeans in their customs, building, dress, furniture, and expensive luxuries; and this has led to the creation of a spirit which ignores the straight path of true glory and personal honour. But the uplift of the nation can only be accomplished by following the path for the uplift of individuals. Customs must be changed gradually, beginning with the simplest changes. The reform of the character, ideas and actions of the people is the most important duty of the nation. Without this no reform is possible. But this is a long process which requires time, the first step of which is the improvement of education.[14]

The significance of Abduh's approach to reform lies chiefly in the clarity and freshness of his ideas. He made it clear that Islam's decadence was due to a long-standing rigidity in Islamic thought coinciding with the progress and the ascendancy of Europe, especially in fields which Muslims had long neglected. Islam could catch up with European progress if Islamic thought were revived by the exercise of reason and the adoption of European disciplines -disciplines to which Muslims themselves contributed in the past. He therefore saw no harm, as some contemporary reformers contended, in adopting elements of Western civilization which would enable Islam to be rehabilitated.

4-3-3: True Islam

The problem of the reform of Islam, as Abduh saw it, was by no means a simple one. The actual condition of the Muslim people was one of great backwardness. Politically, they were for the most part subject to non-Muslim powers, and, even where not directly under foreign rule, were yet subject to foreign influence. The spirit of these decadent nations must be aroused, and they must again be united in the consciousness of a common Islamic brotherhood and of a common heritage as Muslims. Their social, moral, and intellectual condition was deplorable; they were subject to many weaknesses and ills and the victims of many degrading customs, which were no part of the religion of Islam, but rather were the result of their ignorance of the true Islam and their failure to practice what they believe in. The cure for these many ills, as he conceived it, lay in a return to the true Islam.

But what is true Islam to which the various Muslim peoples must once more be summoned? Abduh argues that Muslims are hopelessly divided into sects, each one of which claims to be the true one. Moreover, the religion of Islam as conceived by the doctors of the schools of thoughts has become so vast and complex system, that it is difficult for any one, particularly if he be among ordinary people, to know just what Islam is. Under such conditions, the only hope for a revival of Islam lies in the recovery of the essentials of that religion, the minimum of beliefs without which Islam would not be Islam, the true Islam which all could recognize as such, and upon which all could unite. Still further, a new intellectual awakening must be cultivated, by the promotion of education among the masses of the people, and by the pursuit of modern scientific studies. There is nothing in the spirit of modern civilization or in modern scientific attainments that is contrary to the true Islam -if Islam be but properly understood and stated. The necessity for such a statement that will be in harmony with modern science, calls again for the recovery of what is essential and principal in Islam, and not merely of temporary or local application. In particular, there is need for a revision of the system of canon law, which is also an essential part of Islam, that

its adaptability as an instrument of government under modern conditions may be practically demonstrated.

In determining what are the essentials of Islam to which return should be made, to the exclusion of much that is now regarded as belonging to Islam but, in reality, is foreign to it and even contradictory to its spirit, he demanded 'to return to the original sources of the branches of the sciences (of Islam) in order to attain a proper knowledge of them.' The fundamental essentials of Islam are held to be 'that which is in the Book (the Qur'an) and a small part of the Sunnah (Tradition of the Prophet) relating to matters of practice.'[35] Therefore, by following this method of returning to the simplest and most essential form of Islam, a basis would be found upon which all Muslims could unite, and which, at the time, would prove acceptable and sufficient as the one religion for all mankind.

> It would then appear that the present regulations of Islam regarding divorce, polygamy, slavery, and the like, do not belong to the essentials of Islam, but are subject to modification according to circumstances.[36]

The real nature of Islam would then be manifested, as the final expression of the true religion of God.

4-3-4: Representative Government

After Jamal, Abduh was perhaps the first Muslim scholar who advocated the idea of representative government and saw no fundamental incompatibility between it and Islamic principles. Both Jamal and Abduh coupled their enumeration of the virtues of government, as Enayat says, 'by popular consent with persistent and vigorous attacks on the popular belief in divine predestination, arguing that Islam is a religion of free will.'[37] 'I raised my voice,' Abduh says in his *Risalah*,

> to free the mind from the chains of belief on authority (*taqlid*). ...Islam declares openly that man was not created to be led by a halter, but that

it is his nature to be guided by science and by signs of the universe and the indications of events -and that teachers are only those who arouse and direct and guide into the way of investigation.[38]

In his reply to the French Foreign Minister regarding his claim that Islam is the religion of predestination, he argues that 'the Qur'an denies compulsion (*Jabariyyah*) and, in about forty-six verses, teaches 'acquisition' and free will.'[39]

Representative government was his ideal form of government. He maintains, without referring to the traditional theory of Caliphate, that

> representative government and legislation by representatives chosen by the people are entirely in harmony with the spirit and practice of Islam from the beginning, it is even the duty of the nation to aid its ruler by counsel through its chosen representatives.[40]

In respect of the method by which such representative government can be realized, he admits that no particular method has been defined by the Islamic law (*shari'ah*), 'but is to be determined according to that which will best promote the ends of justice and the common advantage.[41]

Then Abduh presents a different and unprecedented interpretation of the verse 4:59 in the Qur'an which reads: "O you who believe! Obey God and obey the Apostle, and those among you invested with authority; and if you differ in anything among yourselves, refer it to God and His apostle." This verse, as mentioned in the previous chapters, was the main reference in the Qur'an, for traditional scholars, to justify the authoritative position of Caliph and other rulers -specially those who gained the office by compulsion. But as far as Abduh was concerned, by applying these words to the present time, the meaning is: obedience to God is to follow His book completely, which, among others, prohibit differences and divisions into sects in religion; obedience to the Apostle after his death is to follow his Sunnah (Tradition). Matters of belief and practice are to be determined by reference to these two sources. The

third class mentioned, 'those invested with authority', are the men of position and influence, such as the Ulama (clerics) and the leaders, who are known in the language of today as 'the representatives of the nation'.[42]

By such an innovative interpretation, Abduh implies that the leader of an Islamic society is not the representative of God or His messenger, but that of the people. This approach was totally a new one in Islamic political thought. Abduh then refers all judicial, administrative, and political affairs to these representatives, though restricts their authority to 'the principles of the Divine Law respecting the conservation of advantages and the averting of evils, and in harmony with the conditions of the time and the place.'[43] 'A ruler,' he affirms somewhere else,

> whatever obeying him being obligatory, is a human being like every body else who may make mistakes or follow his desires. There is nothing to prevent him except the advice of the people, whether by speaking or by action.[44]

4-3-5: Methods

To reach to the ideal form of government (i.e. representative), Abduh, contrary to his master Jamal, did not believe in revolution or any other short-term political activity. It is true that he supported political movements and to some extent participated in political activities, but actually, as Ahmad Amin says, 'while Sayyid Jamal carried the banners of both cultural and political reforms, Abduh chose only the cultural one.'[45] Muhammad Abduh was, fundamentally, a reformer who depended more upon methods of reform and education than upon agitation and revolution. As far as he was concerned, education and increasing the level of understanding among people was prior to any reform. Even in the 'Arabi movement, though he was the spiritual teacher of its leaders and was actively identified with the revolutionaries, he was indeed against their method of revolution and using force. Rashid Rida, his

disciple and his first biographer, confirms that 'he was the opponent of the military revolution even though he was a directing spirit to the intellectual movement.[46]

'Arabi and his followers were of one mind that constitutional government was, without question, the best form of government for a country, and that the time for a change to that form of government had come in Egypt. Abduh opposed this view. He maintained that a beginning must be made in educating the people so that men would be raised up who could perform the duties of representative government with intelligence and firmness. Both the government and the people must become accustomed gradually to the giving and receiving of advice by means of special councils instituted in the provinces and governorates. It would not be the part of wisdom to give the people what they are not prepared for. To do so would be like making it possible for a minor son to spend all his inheritance before he had attained his majority or been trained to spend money wisely. If the country were ready for participation in the government, there would be no point in seeking for such participation by force of arms. It is to be feared, he concluded, that this uprising would bring about the occupation of the country by foreigners.[47] On many other occasions he tried to convince 'Arabi that a policy of moderation would, in a few years, win more than they were now seeking.[48]

Abduh followed this idea while he was in the Legislative Council of Egypt. As a leading member of the Council (which was only an advisory body at the time) he attempted to create a spirit of mutual understanding and confidence between the council and the government. 'He believed that,' Rida says in Abduh's biography,

> in so doing he was promoting the ends of representative government and was at the same time helping to educate the nation at large in a more intelligent participation in its own affairs.[49]

4-4: Conclusion

Islamic modernism in the nineteenth century was a response to the decadence of Islamic world and exhaustive invasion of the West to the territory, sovereignty, wealth, culture and even identity of Muslims. It was primarily an intellectual movement. Though it did not produce a unified movement or enduring organizations, its legacy was substantial in its influence on the Muslim community's development and its attitude toward the West. Islamic modernism reawakened Muslims to a sense of past power and glory; reinterpreted and produced a modern ideological interpretation of Islam; and demonstrated the compatibility of Islam with modern Western sociopolitical reform.

Modernists provided Islamically based rationales for modern reform. They offered an alternative to the rejectionist tendencies of many religious leaders and the uncritical assimilationist tendencies of secularists. Through their writings, publications, teaching, and establishing of educational and social institutions, Islamic modernist ideas and values became part of Muslim discourse and in time part of mainstream Muslim thought.

Jamal and Abduh are the leading figures of Islamic modernism. Their reforms, as discussed, had a dual character. On the religious side, it appealed for purification of religious belief and practice, the raising of intellectual standards, and the extension and modernization of education. On the political side, it aimed at removing the internal and external causes of decadence as well as the causes of division between Muslims, and at uniting them in defence of the Faith. The legacy of Jamal and Abduh influenced not only the Arab heartland and North Africa but also distant regions such as Indonesia.

And finally, the Islamic modernism of Jamal and Muhammad Abduh was a

prelude to the concepts of constitutionalism and representative government in the Islamic world. It brought the idea of the political participation of people, in modern sense, into the front of Muslims' political thinking. The abolition of the Caliphate in 1924 and its consequences, as a very decisive shock to the Islamic world, motivated this modernism to enter into the contemporary world with a new and fresh breath, though with different, and sometimes controversial, aspects./

CHAPTER FIVE

Towards the Islamic Nation-State,
Muhammad Rashid Rida and Ali Abdul Raziq

Introduction:

In the middle of different religious and political reactions to the abolition of the Caliphate in 1924, two scholarly responses emerged, though in opposite directions, by two well-known Muslim writers. They are Muhammad Rashid Rida and Ali Abdul Raziq, both belonged to the religio-political circles of Egypt in early decades of this century. Rashid Rida tried to revive the theory of Caliphate by adding some aspects of modern requirements, but Abdul Raziq rejected it entirely and from its basis. The latter even went as far as to deny the integrity of religion and politics in Islam.

Rida's Caliphate theory proved impractical and Raziq's suggestion repulsed by both traditionalist and modernist scholars. However, these two antithetical efforts both moved towards one doctrinal result: the strengthening of the legitimacy of the concept of Islamic Nation-State.

5-1: Muhammad Rashid Rida 1865-1935

Abduh, as discussed in previous chapter, had given little attention to the classic doctrines of the Caliphate or of technical aspects of legal methodology. By asserting that Muslims must look back to their earliest history to discover the true principles of their faith, however, he encouraged others to re-examine traditional institutions of government and law as they had existed, he presumed, in the glorious days of early Islam. Thus, the primary concern for his main disciple, Muhammad Rashid Rida, was to spell out a systematic theoretical framework for the revival of the Caliphate and of

the *shari'ah* (Islamic law).

Muhammad Rashid Rida, although Syrian by nationality, is well known as a prominent scholar in the Egyptian religio-political circles of the early twentieth century. He was born in 1865 in a village near Tripoli. His education was received in the theology schools of Syria where he was granted the diploma of *'alim'* (cleric) in the year 1897.[1]

The modernist ideas of Jamal and Abduh had a great influence on Rida and changed the whole course of his life. He has recorded that reading 'every number [of Al-Urwa al-Wuthqa, a journal published by Jamal and Abduh] was like an electric current'[2] striking him. He desired for a time to join himself to Jamal who was in his last days in Constantinople. But Jamal's death, led him to emigrate to Cairo.

In Egypt, Rashid Rida associated himself with Muhammad Abduh and became his leading disciple during his lifetime, and, since his death, his biographer, editor of his works, and the one who *has principally carried on his tradition and interpreted his* doctrines. Soon after his arrival in Cairo, Rashid Rida *embarked on journalism and* founded a journal called Al-Manar (The Lighthouse) in 1898. His desire was to perpetuate the tradition of Al-Urwa al-Wuthqa, except with respect to its hard line political policy which was no longer called for.[3]

There is almost nothing to say about Rashid Rida's reformist ideas more than what has been already said about Jamal and Abduh. Like them, he started from the question: "Why are the Muslim countries backward in every aspect of civilization?" However, what distinguishes his ideas from those of his masters is his persistence in reforming the Sunni theory of Caliphate and reviving it on the basis of early Islam. His concern was to reassert the temporal as well as religious significance of the true office and to show the fitness of the institution for the political requirements of the modern age. Rashid Rida's important treatise on the Caliphate, *Al-Khilafa aw al-*

Imamat al-Uzma (The Caliphate or Supreme Imamate, 1922-3) was published on the eve of the abolition of the Caliphate. It was written in response to the action of the Turkish Grand Assembly in 1922 in stripping the Ottoman Caliphate of all temporal authority and leaving it an entirely ceremonial office.

Rida's Caliphate theory appears, at first glance, to be the repetition of old classical theories, held by al-Mawardi, al-Ghazali and the rest. But there are, in effect, many differences. Two major distinctions, as far as this thesis is concerned, distinguish Rida's theory. Firstly, the role given to the *ahl al-hall wa-l-'aqd* as the representatives of the community, and secondly, his modernist idea on legislation and the recognition of man-made laws.

Rida has also discussed a number of other innovative issues like: *possible ways* to elect a new Caliph, where to seat him, instituting a special school to educate officials (including the Caliph himself), role of *ulama* (clerics), etc., which look too idealistic in nature.[4] There is no room, however, to elaborate these issues here.[5]

5-1-1: Rida's Caliphate Theory

Rida has based the necessity of the Caliphate on both reason and the divine law. Reason is used to justify the necessity of government in general. Without government, he believes, the law cannot be enforced nor the welfare of the community protected. But for the necessity of the Caliphate as a form of government, he refers to the divine law and employs the words of the Prophet and the *ijma'* (consensus) of the companions to support it. He differentiates between what he calls the ideal Caliphate, which existed only under the *Rashidun* (Rightly Guided) Caliphs, and the actual Caliphate, under which the Muslims lived for the best part of their history. Rida rejects the historical Caliphate institution, except in *Rashidun*'s period, as a monstrous deviation. It is strange, however, that he has based his own discussion on vast quotations from classical theorists (like Mawardi, al-Ghazali and Taftazani) whose main concern was to legitimize that Caliphate which Rida rejected.[6]

Rida defines the Caliphate as 'the leadership of Islamic government combining the interest of religion and worldly life.'[7] The office must be hold by a single individual as 'a safeguard for the entire community in case they should have to remove the imam for evildoing.'[8] By this, it is apparently meant that a single individual is more easily held accountable.

The Caliph is elected by *ahl al-hall wa-l-'aqd* (hereafter cited as '*ahl...*'). Various writers have characterized the *ahl...* as 'men of learning, leadership, and prominence', 'those who can easily meet together', 'those possessed of the sovereign power of decision, whom the other people follow.'[9] For Rashid Rida, the quality of effective influence is essential. As far as Rida is concerned, they are the representatives of the community and the real holders of authority. The Caliph is, in fact, their executive officer. It is traditionally agreed that the Caliph is installed in office by their *bay'ah* (oath of allegiance), he says, but they have never been clearly identified. The phrase itself, however, suggests to Rida

> the chiefs of the community and those prominent in rank, in whom the
> great majority have placed their confidence, so that whoever they
> choose will be assured of their submission and serve to organize their
> affairs, secure from their disobedience or rebellion.[10]

It is not the selection of a candidate, he continues, that concludes the contract of the leadership in a constitutive sense, but the ratification of the selection by the community. The Muslim community ratifies the Caliph through the process of *bay'ah* and 'the *bay'ah* is given only when the body of Muslims have been consulted and when the *ahl...* have made their choice.'[11] It seems that the concept of sovereignty, compared with the classical doctrines, has remarkably evolved in Rida's writings. He still acknowledges it absolutely to belong to God, but he attributes it in the sense of political leadership (*haqq ar-ri'asa*) to the *ummah* (community) and identifies the *ummah* as the locus of national sovereignty.[12] He denies, however, any sort of

authority above the divine law for the community.[13]

Rashid Rida implied by the foregoing that the *bay'ah* must be constituted by what amounts to an elective process, by prior consultation either before nomination by a single person or nomination by a group acting together; that in either case the choice must enjoy the concurrence of the community through the judgement of the *ahl...*; that the *ahl...* must possess effective influence in the community so that their decision will be assured of enforcement; and that the *ahl...* are the final authority, speaking for the full body of believers.

Rida, I suppose, tries to institutionalize a body of people, that he calls the *ahl...*, as the legitimate representatives of the community whose leadership being then exercised over the other individual members of the community. This institution is associated with the powers of election and deposition of the ruler, general influence and prestige among the subjects at large, representation of the rights of the community, participation in decision of state and authoritative determination of the law. Consultation which is recommended in the Qur'an and Tradition but receives little attention in the classical juristic writings and was never definitively institutionalized in Muslim history, is adopted by Rashid Rida as the hallmark of his political theory and confided to a single body in the fields of election, constitutional interpretation, administration and legislation. However, Rida has not definitely identified who these representatives are and how the community can establish this representative body.

Rida believes that on technical points of legal interpretation, the Caliph must consult the jurists; but on non-technical questions the whole community is potentially a consultative body.[14] However, Rashid Rida, like Abduh and other modernists who have stressed the importance of consultation, does not draw a distinction between the obligation to seek advice and the obligation to *defer* to advice.

> The Caliph is not an absolute ruler as many people suppose. He is limited by the prescriptions of the Qur'an and the Sunnah, by the

example of the *Rashidun* Caliphs, and by consultation.[15]

But Rida has his own definition for an absolute ruler. An absolute ruler, to his mind, is not one who has the final power to make all decisions, but one who relies entirely upon his own information and judgment in making decisions. Thus, the caliph is required to consult, but still has the final word in decision making.

Rida clearly asserts that as long as the ruler's decisions do not contravene explicit texts, they should normally be followed. But, he significantly adds, if the *ahl...* should meet and pass other decisions opposed to the ruler's policy, these are binding on him,

> because they are the deputies of the *ummah* and it is they who have the right to select the Caliph; the Muslims have no ruler except through their *bay'ah*. If he should oppose them, the community must support them against him rather than vice versa.[16]

The bare fact that Rashid Rida characterizes this body as the representatives of the community is not sufficient, however, to say that he considers the principles of consultation (*shura*) and consensus (*ijma'*) as democratic principles of the participation of the people in power, or his contract of the *bay'ah* is comparable to that of John Locke's theory, and still less that he conceives the community to be sovereign in the sense of Rousseau's 'General Will'. The most that can be said is that whereas the traditional juristic theory saw the Caliph as exercising God's authority and responsible to the community only in a manner incidental to his religious responsibility, Rida appears to magnify the role of the community (or rather, that of its leading members) to the point where it is they who are the vicegerents of God and the Caliph's responsibility to them becomes of primary rather than secondary importance. The *ahl...* have replaced the Caliph as the human agency whose function is determined directly by religious considerations, and the Caliph has become their executive administrator.

Collectively they stand in relation to the community as a whole in approximately the same position as the Caliph did in classical theory, in the respect that their authority derives from their capacity for the function they perform, and not from a delegation. While they are called the representatives of the community, they, like the Caliph as traditionally conceived, are trustees rather than agents. The power of coercion in society is theirs:

> True obedience is due only to God, and worldly authority belongs to the body of the community. The chief is only a representative of its unity.[17]

One may assume that Rida was possibly influenced by Western ideas as his theory appears in some ways a recasting of Western assumptions particularly when he partially substitutes his representative body of the *ahl...* for the Caliph. For Rida, however, this substitution is not an innovation but an expression of the true tradition of the *Rashidun* Caliphs. On the other hand, he surprises us when he enters into the question of the Caliph's deposition. To tackle this issue, he unexpectedly comes to a close agreement with the classical theorists and implicitly advocates the acceptability of the *status quo*, whatever it might be. He limits the authority of the community's representatives over the Caliph by the stipulation that the Caliph may not be deposed except in very rare conditions; indeed, he cannot even resign.[18] Revolt against the Caliph is only permitted when he shows himself to be an unbeliever or an apostate.[19] In the case of individual sins or contravention of the religious law, it is enough for the Caliph to be advised to correct his way.[20] Moreover, even in the case of unbelief and apostasy, if deposition is not practically possible or could be accompanied by bloodshed and civil strife, it should be postponed to prevent the worse condition according to the 'doctrine of necessity' in which the bad is tolerated to avoid the worse. When the office or its functions are usurped by force, no obedience at all is due, and it is a duty to overthrow the ruler at the first opportunity. However, the

doctrine of necessity is relevant in this case too.[21]

This kind of logic by Rida, in fact, has discredited his own ideal theory of Caliphate. In a time when most of the modernists, including Rida's own masters, held classical jurists and the doctrine of necessity responsible for the acceptance of oppressor rulers by Sunni Muslims, this idea of Rida seems peculiar. However, he has recognised the risks and consequences of this doctrine, that evils may be tolerated in the name of necessity, and, interestingly enough, warns Muslim nations not to accustom themselves to it.[22]

5-1-2: Rida and Legislation

Rashid Rida's opinion about legislation was, in a sense, quite new and, perhaps, courageous, since no legislation is permitted in the presence of the divine law in orthodox Islamic thinking. To a great extent, it is due to Rida's effort that law-making, as an ongoing effort to find rational and systemic solutions to unprecedented problems, is no longer an innovation in contemporary Islam.

The 'principle of interests' constitutes the essence of Rida's conviction. When there is either no text at all, or else one of which the meaning is not clear or the authenticity doubtful, it is for human reason to decide what act best accords with the spirit of Islam. In so deciding, human reason must be guided by the principle of interest, interpreted in the light of the general principles laid down in the Qur'an and Tradition.

The principle of interest is not a new idea even for the traditionalists. *Maslaha* or interest, for classical jurists, had been a subordinate principle, a guide in the process of reasoning by analogy rather than a substitute for it.[23] For Rashid Rida, it tends to become itself the positive principle of decision, replacing analogy; and other commands or prohibitions, whether specific or general, have rather a negative function of laying down the limits within which reason shall work. Since interests vary according to circumstances, the implications of this are far-reaching: what Rashid Rida

is saying in fact is that there is and can be no *ijma'* (consensus), even that of the first generation, in matters of social morality; or, in other words, that the Muslim community has legislative power. The rulers of the community have not only the executive and judicial powers, they can legislate in the public interest. Thus, there can be a body of positive law (*qanun*) subordinate to the Islamic law (*shari'ah*) in the sense that if there is conflict it is the latter which is valid, but otherwise independent and with a binding force which derives ultimately from the general principles of Islam; for it is not only the right but the duty of a Muslim nation to give itself 'a system of just laws appropriate to the situation in which its past history has placed it.'[24]

This does not mean, of course, that every Muslim is free to exercise his own judgement and create his own system of rules. The creation and change of social morality and law is another function of *ahl...* , those who have authority in the *ummah* or its political divisions. When he uses this phrase, Rashid Rida is thinking of a partnership between the two types of authority: the just and devout Muslim ruler and the real *'ulama'* (clerics). The making of laws, like all the functions of government, should be exercised by consultation (*shura*) between them. But here again the modern note is present. He thinks of the *'ulama'* as an organized body, of the *shura* as a deliberate process, and of the law which it produces as springing from some sort of formal procedure. In other words, having rejected the old conception of *ijma'*, he is introducing a new one: the *ijma'* of the *'ulama'* of each age, a legislative rather than a judicial principle, working by some sort of parliamentary process. Rashid Rida contends that this is the original conception of legislation in Islam.

5-2: Ali Abdul Raziq 1888-1966

If Rashid Rida's concern was to revive the Caliphate institution, another Egyptian scholar, Ali Abdul Raziq, rejected it entirely and took advantage of the

abolition of the Caliphate to launch a forceful attack on the whole traditional school of Islamic political thought. Ali Abdul Raziq was certainly the most controversial theorist thrown up by the crisis over the Caliphate's abolition. His doctrine, supported by a religious reasoning, is tied in with almost all discussions about the abolition of the Caliphate and its consequences. The chief purpose of his argument was to suggest a disintegration between religion and politics in Islam and that Muslims are free to choose whatever form of government they find suitable to ensure their welfare. Abdul Raziq was against the idea of Islam being a political religion, but unlike other critics of this kind, he was himself an Azhar-educated Islamic scholar who even acted for some time as a judge of the Religious Court. Although he had a deep immersion in traditional education, he contested the views of not only the orthodox *ulama*, but also modernists like Rashid Rida, who, despite differences, shared his anti-dogmatic feelings.

Ali Abdul Raziq was born in Middle Egypt in the year 1888. He belonged to an influential family whose members had taken an active part in the Liberal Constitutional Party. He studied at the Azhar University and was Abduh's pupil for a short period of time. During his higher education in the Azhar, he also attended lectures by European professors in the New Egyptian University. Following his graduation from the Azhar, as an *alim*, he went to England, in 1912, to study Economics and Political science at Oxford University. The outbreak of the World War I, however, forced him to leave it unfinished. He returned to Egypt and was appointed as a judge in the *Shari'ah* Court in 1915.

In 1925, a year after the collapse of the Caliphate, he published the results of his investigations in a work on the Caliphate, entitled *Al-Islam wa Usul al-Hukm* (Islam and the Fundamentals of Authority). The book was so controversial that in August 12, 1925, a court consisting of twenty-four of the leading *ulama* of the Azhar dismissed him from the body of the *ulama* and from the position of judge in the
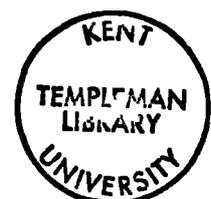
Shari'ah Court.

5-2-1: Doctrine

Abdul Raziq begins, in his book, with the most fundamental question which no Muslim thinker previously doubted: "is the Caliphate really necessary?" There was another question, behind the first one, more general and more fundamental: "is there such a thing as an Islamic system of government?" For orthodox Sunni Muslims, belief is not complete and Islam is not established without the Caliphate. But, he believes, the very idea of the Caliphate, as both a civil and religious hegemony in succession to and on behalf of the Prophet, rests upon a mistaken conception of the Prophet's purpose and the nature of the apostolic office which he filled.

Two theories, he says, have been advanced in regard to the basis of the Caliph's authority. The first and more generally accepted argues that it is derived from the authority of God, while the second one maintains that it comes from the choice of the *ummah* (community). Both rest on a common assumption: that to accept the authority of the Caliph is an obligation (whether derived from rational principles, or from the statements of the law).

But the Caliphate, Abdul Raziq claims, has no basis either in the Qur'an, or the Tradition, or the Consensus. To prove this claim, he dealt in some detail with the major pieces of evidence which are normally drawn from these three sources in establishing the 'obligatoriness' of the Caliphate. He rightly says that the Qur'an nowhere makes any mention of the Caliphate in the specific sense of the political institution we know in history. God affirms in the Qur'an: "We have neglected nothing in the Book" (6:38). But all the verses which are commonly supposed to sanction the Caliphate do in fact nothing of the sort. They are merely vague general statements enjoining respect for those in authority.[25]

Regarding the Tradition, he continues, no convincing proof can be extracted from the sayings attributed to the Prophet. Those sayings which talk of 'the Imam

(ruler)' like: "Imams [should be] from the Quraysh", "He who dies and has no obligation of allegiance [to the Imam] dies the death of ignorance", and the like, are indeed without any clear definition of the Imam's function or statement of his necessity. 'Even when' he says, 'one assumes these sayings to be authentic, they do not prove that the Caliphate is a religious doctrine, and one of the articles of faith'. Christ said: 'render unto Caesar what is Caesar's, and unto Christ what is Christ's; but this cannot be taken to mean that Christ regarded Caesar's regime to be necessary for his followers. Or, as another example, Islam has called upon the Muslims to respect and help the poor, or emancipate slaves, but this does not signify the obligatoriness of poverty and slavery.[26]

To dispose of the consensus as the last conceivable sanction, Abdul Raziq argues that judging from concrete historical instances, consensus, whether in the sense of the agreement of the Prophet's companions and their followers, or that of the *ulama* or the entire Muslim community, has never played any role in installing the Caliphs, except in the case of the first four. The Caliphate has always been *established by force*, and *maintained by oppression*. If there has been any consensus serving as the legitimizer of the Caliphate in history, it has been of the kind that the Muslim jurists refer to as 'the consensus of silence' (*ijma' sukuti*). Being himself an expert on Islamic jurisprudence, Abdul Raziq felt confident enough to declare that consensus in this sense can never be used to deduce 'religious proof and canonical rule'.[27]

If the Caliphate by no means is obligatory, what can be said about the act of the Prophet himself who established a state consisting of administrative bodies to govern the Muslim community? To tackle this question, Abdul Raziq makes a distinction between Caliphate and government. Government is necessary for the benefit and welfare of Muslims and Islam had no way but to establish one. The Qur'an emphasized the necessity of government, but not the Caliphate.[28] The Prophet, he maintains, exercised political power necessitated by the special circumstances of his time; but his action should not be taken to imply that he

attempted to found a state or that it was part of his religious mission, a mission which was 'prophetic' and not 'temporal'.

The Prophet's mission was completed with his death. After him, the community was bound to organize some form of government because it could not revert to the former state. The election of Abu Bakr set a precedent for the Caliphate, but his position was political and not religious. It was in succeeding generations that a religious significance was attached to this office, a significance which the Caliphs found in their interests to encourage.

> This is the crime of the kings and of their tyranny over the Muslims....
> In reality, however, Islam is innocent of this institution of the Caliphate, as Muslims commonly understand it.[29]

From this Raziq concludes that the Caliphate had outlived its usefulness and might be allowed to vanish as political circumstances *have radically changed.*

Government, as Abdul Raziq believes, is necessary. The significant point, however, is that there is nothing in the Qur'an nor in the *shari'ah* which state the form and organization of government. Religion, he maintains, has nothing to do with one form of government rather than another, and there is nothing in Islam which forbids Muslims to destroy their old political system and build a new one on the basis of the newest conceptions of the human spirit and the experience of nations. Forms of government indeed are of no concern to the divine will; God has left the field of civil government and worldly interest for the exercise of human reason. 'Promoting the religious symbols', he continues,

> and ensuring the people's welfare do indeed depend on the Caliphate,
> in the sense of government -in whatever form and kind the government
> may be, absolutist or conditional, personal or republican, despotic
> constitutional or consultative, democratic, socialist or bolshevist.[30]

Majid Khadduri believes that this view of Raziq, although harshly responded to by major orthodox *ulama*, provided legal validity for the newly established national political systems in the Arab world.[31]

As for the question of Islamic unity and the idea of pan-Islamism, he again has his own different interpretation. It is not necessary, he says, that all muslims should be politically united; it is virtually impossible, and even if possible would it be good? God has willed that there should be a natural differentiation between tribes and peoples; there should be competition, 'in order that civilization should be perfected.'[32]

The unity of the whole Muslim community then is not that of a State. Islam recognizes no superiority, inside the *ummah* (Muslim community), of one nation, language, country or age over another, except for the superiority conferred by virtue.[33] The primitive community was only Arab by accident: it had to start with some specific person and in one place, and God in His wisdom chose an Arab to preach first of all to Arabs. The Muslim community was therefore materially Arab in its early phase, but it was potentially universal from the start. It was not an Arab State; the various tribes and 'nations' of Arabia were a unity around the person of the Prophet, but they retained their own forms of government. The Prophet did not interfere in their political affairs, and his commandments had no relevance to their methods of government. The 'union of hearts' brought about by Islam did not constitute a single State. The proof of this is that the Prophet made no provision for a permanent government of the community after his death; either therefore he died with an essential part of his mission incomplete, which was impossible if he was really sent by God, or else it was no part of his mission to found a State.

The conclusion of all this debate can be stated in two propositions: first, political authority and government, however indispensable for implementing Islamic ideals, do not belong to the essence of Islam and specifically do not constitute any of

its cardinal principles.[34]

> The notion that religious authority is mixed with political authority in
> Islam, has no base in Islamic law and is contrary to its essence.[35]

Second, Islam, if properly understood, leaves the Muslims free to choose whatever kind of government they see appropriate to meet their demands. The opposite belief, that in Islam religion and politics form a unified whole, is wrong so far as it associates politics primarily with the Caliphate, and then with the despotic regimes that have ruled the Muslims throughout history. Abdul Raziq considers the currency of this belief to be the result of both the observations of well-meaning, 'realistic' historians like Ibn Khaldun and the cynical insinuation of the despots themselves who wanted to give an appearance of sanctity to their rule.[36]

The final remark of the book summed up the author's urge to see his conclusions turned to the service of political activism among Muslims today:

> There is nothing in the religion which prevents Muslims from competing with other nations in the field of social and political sciences, and from demolishing that antiquated order which has subjugated and humiliated them, and to build up rules of their state and the organisation of their government on the basis of the most modern achievements of human reason, and on the most solid experiences of nations as to the best principles of government.[37]

Abdul Raziq's doctrine was faced by a violent orthodox reaction, so he was not given an opportunity to develop his views. If the essential ideas of the book had not been dressed in a provocative language, or if they had been expressed in another time, instead of the emotionally-charged atmosphere of early post-Caliphate years, they could have been received in a better way and could have played a different role in the long discussion between traditionalists and modernists on the question of relationship between religious and civil authorities.

5-3: Conclusion

What Rida tells us in his theory, in spite of all ambiguities and contradictions, is that in 1922 the modern concept of popular and national sovereignty was strong enough to find room in his supposedly revivalist theory and that parliamentary legislative institution can be sanctioned by Islamic principles. Rida seemingly supported a secular characterization of authority by arguing that the political organization and activities of the Caliph and his appointees were devoid of spiritual powers and were therefore 'civil' or 'temporal'; that in matters of political, military, judicial, and administrative organization the Caliph was free to 'legislate' according to his own judgment and based on the consultation with the community's representatives; and that the community held supreme political authority through its representatives. These views, however, had only to do with the exercise of authority, whose ultimate origin and sanction in Rida's mind remained in the Divine Law, and were still far from the doctrine of full 'national sovereignty'.

On the other hand, Ali Abdul Raziq lent the sanction of a theory, and thus the sanction of an ideal, to something that he himself declared to be purely mundane. His theory did not attack an existing institutional structure, any more than Rida's theory upheld one. But by denying the very concept of an Islamic government, Abdul Raziq was bound to offend even those who might be tacitly ready to accept the practical implication of his ideas, namely a secularly organized government.

Rida's Caliphate theory was neither an implementable or even suitable proposition for the situation of Muslims in the early twentieth century when the whole Ottoman territory was under the strong waves of nationalism and patriotism. Raziq's doctrine, also, had no way to be accepted by Muslims, at least at the time it was presented. I may conclude, however, by suggesting that the doctrinal outcome of both thoughts was a theoretical foundation for the concepts of Islamic state and

representative government, in their modern sense. This foundation paved the way for recognizing territorial sovereignties and political legitimacies of independent Muslim states which came to existence later./

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CHAPTER SIX

Sunni Fundamentalism: The Muslim Brotherhood, Hasan al-Banna and Sayyid Qutb

Introduction:

Contemporary Islamic activism among Sunnis (and to some extent, Shiites) is particularly indebted to the ideology and organizational example of Ikhwan al-Muslimun (the Muslim Brotherhood) in Egypt and Jamaat-i-Islami (the Islamic Society or Party) in Pakistan. Their founders and ideologues, Hasan al-Banna and Sayyid Qutb of the Brotherhood and Mawlana Abul Ala Mawdudi of the Jamaat, have left an incalculable impact on the development of Islamic movements throughout the Muslim world, and are known as the founders of modern Islamic fundamentalism in the second half of the present century. Their ideas and methods have been learned and emulated from the Sudan to Indonesia.

In this chapter I will study the political ideas of the two above-mentioned figures of the Muslim Brotherhood, to the extent that this thesis is concerned, and leave that of the Jamaat to the next chapter. A summary background of the Muslim Brotherhood Association will come first.

6-1: The Muslim Brotherhood

The Muslim Brotherhood Association was founded in 1928. Hasan al-Banna, its founder and 'Supreme Guide', was a schoolteacher and a religious preacher. When he first established the Muslim Brotherhood, he was more concerned with moral and metaphysical issues rather than political affairs. But the Palestinian large-scale revolt in 1936, which marked a new phase in Arab politics, represented for him an

opportunity to break out of his narrow mould of pious campaign of propaganda, communication and information in favour of political activism.

In 1931 Banna turned the Association into a political organization. He redefined the Brotherhood's ideology for the next phase in a way which stressed the ability of Islam to become a total ideology applicable to all times and places. The agenda of this new association consisted of two objects. One was the internationalization of the movement: it stressed the necessity of a struggle not only to liberate Egypt, but the whole of 'the Islamic homeland' from foreign control. The other was the duty to institute in this homeland a free Islamic government, practising the principles of Islam, applying its social system, propounding its solid fundamentals, and transmitting its wise call to the people.[1] Therefore, the demand for an Islamic government was an obvious and explicit aim of the Muslim Brotherhood. They were convinced that a more Islamic state and society ultimately required the cooperation and support of the state in implementing Islamic law. Their strategy was divided into three phases: the phase of propaganda, explanation and presentation of the message, that of formation, recruitment, training of followers and their mobilization; and, finally, the phase of implementation, work and creative activity.

The Muslim Brotherhood's critique of Western imperialism and the ills of Egyptian society in time found a receptive audience among the religiously inclined as well as the more Western, secular-oriented elites. Initial faith in liberal nationalism had been shaken by the defeat of the Arabs in Palestine, the creation of the state of Israel with British and American support, Egypt's continued inability to end British occupation, and massive unemployment, poverty, and corruption. This provided the Brotherhood with an appropriate ground in which its outcries became more and more attractive. The Muslim Brothers' significant participation in the 1948 Palestine war further enhanced their credentials as patriotic sons of Egypt and Arabs.

By 1945 the Brotherhood developed into a considerable organization, part of which operated overtly and devoted itself to cultural, educational, social, and religious

activities, and part of which constituted the nucleus of a political society.

The members of the Muslim Brotherhood were largely from the lower-middle class, such as schoolteachers, clerks, technicians, artisans and shopkeepers, in addition to students. The membership of the Brotherhood was estimated to reached 500,000, divided into a thousand branches throughout Egypt. Hasan al-Banna once said, shortly before his assassination, that he was speaking on behalf of 500 thousand followers and expressing the aspirations of 70 million Arabs and 300 million Muslims.[2]

The assassination of the Egyptian Prime Minister, Mahmud al-Nuqrashi, in 1948 by one of the Brethren, led in its turn to the dissolution of the Muslim Brotherhood and the assassination of Hasan al-Banna on 12 February 1949. With the disappearance of Banna, the Brotherhood entered a period of internal turmoil and struggle. Despite its rehabilitation and re-emergence after the election of Hasan al-Hudaybi as the new leader in 1951, it never recovered from the loss of its founder.

In the midst of the development caused by the Free Officers' coup and the deposition of King Faruq in 1952, Sayyid Qutb, known later as the future ideologue of Islamic radicalism, came into prominence as the head of the Brotherhood's propaganda department, editor of the Brotherhood's newspaper and chief author of the secret pamphlets. At the beginning he had rather a good relationship with the Free Officers and even acted, since the early days of the revolution, as 'a cultural consultant' to them. Soon after the foundation of the Liberation Rally[3], Qutb fell out with Nasser and his colleagues. Whereas the Officers wanted to establish a broad-based structure encompassing all shades of opinion, he insisted on an exclusive Islamic party based on the constitution and teachings of the Muslim Brotherhood.

Conflict between Muslim Brotherhood's leadership (including Sayyid Qutb) and Nasser came to a head when a Muslim Brother attempted to assassinate Nasser on 26 October 1954. The attempt provided Nasser with the opportunity to arrest all the prominent leaders of the Brotherhood and execute some of them. Qutb was jailed but at the same time became the chief spokesman of the Brotherhood after the

dissolution. He and two more Brethren were finally executed in 1966.[4]

From 1970 onward, the Muslim Brotherhood Association rebuilt its organization in Egypt and adopted a policy of moderate reformism under both Anwar Sadat and his successor, Husni Mubarak. The government established a working relationship with the third leader of the Brotherhood, Omar Tilmassani, whom Sadat had freed from prison. Radical groups charged that the Brotherhood's leadership had been broken by their prison experience and coopted by the government. In fact, the moderate faction of the Brotherhood had prevailed while younger members, radicalized by their prison experiences and inspired by a literal and militant interpretation of Sayyid Qutb, formed secret underground groups bent upon the violent overthrow of the regime. The Brotherhood, still not recognized as a political party, is now able to function openly, preaching its message, publishing magazines, establishing social welfare and financial institutions. The post-1970 Brotherhood, leaving confrontation and anti-regime violence aside, clearly opted for socio-political change through a policy of moderation and gradualism which accepted pluralism and parliamentary democracy, entering into political alliances with secular political parties and organizations.[5]

The Muslim Brotherhood was essentially an Egyptian movement with a strong Arab dimension. However, it has widely spread throughout the Muslim world. It first spread outside Egypt in 1937 when branches were established in Syria and Lebanon. In 1946 branches were initiated in Palestine, Jordan and the Sudan. These branches, which eventually became independent movements, spread to other Muslim countries like Iraq, Yemen, Iran, Pakistan, Indonesia, Malaysia and Saudi Arabia. However, the movement of the Muslim Brotherhood, although forming so far the only organised Islamic trend which has had a following all over the Muslim world, by no means presents a homogeneous front. Its ideology, temper and style of activity in each

country have been largely determined by the strategy and requirements of the national struggle, whether for independence, democracy or redeeming the vanished identity of the national culture. Accordingly, the strength of its demand for the Islamic state, and the motives and reasons for this demand, have varied greatly from country to country.

6-2: Hasan al-Banna 1906-1949

The ideological motivation of the Muslim Brotherhood had its first source in the ardent, eloquent and forceful personality of its founder, Hasan al-Banna. Born in 1906, he was the son of an Azhar educated man dedicated to religious activities. Banna and his father were both followers of the Hanbalite school of thought, the strictest of the four orthodox schools of Sunni Islam. *Hasan al-Banna joined a number of religious societies even during the years of his primary education. In 1927 he graduated from Cairo's Dar al-Ulum, the main established institute for teaching* modern sciences and training teachers at that time. Soon he became a teacher in the city of Isma'il-iyya where he formed, together with his six main disciples, the Muslim Brotherhood Association.

He describes his main impulsion to establish such an organization as to encounter the subversive influences of the West. 'I remember,' he says in his memories,

> that I was so disturbed about the threat to Islam posed by the West that I spent about half the month of *Ramadan* of that year in a state of great anxiety and sleeplessness. And I therefore decided upon positive action and I asked myself: Why do I not place this responsibility upon the shoulders of Muslim leaders and urge them strongly to cooperate in resisting this invasion?[6]

Fahmi Jadaane believes that Hasan al-Banna found the Muslim Brotherhood under the inspiration of the traditionalism of Rashid Rida.[7] However, the social and

political context in which Banna began his work has to be also taken into consideration. The prevailing climate in Egypt in 1930s and 1940s, charged with political enmities, warring parties, British occupation, the strong stream of Westernization and, of course, the Palestinian crisis, proved highly stimuli for Banna. In the speech he addressed to the king of Egypt and the rulers of other Muslim countries, in 1946, he spoke of a dual task:

> The first is that of freeing the nation from its political shackles in order
> to attain its freedom and regain its lost independence and sovereignty,
> and the second is that of rebuilding it so that it can advance alongside
> other nations and rival them in the field of social perfection.[8]

Determining the path which had to be taken, he envisaged only two alternatives: 'The first is that of Islam, its principles, rules, culture and civilization; the second is that of the West, its modes of life, its systems and styles.' Naturally, for him, 'the way of Islam and its rules and principles, is the only way we must take and to which we must guide the whole nation, now and in the future.'[9]

Banna declared on more than one occasion that Islam had a very wide meaning, that it regulated all human affairs including modern problems, and that it was not restricted to purely religious and spiritual matters.

> Anybody who thinks that religion, or more accurately, Islam, does not
> deal with politics or that politics is not of its concerns does injustice to
> himself and to his knowledge of Islam. ...The greatest mistake we [as
> Muslims] committed, lies in the fact that we forgot this foundation and
> separated religion from politics....[10]

He saw Islam as

> a comprehensive system embracing all aspects of life: it is a state and
> a country, a government and a nation; it is morality, power, mercy and
> justice; it is culture, law, knowledge and legislation; it is material good,
> wealth, profit and richness; it is a struggle, a message for an army and

an idea; in as much as it is a true doctrine and religion.[11]

6-2-1: Islamic Government

Hasan al-Banna saw the establishment of an Islamic government as a religious duty.[12] What he had seriously in his mind, as a principle for the Muslim Brotherhood, was the establishment of a genuine Islamic government.[13] A government which is administered by Muslims and for Muslims. Islam does not accept chaos and does not permit the Islamic group to remain without a leader (Imam).

> The Islamic state has a message that does not depend on the establishment of a static, dispirited administration or government, but on a state apparatus that 'protects, spreads, conveys and strengthens it'.[14]

There are three fundamental principles which an Islamic government, according to Banna, is based on: (1) responsibility of the ruler before God and nation, (2) social and spiritual unity of the nation within a fraternal framework, (3) and respect for the nation's will and commitment to its opinion. A sound application of these rules creates a balanced society, and the function of the representative body of the nation is the observation and maintenance of these rules.[15] Any government that seeks legitimacy must satisfy these basic requirements. Sovereignty ultimately belongs to God, but its exercise is entrusted to the nation. An Islamic government must therefore be a representative government and responsible to the will of the nation. Such responsibility implies that the holders of the authority are not masters of the people but their servants, in order to ensure that God's order and the sacred law (supplemented by human legislation) are carried out.

All believers are brothers and must enjoy equal rights. The citizens of the state are inherently equal and entitled to respect according to the principle of Islamic brotherhood. There should be no discrimination nor should the believer be denied the right to share authority with rulers. Muslims are responsible for their public affairs no

less than for their private ones.

Second, all believers must constitute one nation. If divided into various countries, they nevertheless remain united as one *ummah* (community) because of their spiritual bond of brotherhood. Islamic unity figured in this scheme as a crowning achievement, composed of sovereign and independent states. Revival of the office of the Caliphate was considered a desirable goal, but not an immediate and obligatory duty. As a matter of fact, Banna has not given us a clear answer to the question of restoring the Caliphate. He did emphasise the importance of the Caliphate, but its restoration, apparently, was subject to some preparations: ties between Islamic states, notably the Arab countries, have to be strengthened as a preliminary step toward re-establishment of the Caliphate. Addressing the Fifth Conference of the Muslim Brotherhood he says:

> The Brotherhood believes that the Caliphate is the symbol of the Muslim unity, and the link between the Muslim peoples. The Caliphate is a religious office to which all Muslims should give considerable thought and importance....
>
> The Muslim Brotherhood gives top priority to the restoration of the Caliphate. At the same time they believe that this necessarily requires considerable preparation, and that the direct step to the restoration of the Caliphate must be preceded by various stages. [First of all] there must be complete educational, social and economic cooperation between all the Muslim peoples. [This step should] then be followed by treaties, meetings, and conferences between the Muslim countries....[16]

As for the third principle, the will of the nation, it must be exercised by a representative government. 'One of the rights of the Muslim community,' Banna maintains, 'is to observe the ruler, in the most precise manner, and to give him consultation, whenever is helpful. And the ruler must consult the nation and respect their will.[17] However, the nation is not necessarily consulted on every matter or detail. The government in accordance with the principle of consultation (*shura*),

should be guided by a group of elite, who represent the people on all matters of religion and law.[18]

This idea of Banna is similar to that of the *ahl al-hall wa-l-'aqd* of Rashid Rida. Banna, like Rida, believes that the practice of consultation is a mandatory and fundamental part of the Islamic state. The institution whereby consultation operates is the *ahl al-shura* or *ahl al-hall wa-l-'aqd* as the representative of the people. Banna recognizes three types of people to be eligible for election to this representative body: (1) jurists and Islamic scholars whose interpretations and understandings are trustworthy. (2) experts on public affairs, and (3) men practised in leadership like heads of families, tribes, and other organised groups. Elections are only desirable if they lead to the selection of such people.[19]

Banna does not believe that there is a single kind of government which should be the sole acceptable political system in Islam. The name given to the executive in the Islamic state is unimportant. Caliph, imam, king, governor and any other words used in the Qur'an are acceptable, for the idea of 'ruler' principally refers to the idea of 'leadership' (*ri'asa*) in its general meaning and indicates no specific system of government. If the ruler governs with obedience to the commands of God and with respect for the limitations place on him by the concept of consultation, then the name given him is a matter of indifference; without these conditions, whatever Islamic name be given him, the system is not Islamic.[20]

'The nation' or 'the people' are, in fact, the source of all ruler's authority. Hasan al-Banna comes conspicuously closer to the Western concepts of democracy and constitutionalism, as much as he himself declares that there is nothing in the parliamentary system that contradict the rules of the Islamic system of government. In that respect 'it is neither far from the Islamic system nor extraneous to it.'[21]

Banna also accepts the basic principles of the constitutional system on the grounds that such principles not only agree with, but also derive from, Islam. In his

letter to the Muslim Brotherhood's Fifth Conference, he explicitly writes:

> When one considers the principles that guide the constitutional system
> of government, one finds that such principles aim to preserve in all its
> forms the freedom of the individual citizen, to force authorities to seek
> consultation from the nation, to make rulers accountable for their
> actions to the people, and, finally, to delimit the prerogatives of every
> single authoritative body. It will be clear to everyone that such basic
> principles correspond perfectly to the teachings of Islam concerning the
> system of government. For this reason, Muslim Brotherhood consider
> that, of all the existing systems of government, the constitutional
> system is the form that best suits Islam and Muslims.[22]

Questions were put to Banna concerning the compatibility of democracy, nationalism, socialism, secularism and communism with Islam. Apart from secularism and communism to which the Brotherhood strongly objected, Banna was of the belief that anything that was good in the other systems *can be found in Islam*. Islam, he said, is essentially a system that guarantees freedom and equality, insures welfare and justice for all, and inspires the spirit of brotherhood and social morality.[23] He maintained that it was unnecessary for Muslims to borrow ideas and institutions from other societies, for Islam embraces all conceivable values and systems of ideas needed by its followers. Thus the Brotherhood's aim was not to provide a new set of ideas, but to create a new generation, capable of understanding the true meaning of Islam, as interpreted by the Brotherhood's leaders, and of acting according to Islam, in order to achieve progress and restore to Islam its prestige and power. 'The Brothers seem to have aimed at becoming the elite of a new nation to be born.'[24]

The Islamic state of Banna, as Richard Mitchell concludes, is a unique one.

> [I]t would not be a theocracy because the authority of the ruler derives
> from men not God; it would not be a dictatorship because the ruled
> may remove their ruler if he breaks his contract; and it would not be
> a monarchy because the ruler has no hereditary authority.[25]

The last point that needs to be added here is Banna's opinion about parties and a political system based on party pluralism. Banna entirely rejects 'partyism' and considers it as not only un-Islamic, but also useless or even harmful for a society. Parties neither reflect the will of the nation nor serve its interests. They follow their own interests and prefer the party's benefits and priorities to those of the people and the Islamic state. Thus, they cannot be acceptable from an Islamic point of view. Islam, he believes, is an all-embracing religion, a religion of peace and brotherhood and of sincere collaboration, and one that cannot approve of party politics, since competition among political parties over positions of power and parliamentary seats usually brings adversity and disaster to the nation. Therefore, considering the agitated state of Egypt at the time, he says: 'the Brotherhood believes that this party pluralism will corrupt all aspects of the people's life, deprave their interests and demolish their morals....'[26] Islam alone is capable of rebuilding the unity of a nation shaken by a system of political party pluralism and infighting.

Banna accepts that parties are one of the bases of the parliamentary system, but argues that it can be possible to bring about such a system without parties, that is, through a limited representative electoral system where those who are elected and become the holders of real power are qualified persons, free from any pressure or control dictated by an external force, whose campaign claims are subject to moral criteria and restrictions, and where violators do not go unpunished.[27]

6-2-2: Nationalism, Pan-Arabism and Pan-Islamism

Banna, apparently quite readily, accepts the idea of nationalism and patriotism. He tries to provide an Islamic justification for a concept which is far from the inherently transnational concept of *ummah* (Islamic community). Considering the political circumstances of the time and the strong pressure of the Arab nationalism, this approach of Banna can be fairly understandable. He uses the notion of *watan* (homeland or motherland) in the same sense in which it is used by modern Arab

political thinkers. For him, the term *watan* denotes the notion of belonging to a specific country and to a definite people. Banna's term for this sense of belonging is patriotism.[28] Explaining his reasons from a religious perspective, he concludes:

> Every Muslim is required to fill a gap in the community and to serve the *watan* in which he was brought up. Therefore the Muslim bears the deepest love for his *watan* and considers himself of the greatest utility to his compatriots because that is part of his religious duties. This applies most particularly to Muslim Brothers who wish their beloved country glory, prosperity and progress.[29]

Banna's idea on the necessity of establishing independent Islamic states is yet another sign of approving nationalism by him.

Banna seeks an Islamic translation for the question of Pan-Arabism too. He undoubtedly knows that no race in Islam is preferred to another. So, to justify Arabism he tries to relate the glory of Islam to the strength of Arabs.

> Islam was established among Arabs and spread to other peoples by Arabs. The Qur'an has been revealed in Arabic language.... It is a historically established fact that whenever Arabs were defeated, Islam was defeated too, and this happened when the political authority transferred from Arabs to others.... So the Muslim Brotherhood believes that every Muslim has a duty to revive Arab unity, and to support it.[30]

Islamic unity on the other hand, is a final goal for Banna as it was for every other Muslim thinker before him. In spite of his opinion on nationalism, he admits that

> Islam does not recognise geographical frontiers and does not take into account racial differences. On the contrary, it considers all Muslims as one *ummah* and regards all Muslim countries as one *watan*, regardless of the distance and boundaries which separate them, so the Muslim Brotherhood blesses this unity and believes such a [united] community.[31]

This is a view which is capable of confusion. However, having in mind that 'fundamentalist thought remains, in spite of everything, an offspring of modern political thought,'[12] it seems that by Islamic unity, Banna was considering a solidarity between all Islamic countries, especially Arab ones, and strengthening the relations between them. In fact, he did not argue for a single political system, like that of the Caliphate for example. One individual can at the same time be a citizen of a *watan* like Egypt, for instance, and a member of the Islamic *ummah*.

Moreover, Banna tells us somewhere else that Arab unity is one step further toward 'Islamic unity'. Analyzing the situation of the world after the second World War, he calls all Muslim leaders to direct their efforts to, firstly, gain independence for their own countries on the basis of geographical and national unity; secondly, attempt to realize a unified Arab World with common historical, linguistic, geographical, religious and cultural characteristics; and finally create an Islamic global empire as the ultimate goal.[33] He considered Egypt as the starting point of this long road. The regeneration of Islam and the rebirth of 'international Islam', he maintains, must begin in Egypt, and it needs to establish a strong 'Muslim state'.[34]

6-3: Sayyid Qutb 1906-1966

Islamic activism in the late fifties and sixties became more militant and combative in Egypt as a result of the Muslim Brotherhood's confrontation with the Egyptian government. By the sixties, Sayyid Qutb, who was increasingly radicalized by Nasser's suppression of the Brotherhood, transferred the ideological beliefs of Banna into a rejectionist revolutionary call. He is described by almost all writers of recent history as the 'founder', 'architect' and 'ideologue' of contemporary radical Islam. The later writings of Qutb, on which he openly accused all existing Muslim governments of being un-Islamic and called for an Islamic revolution, have been widely circulated in the Arab world and have been translated into many other

languages. Like Banna, Qutb would come to be remembered as a martyr of the Islamic revival.

Sayyid Qutb was born in 1906 in a village in Asyut Province of Egypt. He was sent to Cairo at the age of 13 for secondary education and then studied at Dar al-Ulum, the same school as Banna did. He was for a time an inspector in the Ministry of Public Instruction but soon left it to devote himself exclusively to writing. In 1949 he travelled to the United States to study educational administration and spent about two and a half years there. This experience proved to be a turning point in his life, although he was already left with a bitterness of British war policies during World War II and of the creation of the state of Israel. Upon his return to Egypt he became a severe critic of the West. He joined the Muslim Brotherhood and rapidly emerged as a major voice of the Brotherhood and its most influential ideologue.

After the 1952 revolution, Sayyid Qutb came to have a close relationship with the new government of Free Officers. For a short time he acted as a 'cultural consultant' to the Officers and even attended the regular meetings of the Revolutionary Council as the only civilian. But soon he was disappointed by their failure to adopt the kind of Islamic program the Brotherhood stood for. In 1954, when the Brotherhood fell out with the government, he was arrested for alleged involvement in an attempt to assassinate Nasser. During ten years of imprisonment and torture, which intensified his radicalization and confrontational worldview, he wrote prolifically and maintained his position as the main speaker of the Brotherhood. He was released at the end of 1964 but was shortly rearrested and in 1966 was executed on the grounds that he was planning a coup d'etat.

6-3-1: Islam as a System

Islam, for Qutb, is a complete, inclusive and indivisible system of life. He looks at Islam as a *nizam* (order, or system) as well as a *minhaj* (method). In his book,

Islam, The Religion of the Future, he says:

> Islam is a method, (*minhaj*), a method of life, the practical life of
> humanity with all its components. It is a method which includes the
> doctrinal conception that explains the nature of 'existence' and defines
> the place of 'man' in the existence.... It also includes the systems and
> practical organizations which issue from this doctrinal conception and
> are supported by it and which give it a practical form that expresses
> itself in human life, such as ...the political system with its shape and
> characteristics, the social system with its foundations and components,
> the economic system with its philosophy and formations, and the
> international system with its relationships and ties.[35]

The Islamic theory of life is the finest that the world has known because it
brings together the material and the spiritual elements of life. 'Islam forms a plastic
social system, capable of adaptation to all times and all circumstances.'[36]

The idea of Islam as a system is also related to Qutb's concern for the
'independence' of Islam. Islam can be independent only because it is comprehensive,
and can be comprehensive -capable of application to all times and places- because it
is systematic and thus capable of 'systematic' extension to meet new situations.

> If it becomes evident that Islam... is capable of solving our basic
> problems, of granting us a comprehensive social justice, of restoring for
> us justice in government, in economics, in opportunities and in
> punishment ...then without doubt it will be more capable to work in our
> nation than any other system we may seek to borrow or imitate.[37]

Qutb emphasizes the independence of Islam to the point of insisting that in
ideology Muslims should borrow nothing from outside, but derive everything from the
Islamic sources. Islam is not to be identified with, or interpreted in terms of, Western
ideologies such as democracy or socialism. Islam does not seek, and never has sought,
to imitate any other system, or to find connections or similarities between itself and
others. On the contrary it has chosen its own characteristic path, and has concentrated

its attention on all the problems of human nature.

> Islam... proposes independent solutions to human problems; these
> solutions it derives from its theory of unity, from its fundamental
> beliefs, and from its various methods. ...Islam is a comprehensive
> philosophy and a homogeneous unity, and to introduce into it any
> foreign element would mean ruining it.[38]

At the same time Qutb cannot deny some sort of similarities between Islam
and other 'man-made political systems' but considers them as accidental and in
scattered parts.

> It is sometimes said in dealing with man-made political systems that
> they agree with Islam in some respects, and differ from it in others.
> But Islam is in itself a completely independent system which has no
> connection with these others, either when they agree with it, or when
> they differ from it. Such divergence or agreement is purely accidental
> and occurs in scattered points of detail; in such coincidence or in such
> divergence there can be no significance.[39]

The Islamic system, as Qutb understood, was an alternative for both Capitalism
and Communism. Qutb saw what he called the communist West and the capitalist
West as two systems that had acted as one bloc of enmity toward Muslims. Palestine
is a witness to this enmity. Both the East and the West acted in collusion with each
other in this conspiracy against Islam. Israel is a state solely based on religion, since
Judaism was not a nationality but a religion encompassing varieties of nationalities,
and supported or financed by Great Britain, the United States of America and the
Soviet Union. The only explanation of such an enmity towards the indigenous
population of Palestine, Qutb believed, was related to the crusading spirit which
underlay colonial policies.[40]

Through this sort of conclusion, Qutb rejects both Communism and Capitalism.

> Communism showed us the value of the principles it preaches the day
> it armed Israel. Israel is the only nation established on earth based on
> religious affiliation. The religious element is the first thing Communism
> denies as a constituent of nationhood. ...Communism has no principle
> except its own interest. It tramples the principles it advocates.[41]

Capitalism has also showed no respect for the Arabs. The experiment of capitalist rule in Egypt under colonial supervision left the people in an oppressed condition: low productivity, corruption, unemployment, exploitation, mounting poverty coupled with widespread prostitution, and armies of wandering beggars. Under such circumstances, the right to vote, freedom of thought, and the declaration of 'the people as the source of sovereign power' had become empty phrases. To Qutb, the death of parliamentary democracy and Capitalism was already a foregone conclusion. So much so that the oppressed and ignorant millions only voted or boycotted elections according to 'the will of their masters, employers, and landowners'. Constitutions and parliaments had become 'a topic of humorous talk', totally alien to the discourse of a nation bent on 'an earnest endeavour'.[42]

> Who will dare to claim that those million of hungry, naked, barefoot
> peasants whose intestines are devoured by worms, whose eyes are
> bitten by flies and whose blood is sucked by insects are humans who
> enjoy human dignity and human rights [as the Capitalist slogans
> claim?] ...Who will dare to say that the hundreds of thousands of
> disabled beggars, who search for crumbs in garbage boxes, who are
> naked, barefoot, with faces crusted with dirt... are the source of
> authority in the nation, based on democratic elections?[43]

Therefore, the only way for Muslims, Qutb preaches, is the 'renewal of Islamic life, a life governed by the spirit and the law of Islam, which alone can produce that form of Islam which we need today.'[44] In an article titled 'What we Say and what we Demand' he makes clear that by demanding a new Islamic life,

> We in fact want to create the most complete form of a social justice

as non-Muslim minorities inside Muslim territory, and even to infidel peoples who have a compact with the Muslims.

> These are rights which derive from the permanent and fundamental rights of humanity; no difference is made between one religion and another. And the same principle is extended to cover human relationships in general.[50]

As to the second conception, that Islam represents the eternal system for the world, this originates in the fact that the Prophet of Islam is considered as the Messenger of God to all men, that he was the Seal of the prophets, and that his religion is the most permanent of all religions. However, Qutb feels necessary to emphasize that

> in spite of this, Islam does not compel others to embrace it: :There is no compulsion in religion: (The Qur'an, 2:257). Rather Islam grants to men an extreme freedom and protection to continue in their own religious beliefs.[51]

Then Qutb turns to the features of an Islamic government. Islamic government, he maintains, rests on the basis of justice on the part of the rulers, obedience on the part of the ruled, and consultation between ruler and ruled. These are the fundamentals from which all the other features take their rise.[52]

There must first be justice on the part of the rulers. Qutb cites those verses of the Qur'an in which God has commanded justice, and then continues:

> This refers to that impartial justice which is absolute, and which cannot be swayed by affection or by hatred; the bases of this justice cannot be affected by love or by enmity. Such justice is not influenced by any relationship between individuals, or by any hatred between peoples. It is enjoyed by all the individual members of a Muslim community, without discrimination arising from descent or rank, wealth or

influence. In the same way, such a justice is enjoyed by other peoples, even though there may be hatred between them and the Muslims.[53]

Qutb describes his ideal form of relationship between ruler and ruled as:

> We want a political system in which sovereignty belongs to no individual but absolutely to God. A real equality can be established and implemented only in such a system where the ruler has no additional right over those of the ordinary people; and no authority is more respectful than law; and ministers and the mass are equal before the courts; and there is no privilege or immunity for the ruler compared with that of the least important member of the community.[54]

Qutb believes that this Islamic justice, explained by him, is a high level of equity, which no international law has so far achieved, nor any domestic law either. He refers those who may reject his claim, to the examples of 'that form of justice which the white man administers' in the United States or South Africa against red and black men.[55]

As for the second principle, obedience on the part of those who are ruled, Qutb resorts to that well known verse of the Qur'an which was used by all traditional and classical thinkers to justify a virtually unconditional obedience to ruler: "O you who have believed, obey God, and obey the Prophet, and obey those among you who are in authority" (The Qur'an, 4:62). But Qutb has his own interpretation:

> The fact that this verse groups together Allah, the Messenger, and those who hold authority means that it clarifies the nature and the limits of this obedience. Obedience to one who holds authority is derived from obedience to Allah and the Messenger. The ruler in Islamic law is not to be obeyed because of his own person; he is to be obeyed only by virtue of holding his position through the law of Allah and His Messenger; his right to obedience is derived from his observance of that law, and from no other thing. If he departs from the law, he is no longer entitled to obedience, and his orders need no longer be

obeyed.[56]

Qutb strongly rejects any religious authority in Islam. He mentions the 'wisdom of the Prophet' who did not specify anyone as his successor; had he done so, such a man might have laid claim to some religious authority, as having been appointed by the Messenger. Authority in an Islamic system is based on 'the completely and absolutely free choice of all *Muslims.*'

> No ruler has any religious authority direct from Heaven, as had some rulers in ancient times; he occupies his position only by the completely and absolutely free choice of all Muslims; and they are not bound to elect him by any compact with his predecessor, nor likewise is there any necessity for the position to be hereditary in the family. Further, in addition to this, he must derive his authority from his continual enforcement of the law. When the Muslim community is no longer satisfied with him his office must lapse; and even if they are satisfied with him, any dereliction of the law on his part means that he no longer has the right to obedience.[57]

Moreover, no ruler dare oppress the souls or the bodies of Muslims, nor dare he infringe upon their sanctities, nor touch their wealth. If he upholds the law and sees that religious duties are observed, then he has reached the limit of his powers. At that point his power over his people has reached its end.[58]

Islam sets a strict limit to the power of a ruler, Qutb believes, so far as he is personally concerned. A ruler has no extra privileges as regards the law, or as regards wealth; and his family have no such privileges either, beyond those of the generality of Muslims. At the same time, the ruler has been given the broadest possible powers in looking after matters of welfare which pertain to the community; such matters are those in which there is no guiding precedent in existence, and which evolve with the processes of time and with changing conditions. The general principle is: 'a ruler may make as many new decrees as he finds new problems'[59] to improve the status of the

individual, as well as that of society and that of man in general. This must be done in accordance with the principles established by Islam, and must be conditioned by the conception of universal justice.

The last principle of an Islamic government is consultation (*shura*) between ruler and ruled. Remarking on the Qur'anic verses and the Traditions of the Prophet, Qutb concludes that consultation is one of the fundamental principles of politics in Islam. Authority in Islam, he asserts, is exercised as a result of a process of consultation. The methods and procedural operations are purely technical, and might vary and diverge in measuring the opinion of the entire nation. However, the principle of electing a Muslim ruler according to the will of the people is firmly established by an explicit text of the Qur'an. In the early days of Islam the tenet of consultation was restricted to the city of Medina. After the death of the Prophet the first Caliph, Abu Bakr, extended this procedure to encompass both Medina and Mecca. Nowadays, the opinion of the masses as a whole has to be consulted.[60]

The technical details of consultation have remained to be worked out in order to put theory into practice. Since 'no specific method of administering has even been laid down,' so 'its application has been left to the exigencies of individual situations.'[61] Any system or method of consultation can be employed as no particular form is specified by Islam. However, all obstacles which placed the voters at the mercy of landowners, employers and the like should be removed in advance.

6-3-3: Nationalism

Islamic unity and pan-Islamism has been an old desire of Islamic revivalism. This concern, however, was eventually left for an unpredictable future, as an ultimate ideal, since the realistic approach was leading Islamic activism to recognise nationalism or even justify its principles on the grounds of Islamic bases. Nevertheless, to Qutb and the next generation of Muslim Brothers in Egypt, having

witnessed the disintegration of the organization as well as the execution or imprisonment of its leaders by a nationalist government, nationalism seemed an abhorrent deviation. It was practically self-evident for Qutb that there is no way to make a compromise between his Islamic divine order and the ideas of nationalism.

Contrary to Banna, Qutb not only rejects nationalism in general but Arab nationalism in particular. Had the Prophet, Qutb argues, wished to base his message on Arab nationalism, he would have found it infinitely easier to unite the Arabs on such an earthly basis. But God directed his messenger to follow a different path: he was instructed to declare publicly that "there is no deity but Allah," and "sovereignty belongs to no one but Him." Nationalism is not the proper way to implement God's eternal laws. A nationalist movement can free society from foreign tyrannies, only to replace it with Arab tyranny. Arabs should remember that if they want to restore the glorious past, Islam is, and will be for ever, their only 'identity card'.[62]

Arab nationalism, formerly advocated by the Brotherhood leaders for its positive contribution towards the wider goal of Islamic unity, was strongly denounced as a sinful abomination by Qutb. So intense had Qutb's outrage become that he described it in pejorative terms.

> Both West and East blocs ...want to see us small and powerless states,
> with a foolish facade under the ridiculous banner of nationalism, like
> angry cats [fighting with each other].[63]

In an oblique reference to Nasserism and Ba'thism, he emphatically pointed out that the sublime nature of the great Islamic society soared above 'the inferior and brutish bonds' of race, colour and language. Such a society, he retorted, was much more than a narrow Arab enclave. Composed of 'Arabs, Persians, Syrians, Egyptians, Turks, Chinese, Indians, Byzantines, Greeks, Indonesians and Africans', it represented the first and only universal community, having based its entire life on the lofty ideals

of doctrinal affiliations.[64]

6-3-4: Radicalism

Qutb is considered as the most prominent ideologue of contemporary Islamic radicalism. A further explanation of his writings in this regard can be useful, I assume, for two reasons. First, due to their impact on the current ideas of Islamic activism, and second, because his radicalism is significantly related to the question of social and political participation. Qutb's radicalism holds each and every individual Muslim responsible to fulfil his divine duty of building the future of human destiny.

Islam, being a dynamic and constructive belief, as Qutb saw it, holds an eternal command to combat any kind of evil in general. 'If the spirit of nationalism,' he says,

> encourages us to fight against oppressive colonialism; if the spirit of socialism demands us to combat criminal feudalism and aggressive Capitalism; and if the spirit of individual's freedom asks us to struggle against dictatorship and despotism; the spirit of Islam consider all these evils as zulm (injustice) which all Muslims are commanded to fight against without any compromise or doubt. It is, certainly, the great virtue of Islam in the field of struggle for freedom, justice and human dignity.[65]

Qutb sees society as divided between two camps, the party of God and the party of Satan. So, he advocates a group (jamaa) of true Muslims who would combat the sea of ignorance and pagan unbelief which comprise not only non-Muslims but the corrupt Muslim governments and societies too. He writes:

> The state of ignorance in which we live today is similar to, if not worse than, pre-Islamic paganism. Everything around us is of pagan origin: people's thought and beliefs, their customs, traditions, and cultures,.... Even a large part of what we consider as Islamic culture, Islamic references, Islamic philosophy, or Islamic thought are the production of this paganism.[66]

These societies have to be cleansed. And this in an authoritarian system could mean an armed rebellion, a *jihad*, to restore a new Islamic order.

As a matter of fact, *jihad* or sacred struggle is a very controversial concept in contemporary Islamic thought. Most recent Muslim thinkers have reached the point that, since Islam is a religion of peace,[67] *jihad* is just a matter of defence. Qutb wrote a book on 'Islam and Peace' in which he affirmed that peace is the essential character of Islam. It proceeds from the integration of creation with the law of life and the laws governing humans.

> Peace is the eternal principle; war is the exception which becomes a necessity when there is deviation from the integration exemplified in the religion of the one God [resulting] in injustice, oppression, corruption and discord.[68]

Islam rejects all the justifications for war in the world, such as nationalism, racism, greed, and *economic expansion. Under the rule of Islam all people will be* cooperating together as 'one close family' making 'all creation a unity with no contradictory purposes.'[69] The only legal war in Islam is to secure the dominance of the word of God in the world. Since His word is the expression of His will, Islamic wars seek to establish God's system, affirming His Lordship over all the world.[70]

Qutb reaffirms that there is no compulsion in Islam. But, the compulsion becomes incumbent 'against those who oppose its way by force.'[71] Therefore, Islam has placed a certain responsibility on Muslims. Yvonne Haddad categorizes these responsibilities, from Qutb's perspective, as following: (1) It is the duty of Muslims to protect the believers that they do not stray from the religion, permitting the use of force to repel force. (2) Islam must be guaranteed the freedom of propagation, otherwise it becomes incumbent on muslims to 'eradicate' any oppressive powers on the earth which impede the *dawah* (call) of Islam. (3) Muslims must be able to affirm God's sovereignty on earth and remove those who usurp this sovereignty by legislating

laws. (4) Muslims must be free to establish the great justice that all people may enjoy its benefits.[72]

Jihad, therefore, is an essential feature of Islam to confront the forces that attempt to impede its progress, and to combat oppression and injustice wherever they are found, 'even though it is the oppression of the individual against himself, the oppression of society against itself or the oppression of the government against its constituents.'[73] If there is Islam, Qutb claims, it is a continued intense struggle, and martyrdom, in the path of God which is the path of justice and equality. And if there is no Islam, it involves repeated invocations and waiting for blessing, freedom and justice coming down from the heaven. But nothing will come from the sky. God will never help those who do not help themselves, and those who do not undertake the divine order of *jihad* and struggle.[74]

The social crisis will continue 'until the masses take things into their own hands, forming organizations which would enable them to score victories in election campaigns and other fields of struggle.'[75] Qutb employs a very strong and stimulative language to Muslims and remind them their responsibilities:

> Those who consider themselves as Muslims but are not ready to fight against oppression and despotism, and to defend the rights of all oppressed people of the world, are either hypocrites or completely in ignorance and have not properly understood Islam....

> Look into your heart; if you are a Muslim, how can you not fight with imperialism and colonialism, maybe you have deceived yourself....

> Muslims are those who fight, with enthusiasm, for the cause of God; those who struggle for the superiority and exaltation of God's Word on the earth. Spreading the Word of God on the earth will be achieved when all forms of tyranny and injustice are abolished, and when all people become equal like the teeth of a comb.[76]

Qutb warns all Muslims that if any day ends without *jihad,* any hour passes without struggle, and any minute be wasted without a positive action, it should be

considered as a sin in the conscience of a true Muslim who has to compensate it with more efforts.[77]

6-4: Conclusion

Hasan al-Banna and Sayyid Qutb are the representatives, and perhaps the founders, of a new intellectual stream in the Islamic world. Disappointed in the ideologies coming from the West, this stream seeks a better alternative able to respond to the increasing problems of Muslim nations. Adopting Western ideals and patterns could not help to make any progress and to leave the backwardness behind. The Muslim Brotherhood, in fact, was established to present an Islamic response to the categorical claims of the West of the sole possessing of truth and the insistence that all people must subscribe to it. For them, both Capitalism and Communism, as different faces of the West, had failed to provide for the welfare and dignity of humanity.

The Islam that Banna and Qutb believed in, as a comprehensive system of life, resembles that of traditional scholars in many respects. They, too, advocated a return to Islam and the Islamic law. However, while respecting the classical formulations of Islamic law, they were not wedded to them. Instead, they claim the right to go back to the fundamental sources of Islam to reapply them to contemporary needs and conditions. At the same time they strove towards a transformation of Islam from a situation of stagnation and inactivity to an operative force actively at work on modern problems.

Political activism, now an integral feature of Islamic movements, has been inserted into the modern Islamic political thought by Banna. His Brotherhood movement provided an organisational example to challenge the political establishments, and to present a new alternative. This phenomenon has been more radicalized by Qutb who saw Islam as a continued struggle for justice.

For both Banna and Qutb, the West (in its Capitalist and Communist versions) is the historic and pervasive enemy of Islam and Muslim societies, a political as well as a religio-cultural threat. Its clear and present danger comes not only from its political, military and economic power, but also from its hold on Muslim elites who govern and guide by alien standards which threaten the identity and soul of their societies. However, Qutb went beyond his predecessor when he declared Muslim elites and governments to be atheists against whom all true believers should wage holy war. Sayyid Qutb's career and writings, in fact, represent one of the more dramatic responses to the tension between tradition and modernity.

Qutb was completely in opposition to Banna on the question of nationalism. Banna accepted nationalism as a reality, and even tried to justify it as an early step toward Islamic unity. Qutb, however, ruled it out entirely as an instrument of imperialism to keep Muslim countries more split and weak. It is from Qutb onward that Islamic radicalism is characterized by its fierce opposition to the concept and movement of nationalism.

Banna has discussed the characteristics of an Islamic government in more details, while Qutb was more engaged in the question of struggle and revolution. It was so, perhaps, because Qutb spent the most intellectually productive years of his life in prison and persecution. In spite of all revolutionary ideas of Banna and, more than him, Qutb, they both preached a relatively modern approach to the question of governing society. As we saw, accountability of the ruler and respect to the people's will were two fundamentals of an Islamic government for Banna. He acknowledged the representative system as the best form of government based on the Islamic principle of consultation. Qutb, too, considered the foundation of the Islamic government, among others, to be the principle of consultation. Moreover, the equality of ruler and ruled, for him, was a vital requisite to achieve social justice.

One should keep in mind that how comparatively modern, and radical at the same time, were these ideas in the Islamic world of 1950s and 1960s. They are still

treated as 'forbidden ideas' in many Islamic countries ruled by monarchy, military or dictatorship regimes./

CHAPTER SEVEN

Islamic Theo-Democracy: The Jama'at-i Islami,
Abul A'la Mawdudi

Introduction:

Sayyid Abul A'la Mawdudi is a central figure in the revival of Islam in recent decades. No discussion of the demand for an Islamic state and no account of the contemporary Islamic resurgence would be complete without paying attention to his thought and the way he directed his Islamic organization. Prolific and articulate, he has greatly influenced contemporary Muslim thinkers. His many writings have been translated into other languages of the Islamic and the Western worlds, although they were produced originally in Urdu primarily for a Pakistani or Indian audience.

The organization that has embodied Mawdudi's ideological vision, the Jama'at-i Islami (the Islamic Society or Party), has over the course of the last fifty years had an important role in the history and politics of many Muslim countries, particularly in South Asia. Like the Muslim Brotherhood of Egypt, it has presented an organizational example for the Islamic political activism.

This chapter is allocated to an account of Mawdudi's political thought and activities. It will be rather a long one since no other fundamentalist advocate of the Islamic state presents as lucid a blueprint of it as does Mawdudi. His numerous writings and speeches deal with many details of the constitutional and legal features of the Islamic state. Mawdudi has been perhaps the most systematic modern Muslim writer among Sunni Muslims.

7-1: Biography

Mawdudi was born in South India in 1903. His family had served Muslim Mogul rulers in India until the fall of the dynasty in 1858. The legacy of their service to Muslim rulers had identified them with the glories of Muslim history in India; they were, therefore, not reconciled to British rule. Mawdudi was given a traditional Islamic education and at the age of sixteen started to write on issues of concern to Indian Muslims in a variety of newspapers and journals. Young Mawdudi's main interest, however, was nationalism and countering the British rule.

In about 1920 he went to Delhi where he continued to learn and grow intellectually. He learned English (he had already been taught Arabic, Persian and Urdu) and taught himself modern subjects. It was in Delhi where he started formal religious education and received his certificate in religious training, though he never acknowledged his status as an *alim* (clergy).

With the collapse of the Caliphate in 1924, Mawdudi's life took a major turn. He became cynical about nationalism, which he now believed had misguided Turks and Egyptians, leading them to undermine Muslim unity by rejecting the Ottoman Empire and the Muslim Caliphate. He also lost faith in Indian nationalism, believing that the Congress Party (led by Gandhi) was merely parading Hindu interests under the guise of nationalist sentiments. It did not mean, nevertheless, that his opinion had changed regarding British rule. He rather advocated an Islamic, as opposed to a nationalist, anti-imperialism platform, one that would combat colonialism as it safeguarded Muslim interests.

From this point on, Mawdudi dedicated his life, as an intellectual, to leading his community to political and religious salvation. He saw the gradual decline of Muslim power in India because of the corruption of Islam by the centuries of incorporation of local customs and mores that had obscured that faith's veritable teachings. The salvation of Muslim culture and the preservation of its power lay in the restitution of Islamic institutions and practices after they had been cleansed of the

cultural influences that had sapped Muslims of their power. Mawdudi also lost trust in the existing Muslim political structures and instead started to look for a new all-inclusive socio-political solution to safeguard Muslim interests.

In 1932 Mawdudi associated himself with a journal called Tarjumanu'l-Qur'an (Exegesis of the Qur'an) which for the following forty-seven years served as a vehicle of his thought. In 1939 he decided to pursue his intellectual endeavours in an organizational framework. He went to Lahore and in August 1941, along with a number of young *ulama* and Muslim activists, founded the Jama'at-i Islami (the Islamic Society or Party). He was himself elected the Jama'at's first titular head, *Amir* (president), and led the Jama'at for the following thirty-one years until 1972. Mawdudi died in September 1979.

Mawdudi has left a wide range of lectures and writings. In his numerous works Mawdudi elaborated his views on Islam -its theology, law, philosophy and mysticism-and on society, economy and politics. Mawdudi's lectures and written works, however, constituted only one aspect of his ideological corpus. The politics of the Jama'at-i Islami from 1941 onwards presented concrete socio-political issues which pushed the boundaries of his political ideas and reading of Islam further. Mawdudi's biography, therefore, has to be extended to an account of his political party, and its policies so far.

7-2: The Jama'at-i Islami

The Jama'at-i Islami was created in August 1941 in Lahore by a group of some seventy-five interested persons met in response to Mawdudi's invitation. In ideal terms the purpose of the Jama'at-i Islami was 'that the whole system of human life in all its department be erected upon the worship of God and the guidance of the Prophets.'[1] From a practical and short-range standpoint the purpose was to prepare an organized and disciplined group of sincere Muslims capable of achieving the victory of Islam

in the sub-continent.

Soon after its establishment in 1941 the Jama'at spread across India, though not quickly enough to have a direct effects on the course of events in India. When India was partitioned, the Jama'at also divided into independent Indian and Pakistani Jama'at-i Islamis. Mawdudi, along with 385 of the Jama'at's members, opted for Pakistan. From this point on, Mawdudi's intellectual and political career entered a new phase in which he developed his revivalist and fundamentalist ideas.

Following the partition of India the Jama'at emerged as a fully immersed in Pakistani politics. Pakistan was carved out of India as a new state which sought to embody the Muslim culture of the subcontinent. The party, therefore, found a niche in the political arena, developed a social base, and grew in prominence over time. The Jama'at's agenda all along has been one of using the susceptibility to religious activism to push Pakistan towards Islamization. Since 1941 the Jama'at put forth a religio-political platform, in which political realities and social concerns found meaning in the context of the Jama'at's greater concern for the renewal and reform of Islam.

Soon after Pakistan's independence the Jama'at forbade Pakistanis to take an oath of allegiance to the state unless it became Islamic. Mawdudi established an Islamic alliance with other Islamic parties and independent *ulama* to challenge the government with regard to the Constitution. In the ongoing debates from 1947 to 1956, accompanied by intense activities and agitations during which Mawdudi was jailed twice, the Islamic alliance managed finally to accommodate many of its demands in the new Constitution of 1956.

Mawdudi and the *ulama* accepted the new Constitution as Islamic, preparing themselves now to concentrate their energies on pushing for the Islamization of state institutions. The Islamic features of the Constitution paved the way for the Jama'at to become even more directly involved in politics. In 1957, Mawdudi directed the Jama'at to recognize the legitimacy of the state by declaring its readiness to participate

in the national elections of 1958 as a full-fledged party. The constitutional victory, however, was short-lived. In 1958 the armed forces, under the command of General Ayub Khan who opposed the encroachment of religion into politics, assumed power in Pakistan.

Over the course of the following decade, the political establishment became dominated by an authoritarian and bureaucratic elite who actively undermined the Jama'at and its allies. The Jama'at offices were closed down, its leaders excoriated in government-sponsored publications, and its activities, networks and operations restricted. Mawdudi himself was imprisoned twice during Ayub Khan's rule. Consequently, the Jama'at became more concerned with the removal of Ayub Khan and the restoration of a political climate more conductive to religio-political activism. It also looked for new allies even outside the circle of Islamic forces and joined an alliance of political parties that advocated restoration of democracy with a secular outlook. The Ayub era, in fact, politicised the Jama'at further, transforming it, more definitively, into a consummate political party. The result of this transformation was clear in the Jama'at's policies in the post-Ayub period. In 1970 it participated in national elections but won only a few seats in the National Assembly.

The secession of East Pakistan (Bangladesh), and the rise of Zolfiqar Ali Bhutto to power in 1971, intensified the Jama'at's political activism. The socialist content of the political programme of Bhutto's Pakistan People's Party and his populism, led the Jama'at to directly confront the government on numerous issues. Again another alliance was made between the Jama'at and other parties, secular as well as Islamic, but this time under the banner of an Islamic movement led by the Jama'at. Mawdudi played an important role in the opposition movement. He had stepped down as the Amir of the Jama'at in 1972. But in 1977 with the Jama'at's Amir at the time in prison and Pakistan in the throes of a national crisis, Mawdudi returned to centre stage. He became the *de facto* leader of the opposition to the premiership of Bhutto. Finally in July 1977 Bhutto's unpopular government collapsed

as a result of a military coup by General Zia u'l-Haq.

Quite naturally, Islamic symbolisms, now enjoying large scale popularity, could not be ignored by the new administration of Zia who was in search of legitimacy for his government. Zia accorded Mawdudi the status of senior statesman, one whose advice was sought by the new leadership of the country and whose words adorned the front pages of the printed media. Mawdudi retained his new-found stature until his death on 1979.

Zia's eleven year rule, up to 1988, was therefore a period of unprecedented success and political influence for the Jama'at.[2] During this period, the Jama'at became a major political and ideological force close to the centre of power. The Jama'at leaders held important government offices and the party's views were reflected in government programmes. However, despite its influence at the top, the party failed to expand its social base, and was unable to exercise political influence outside of the channels provided by the government. As Zia gradually fell out of favour with the masses, so too did the Jama'at witness a turn in its political fortunes. Accordingly, after the death of Zia the Jama'at could not win more than eight seats to the National Assembly in the elections of 1988 and 1990. Its electoral share even took a turn for the worse in the 1993 elections in which the party won only three seats.

Yet despite its limited electoral showings, the party is a powerful political force with significant social and cultural influence, mainly derived from its organizational structure and influence over the religious factor in Pakistan's political balance. In fact, the Jama'at from the beginning had viewed itself as an *ummah*, a virtuous Muslim community. Its creation was intended to signal both the renaissance of Islam, and provide Indian Muslims with an organizational model to emulate in asserting their political rights and cultural demands. The Jama'at has not been a mass party, but a community of devoted Muslims who hope to take over society as a whole. In political terms, the Jama'at's organizational model has performed the function of a vanguard

party in the struggle for Islamic revolution.[3]

7-3: Political Thought

Mawdudi advocated an interpretive reading of Islam, one which aims to mobilize piety and faith for the purpose of political activism. He placed emphasis on religious social action, discouraged traditional religious practices, and tried to rationalize the Islamic faith. Like other Islamic revivalists of this kind, Mawdudi viewed Islam as a comprehensive ideology capable of answering the requirements of modern man. Islam for him was 'a well-ordered system; a consistent whole, resting on a definite set of clear-cut postulates.'[4] This, as discussed in the previous chapters, is the way many contemporary Muslim thinkers see Islam.

The origin of all social and political problems of human beings' life and 'the root-cause of all devil and mischief in the world', Mawdudi believes, is the domination of man over man.[5] In his book, *The Political Theory of Islam*, Mawdudi gives us, first of all, an historical discussion on the aims of the prophets and the matter of worshipping different objects rather than God. He concludes by saying that trees, stones, rivers, the sun, the moon and the stars, none of them can venture to lay claim to the position of godhood in relation to man. It is only man who can, and does, claim godhood in relation to his fellow-beings.

> The desire for godhood can take root only in man's mind. It is only man's excessive lust for power and desire for exploitation that prompts him to project himself on other people as a god and extract their obedience; force them to bow down before him in reverential awe, and makes them instrument of his self-aggrandizement.[6]

Afterwards, Mawdudi turns to modern times and sees man still enchained in the slavery of many modern false gods. Modern man has discarded nature-worship,

but still indulges in man-worship.

> May he be in Russia or America, Italy or Yugoslavia, England or
> China, he is generally under the spell of some party, some ruler, some
> leader or group, some money-magnate or the like in such a manner that
> man's control over man, man's worship of man, man's surveillance of
> man continue unabated.[7]

Wherever you turn your eyes, Mawdudi continues, you will find that one nation dominates another, one class holds another in subjection, or a political party having gained complete ascendancy, constitutes itself as the arbiter of men's destiny; or again in some places a dictator concentrates in his hands all power and influence setting himself up as the lord and master of the people. No-where has man been able to do without an 'ilah' (the object of worship).[8]

Since the sole cause of all miseries and conflicts from which man has suffered during the long course of human history is the domination of man over man, the only solution, therefore, lies in 'the repudiation and renunciation by man of all masters and in the explicit recognition by him of God Almighty as his sole master and lord.'[9] This has been also the mission of all the divinely inspired prophets who appeared in succession to demolish man's supremacy over man and to free man from injustice, slavery of false gods, tyranny of other men, and exploitation of the weak by the strong. Their real mission was, in fact, to establish the authority and sovereignty of God alone on the earth.

The very starting-point of Islamic political philosophy, Mawdudi argues, is that human beings must, individually and collectively, surrender all rights of overlordship, legislation and the exercising of authority over others. No one should be allowed to pass orders or make commands 'in his own right' and no one ought to accept the obligation to carry out such commands and obey such orders. This right vests in God alone and even the Prophet himself is subject to His commands.[10]

Thus, the main characteristics of Islamic political theory, as Mawdudi

enumerates them, are:

> (1) No person, class or group, not even the entire population of the state as a whole, can lay claim to sovereignty. God alone is the real sovereign; all others are merely His objects;
>
> (2) God is the real law-giver and the absolute legislator. The believers cannot resort to totally independent legislation nor can they modify any law which God has laid down, even if the desire to effect such legislation or change in Divine Law is unanimous; and
>
> (3) an Islamic state must in all respects, be founded upon the law laid down by God through His Prophet. The government which runs such a state will be entitled to obedience in its capacity as a political agency set up to enforce the laws of God and only in so far as it acts in that capacity. If it disregard the law revealed by God, its commands will not be binding on the believers.[11]

7-4: Islamic Theo-Democracy

Having discussed the foundation of politics in Islam, Mawdudi turns to the question of Islamic state. The most appropriate title for the Islamic state, Mawdudi starts with, would perhaps be to call it the "Kingdom of God".[12] He recognises, however, that a state with such characteristics appears as what is described in English a 'theocracy'. To make a distinction between Islamic theocracy and the theocracy of which Europe has had a bitter experience, Mawdudi argues that the theocracy in which a priestly class exercises unchecked domination and enforces laws of its own making in the name of God is satanic rather than divine. Contrary to this,

> the theocracy built up by Islam is not ruled by any particular religious class but by the whole community of Muslims including the rank and file. The entire Muslim population runs the state in accordance with the Book of God and the practice of His Prophet. If I am permitted to coin a new term, I would describe this system of government as a "theo-democracy", that is to say a divine democratic government, because under it the Muslims have been given a limited popular sovereignty under the suzerainty of God.[13]

The executive under this system of government is constituted by the general will of the Muslims who have also the right to depose it. All administrative matters and all questions about which no explicit injunction is to be found in the Islamic Law are settled by the consensus (*ijma'*) of opinions among the Muslims. Every Muslim who is capable and qualified to give a sound opinion on matters of Islamic law, is entitled to interpret the law of God when such interpretation becomes necessary. In this sense, the Islamic polity is a democracy. But, as has been explained above, it is a theocracy in the sense that where an explicit command of God or His Prophet already exists, no Muslim leader or legislature, or any religious scholar can form an independent judgment, not even all the Muslims of the world put together, have any right to make the least alteration on it.[14]

Mawdudi makes a clearer comparison, elsewhere in his writings, between Islamic and Western democracies. What distinguishes Islamic democracy from Western democracy, he believes, is related to the concept of sovereignty.

> In western democracy the people are sovereign, in Islam sovereignty is vested in God and the people are His caliphs or representatives. In the former the people make their own laws; in the latter they have to follow and obey the laws (*shari'ah*) given by God through His Prophet. In one the Government undertakes to fulfil the will of the people; in the other the government and the people alike have to do the will of God. Western democracy is a kind of absolute authority which exercise its powers in a free and uncontrolled manner, whereas Islamic democracy is subservient to the Divine Law and exercises its authority in accordance with the injunctions of God and within the limits prescribed by Him.[15]

The Islamic state, in Mawdudi's view, is necessitated by its viability and superiority, and not only by religious sanction. Its purpose is to establish justice in the society, not merely by preventing people from exploiting each other and safeguarding their liberty and equity, but, more importantly, by evolving and developing that system of social justice which has been set forth by God in the Book. The Islamic state is

duty bound 'to eradicate all forms of evil and to encourage all types of virtue and excellence expressly mentioned by God in the Holy Qur'an.'[16]

The Islamic state, Mawdudi argues, is based on an ideology and, therefore, is an ideological one. The state is an instrument of reform and must act likewise. Quite naturally for him, such a state should be run only by those who believe in the ideology on which it is based and in the divine law which it is assigned to administer. In this respect, whoever accepts the Islamic code of guidance, no matter to what race, nation or country he may belong, can join the community that runs the Islamic state. But those who do not accept it are not entitled to have any hand in shaping the fundamental policy of the state, although they can live within the society as non-Muslim citizens with specific rights and privileges that have been accorded to them in the Islamic Law.[17]

Mawdudi admits that there is some sort of resemblance between the Islamic state and that of *Communism in preventing non-believers from piloting the state. But* to undermine this similarity he discusses the ways in which minorities are treated in the two systems, something that can only with difficulty remove the similarity in question.

> [T]he treatment meted out by the Communist states to persons holding creeds and ideologies other than its own bears no comparison with the attitude of the Islamic state. Unlike the Communist state, ...Islam does not want to eliminate its minorities, it wants to protect them and gives them the freedom to live according to their own culture.[18]

More important, for Mawdudi, than the necessity for key officers and administrators of an Islamic state to be technically Muslim is the need for them to be a true practising Muslim as well. To uphold Islamic ideology, they should be personally committed to everything that Islam enjoins and practice it in their individual lives.

The administrators of the Islamic state must be those whose whole life is devoted to the observance and enforcement of the Law, who not only agree with its reformatory programme and fully believe in it but thoroughly comprehend its spirit and are acquainted with its details.[19]

The next issue to address is the matter of leadership. To bring the "Sovereignty of God" from a theoretical level into a more immediate sense of who actually exercises power, Mawdudi turns to the theory of Caliphate and presents a new and interesting approach to the theory compared to those of the previous scholars. He recalls a very well-known verse of the Qur'an which reads:

Allah has promised to those among you who believe and do righteous deeds that He will assuredly make them to succeed (the present rulers) and grant them vicegerency in the land just as He made those before them to succeed (others).[20]

Mawdudi extracts two fundamental points from this verse: (1) God has used the term 'vicegerency' instead of sovereignty. Sovereignty in Islam belongs to God alone, so anyone who holds power and rules in accordance with the laws of God would undoubtedly be the vicegerent of the real Sovereign and will not be authorised to exercise any powers other than those delegated to him. (2) The second point in the verse is that the power to rule over the earth has been promised to 'the whole community of believers'; it has not been stated that any particular person or class among them will be raised to that position. From this it follows that all believers are repositories of the Caliphate. The Caliphate granted by God to the faithful is 'the collective right of all those who accept and admit God's absolute sovereignty over themselves.'[21] There is no reservation in favour of any family, class or race. Every believer is a Caliph of God in his own individual capacity. By virtue of this position anybody is individually responsible to God, thus one Caliph is in no way inferior to another.[22]

This constitutes the real foundation of democracy in Islam, Mawdudi claims. Every person in an Islamic society enjoys the rights and powers of the Caliph of God and in this respect all individuals are equal. No one can deprive any other one of his rights and powers. The agency for running the affairs of the state will be established in accordance with the will of the individuals, and the authority of the state will be only an extension of the powers of the individual delegated to it. Their opinion will be decisive in the formation of the government, which will be run with their advice and in accordance with their wishes. Whoever gains their confidence will carry out the duties of the caliphate on their behalf; and when he loses this confidence he will have to relinquish his office. In this respect the political system in Islam is as perfect a *democracy as can ever be.*[23]

The following points, Mawdudi argues, will then emerge from an analysis of the conception of popular caliphate or vicegerency:

(a) A society in which everyone is a caliph of God and an equal participant in the caliphate, cannot tolerate any class divisions based on distinctions of birth and social position. All men enjoy equal status and position in such a society. The only criterion of superiority in this social order is personal ability and character.

(b) In such a society no individual or group of individuals will suffer any disability on account of birth, social status, or profession that may in any way impede the growth of his faculties or hamper the development of his personality. Every one would enjoy equal opportunities of progress.

(c) There is no room in such a society for the dictatorship of any person or group of persons since everyone is a caliph of God. No person or group of persons is entitled to become an absolute ruler by depriving the rank and file of their inherent right of caliphate. The position of a man who is selected to conduct the affairs of the state is no more than this: that all Muslims (or technically speaking, all caliphs of God) delegate their caliphate to him for administrative purposes. 'He is answerable to God on the one hand and on the other to his fellow 'caliphs' who have delegated their

authority to him'. Now, if he raises himself to the position of an irresponsible absolute ruler, that is to say a dictator, he assumes the character of a usurper rather than a Caliph, because dictatorship is the negation of popular vicegerency.

(d) In such a society every sane and adult Muslim, male or female, has equal freedom to express his or her opinion for each one of them is the repository of the caliphate.[24]

Who is appointed to the position of leadership in an Islamic state and how? Mawdudi answers that the leader should be elected from among those who enjoys the full confidence of the Muslim public on the basis of piety and good conduct (*ahl al-hall wa-l-'aqd*). Mawdudi does not give a clear definition of those who enjoy this confidence. He only asserts that the election should be necessarily made by consultation. Since the Prophet has left behind no explicit instructions for the election or appointment of his successor, it is left to the elective discretion of the Muslims to select and appoint *the head of the Islamic state in accordance with the spirit of the* Qur'anic teachings.[25]

Mawdudi maintains that the elected leader or governor will not be above criticism. His public activities as well as his private life are the subjects of criticism by every Muslim man or woman. He will be liable to deposition and is equal with ordinary citizens in the eyes of the law.

The next most important institution for Mawdudi, after that of the head of state, is the legislature or an advisory council which must be trusted by the common Muslims and with which the ruler is bound to work. The fundamental matter, in this regard, is why there should be a legislature in the Islamic state at all. Sovereignty and the right of making law belong to God. No man shares in the divine prerogative of command, and no man can, therefore, be the originator of law. Such a position would seem to rule out both the need and the very possibility of a legislature in the normal

understanding of the term. But Mawdudi describes the function of the legislature as that of 'law-finding', not of law-making. Properly speaking, as Adams also believes, the word legislature should not be employed for the kind of body that Mawdudi had in mind, and his use of the word is another instance of a general tendency, such as we have seen in connection with his conception of democracy, to use a broadly accepted modern term in a new and peculiar way that sharply distorts its usual meaning.[26] Mawdudi himself puts the problem in this way:

> one is apt to think these fundamental facts [i.e. God's sovereignty and the necessity of obedience to the Prophet] leave no room for human legislation in an Islamic state, because herein all legislative functions vest in God and the only function left for Muslims lies in their observance of the God-made law vouchsafed to them through the agency of the Prophet. The fact of the matter, however, is that Islam does not totally exclude human legislation. It only limits its scope and guides it on right lines.[27]

The precedent of the consultative body, Mawdudi believes, goes to the very beginning of Islam when a group of knowledgable people, known as *ahl al-hall wa-l-'aqd* whose advice was always taken in any important matter, was instituted. This manner has to be continued in our time in the form of parliaments or consultative assemblies. There is nothing in the Islamic law, Mawdudi maintains, to prevent this council being elected by Muslim votes although no instance of such a procedure is to be found in the period of the Prophet and early Caliphs.[28]

The decisions of the council will generally be taken by a majority vote. But, Mawdudi argues, Islam does not regard the mere number of votes as a criterion of truth and rectitude. If the opinion of a single person is sounder than the unanimous opinion of the entire council, there is no reason why truth should be given up simply because its supporters are in a minority.

Hence, the leader (*Amir*) has the right to concur either with the

majority or the minority. He is further entitled to disagree with the whole council and decide the matter according to his own judgement. But, in any case, ordinary Muslims will have to watch whether the leader (*Amir*) exercises his extensive powers in a pious and God-fearing manner or in a selfish way. In the latter event public opinion can depose him.[29]

Mawdudi does not say, however, how and by which means Muslims can follow this vital right of theirs and depose the 'selfish' ruler.

Finally, the last question to add here is the question of parties and multi-party system. Mawdudi, in fact, has a duplicate approach in this regard. He confirms the pluralism of party politics, but underlines that party considerations should not conceal the truth. 'Islam does not permit you to take sides in party politics without considerations of truth and justice.'[30] He also makes clear that there can be no parties or groups in the Islamic advisory council. Every individual in the council is an independent entity who has to express his opinion freely without considering party politics.[31]

7-5: Islamic Revolution

An integral part of Mawdudi's political philosophy is the idea of revolution. The road to establish an Islamic state, Mawdudi believes, passes through an Islamic revolution. This revolution is the culmination of a struggle between Islam and un-Islam. An Islamic state, without an Islamic revolution preceding it, is bound to founder on the moral infirmities of its citizens. The nature of this revolution, however, is based on education rather than violent activism.

Mawdudi considers the success of an Islamic state to lie in its legitimacy in the eyes of the society. For this reason, he favours the 'Islamization of society before the creation of the state'. Therefore, Islamic revolution is a piecemeal effort by

investing a great deal of efforts in education. If the state were Islamized before society, then the state would be compelled to resort to autocracy to impose its will on an unwilling and unprepared population, thus dooming the process of socio-political transformation. It is important to note, as Vali Reza Nasr acknowledges, that 'Mawdudi viewed the Islamic state as a democracy not because it would accommodate and incorporate diverse social interests, but because in such a state there would be no divisive socio-political issues'.[32]

It seems that to reconcile the inflexible nature of Divine law and the ideals of democracy, Mawdudi seeks the awareness of the population to willingly abide by the demands of Islamic law. The Islamic state should not be the enforcer of the *shari'ah* (the Islamic law) but the implementor of the will of the people. Ideally, popular will should demand implementation of the *shari'ah*, unburdening the state and legitimizing its rule. Hence, the shape of the state hinges as much on the character of its population as on its mode of operation.

Hamid Enayat regards some of Mawdudi's arguments in support of the revolution as being partly based on the analogies of the French, Russian and Nazi German revolutionary movements.[33] None of these movements, says Mawdudi in his book *The Process of Islamic Revolution*, would have succeeded without the backing of its appropriate type of social consciousness and moral atmosphere, and these can only be brought about through a revolution.[34]

The success of Mawdudi's entire scheme of revolution hinges on the firm resolve, integrity and steadfastness of individuals in an untoward environment. There should come forward a group of people who would sincerely believe in the call of the unity and sovereignty of God, ready to abandon the life of self-indulgence and accept the restraints of morality. It is this belief in the unity and sovereignty of God which is the ultimate protector of the revolutionaries against all deviations and distractions. Combined with a 'true understanding of Islam, single-mindedness, strong power of judgement, and complete sacrifice of personal feelings and selfish desires', it will give

the revolutionaries the ability to withstand all hardships, and finally overcome public apathy or enmity.[35]

Mawdudi does not think that violence is indispensable to an Islamic revolution. This is consistent with his conviction in the tremendous force of moral example. He even views the establishment of the state by the Prophet as a result of what he calls a 'bloodless revolution', compared to the other revolutions in history.[36] However, he does not rule out force as an unavoidable means of dealing with evil in the world since Islam does not negate the use of force in the abstract.[37] Nevertheless, Mawdudi is reluctant, unlike all the familiar protagonists of revolution, to preach recourse to force, and instead stresses the necessity of the gradual spiritual transformation of the society in order to inculcate 'the true Islamic mentality and moral attitudes'[38] in the people.

Mawdudi makes it amply clear, in his later writings, that the kind of revolution he is seeking is far from a total overhauling of the social structure. Islam, he says,

> does not aim at an extreme revolution (*inqilab mutatarrif*), transforming everything from the foundations, as does Communism, with militates against human nature, abolishing private ownership and instituting state control over individual properties. Islam eschews such a destructive reversal of (the order of) things, constant as it is with human nature.[39]

7-6: Nationalism

Mawdudi's approach to the question of nationalism is rather a challenge between ideals and realities. In his early writings, before the partition of the subcontinent in 1947, he rejected nationalism entirely.

> Even a cursory glance at the meaning and essence of nationalism would convince a person that in their spirit and in their aims Islam and nationalism are diametrically opposed to each other.[40]

Since the ultimate goal of Islam is a world-state, in which there is no distinction of nationality or race or class or country, it cannot get along with nationalism which is for a nation-state and would not admit members of other nationalities to associate in any walk of life on an equal basis.

To Mawdudi, the whole conceptual system of nationalism was an irrational approach which destroys deeper bonds between human beings. It divides humanity into racial groups, sets up barriers of languages within one single religious community and demarcates artificial territorial boundaries. By contrast, Islam views the entire planet earth as the abode of humankind, thereby dissolving all these contrived divisions.[41]

At a time when the *movement of nationalism was sweeping the Indian* subcontinent, Mawdudi urged the Muslims not to participate in the freedom struggle being led by the Indian National Congress and its nationalist Muslim supporters. Although he shared the desire of other Indians for freedom from British rule, independence from the British was not worthwhile in itself if the Indian Muslims were to exchange servitude to Christian outsiders for servitude to the Hindu majority within their own country. Maintaining their peculiar identity and sense of nationality, Mawdudi believed, was the most important priority for Indian Muslims.

Soon after the creation of Pakistan, Mawdudi and his party launched a campaign for establishing an Islamic state in the country. This was virtually the starting point for Mawdudi to accept, gradually and reluctantly, the principle of nationality. Pan-Islamic aspirations gave way to a reluctant acceptance of political reality, and thus Mawdudi focused more and more on Pakistan. By 1971, particularly after the secession of Bangladesh, Mawdudi and his party appeared to be staunch supporters of their national state. At the end of one of his speeches in 1968 he said:

> Since, by God's will, I was born in this particular nation and belong to
> it, it is but natural for me to wish and pray that my nation should have
> the proud privilege of leading an Islamic revolution in the present age,

of being the first of the nations to adopt Islam in its totality, and to set
up a model Islamic society which should serve as an example and a
beacon for the rest of mankind.[42]

In the 1960s, the decade which witnessed the heyday of nationalism in the
Third World, Mawdudi called for the creation of a bloc of Muslim countries.
Recognizing territorial independence of each and every Muslim country, he demanded
the spiritual unity of all Muslim countries to face common internal and external
problems.

> After the Second World War different Muslim countries scattered from
> East to West were blessed with deliverance from Western colonial rule.
> The emergence of those nations as separate independent states is the
> inevitable outcome of a historic movement which cannot be altered.
> ...these Muslim countries [should know that Islam] can unite their
> Muslim populations into one *ummah*, promote goodwill and
> cooperation among them... [and] turn them into comrades in arms
> defending each other's *territorial independence.*[43]

7-7: Conclusion

Mawdudi was raised in the shadow of British colonialism in a society where
anticolonial national independence movement was active. He, like Hassan al-Banna
(of the Brotherhood), combined religion with social activism. They both shared a
revivalist ideology and established activist organizations that remain vibrant today and
have served as an example for others throughout much of the Muslim world.

Mawdudi's main concern was to transfer the cherished and idealised Islamic
tradition into an exclusive system of life, an 'ideology'. It was mostly due to his
interpretations that 'many Muslims premised that there is an Islamic system of
economics, an Islamic political system, and an Islamic constitution and so on.'[44] He

was more explicit than Banna and any other fundamentalist of his time in his stand for the principles of the electiveness of rulers, their accountability to the ruled, their obligation to consult those who enjoy the confidence of the masses, and the right of ordinary citizens to criticise all those in power.

With the agenda for the Islamic state in mind, Mawdudi advocated a view of Islam which can mobilize the faith according to the needs of political action. He rationalized Islam into a stringent *belief system, predicated upon absolute obedience* to the will of God, amounting to a common structure which aimed to transform society and politics. By interpreting some key concepts of the religion, he recast the meaning of the Muslim faith such that social action became the logical end of religious piety and religion *itself became the vehicle of social action.*

The Islamic state which Mawdudi introduced is based at its foundation upon the *shari'ah* (Islamic law). This, of course, is not new and has been the essence of any discussion of Islam and politics. What distinguishes Mawdudi from others is his preoccupation with the administrative functioning and the constitution of the Islamic state. He aimed to prove that the Islamic state both in practice and theory would be a viable entity, superior indeed to Western and socialist models.

In defining the shape of the Islamic state Mawdudi borrowed widely from the West. The Islamic state would be run by a modern machinery of government: an elected president, a parliament, and an omnipotent judiciary. Indeed, he tried to introduce a new political system able to accommodate both Islamic principles and what he saw as valuable in Western democracy. He called it a theo-democracy to distinguish it from a theocracy, or a clergy-run state, which he rejected.

Mawdudi, in fact, contrasts Western secular democracy with Islamic theo-democracy. This is, of course, open to question. Secularism is not a kind of polity while democracy and theocracy are. An appropriate comparison, if one is to be made,

should be drawn between the latter two. The crucial question is about the source and the legitimization of law and the state: is it man's will or God's will? Retention of the word "democracy" to describe the Islamic state inescapably implies a major role for the will of people in deciding matters. In effect, Mawdudi was claiming that both the will of God and the will of the people were the effective sources of sovereignty since the latter would necessarily conform to the former.

Mawdudi was above all intent upon showing that popular rule had always been central to Islamic statecraft, hoping thereby to prove the perfect harmony between Islam and contemporary Western aspirations. This way of proceeding implies that all the positive aspects of representative government and of expression of the general will are respected and preserved in the Islamic state, even though the most basic principle from which these things arise, the idea of the sovereignty of the people, has been discarded. The rationale, which is common among contemporary Muslim writers, reflects a desire to have things both ways: to reject the very foundation of the concept of democracy as it is normally understood while at the same time claiming for oneself its appeal and its advantages.

Mawdudi's political thought, however, remained mostly in theory. He gave but little attention to the more practical and mundane aspects of the Islamic state.[45] It is true that he tried his best to play a proper role in Pakistan politics as much as he was able to. His party did manage to come to power in different ways, including participation in elections. But in reality, Mawdudi did not find a real and tangible chance to translate his theoretical ideas into practice.

Islamic revolution or 'the Islamization of society', as an integral part of Mawdudi's political conception, need to be understood more carefully. The revolution that he had in mind was to unfold within the existing state structures rather than with the aim of overthrowing them. He discouraged the use of violence in promoting the

cause of Islam. Rather, it was education that his Islamic revolution was based on.

And finally, Mawdudi's thought and the Jama'at's politics provide a fashionable model of Islamic revivalism. While their counterparts, Hassan al-Banna and the Muslim Brotherhood, display the combative facade of Islamic activism, Mawdudi and the Jama'at can find more parallels among those Islamic movements that opt for participation in elections over revolution./

CHAPTER EIGHT

Sunni Radicalism: Hizb ut-Tahrir al-Islami,
Taqiuddin an-Nabahani

Introduction:

To present a picture of Sunni radicalism in theory, this chapter will discuss the basic contributions made by an active Palestinian intellectual in Jerusalem in the early 1950s. This is Taqiuddin an-Nabahani, who founded a political party advocating openly the farthest end of Sunni revivalism: aiming to re-establish an overall Caliphate for the whole Muslims and declaring unrelenting war against all established political systems in the Islamic world. The party he established is 'Hizb ut-Tahrir al-Islami' or the 'Islamic Liberation Party'.

Taqiuddin an-Nabahani was a Palestinian intellectual and graduate of al-Azhar in Cairo. He began his professional life as a school-teacher and later became a judge in the *Shari'ah* Courts of Haifa and Jerusalem prior to the partition of Palestine and the creation of the state of Israel. He died in 1978.

8-1: Doctrine

Nabahani's early writings go back to 1952. His first book was entitled *ad-Dawlah al-Islamiyyah* (The Islamic State) in which Nabahani presented a preliminary and general outline for an Islamic system of government. The same year he published another book *Nizam al-Hukm fi al-Islam* (The System of Government in Islam). In this book he defined in complete detail the nature of his ideal Islamic system in all its organisational aspects.

In 1953 he founded the Hizb ut-Tahrir al-Islami to propagate the idea of establishing an Islamic state based on the Caliphate. The only way to resume the Islamic way of life and to establish the Islamic state, for Nabahani, was to transmit Islamic teachings to all areas and societies in order to create a general awareness of Islam among public opinion. This interaction should be organized exactly in the way the Prophet went about it when he established the first Islamic state of Medina. This means looking for a territory that can be used as a starting point from which to spread the doctrine to other Islamic areas and to develop the great Islamic state that is to convey the message of Islam to the world.[1] Conveying this message requires bringing up an Islamic intellectual leadership that is at once strong, straightforward and daring, ready to challenge any situation or concept opposing Islam, with no sign of neglect or slackening or tendency to compromise with anybody on any matter pertaining to Islamic teachings.[2]

The community (ummah), which constitutes the practical means on earth of putting Islam into effect, needs to have a smaller group exhibiting a profound understanding of Islam and a strong fear of God, one that will work at providing the people with an intensive Islamic education aimed at building the Islamic character of the nation. This group is the 'party of principles' that arises on the basis of Islam as the real guarantee for the application of the religion. This leading party of the community acts as a monitor to the state and as the advocate of Islamic principles, for the way to advocate the latter is through politics.[3]

To achieve such a goal, the 'Islamic Liberation Party' was established and followed a radical line in its political advocacy of the re-establishment of the Islamic state. The overall model for the party's activities is drawn from Nabahani's understanding of the stages of the Prophet's life in Mecca and Medina. Since the party was banned almost from its inception, facts about it are hard to come by, particularly concerning its organisation. David Waines believes, however, that the party has drawn the details of its organization from the modern experience of communist or other

revolutionary parties in Europe.[4] The party attracted followers mainly from among school-teachers, high-schools and universities students and government clerks. It spread widely in the Arab Near East (Palestine, Jordan, Syria, Lebanon and Iraq). But in its merciless criticism of the Arab political establishments, it brought on itself equally merciless harassment. For this and a number of other reasons, the party gradually weakened but did not totally disappear.

Today, Hizb ut-Tahrir claims that it works in all Muslim as well as many non-Muslim countries.[5] In the past few years it, alleged by opponents to have international terrorist links and banned from virtually every Middle East country, has been able to reorganise itself in Britain and gain a considerable influence among young generation of British Muslims. It is active in a number of British universities and has taken over many of the Muslim student societies. The Guardian describes it as 'the fastest growing' and 'the most influential of Britain's new radical Islamic groups.'[6]

8-2: The Islamic State

The primary task of Muslims, Nabahani starts with, is the advocacy and furthering of the message of Islam, and the highest ideal is God's approval of their work. This approval can be obtained only if their work is directed at 'guiding the whole of humanity to Islam'. But that can be done only through domination or power based on it, and this power is the Islamic state.

> [I]t is the duty of the Islamic State to implement Islam in the whole of the land under its rule and to convey the Message of Islam beyond its borders. Conveying the Message of Islam is by no means comparable to missionary work, it instead comprises the inviting of mankind to Islam, culturing them with its concepts and rules, and the removal of any material obstacle that stands in the way of the Message through the employment of a force capable of doing so.[7]

The states that rule the world today, according to Nabahani, whether capitalist or socialist, are grounded in a purely materialistic mentality, making it possible for the culture of materialism to dominate mankind. Consequently, mankind has undergone 'spiritual crises' that have caused destructive psychological misery and evil to spread everywhere. 'For this reason it is necessary, in order to save the world, to have a state established on a spiritual basis' combining spirit with matter, making it possible for the culture of spiritualism to dominate life. The Islamic state is the only way to achieve this great accomplishment, and herein lies the necessity of its establishment.

The purpose of the Islamic state is to resume the Islamic way of life, based upon the Islamic belief, and carry the message of Islam to the whole world.[8] Implementing Islam within society, however, is when this belief was deeply rooted in the people's hearts and mind. Establishing an Islamic state, in fact, is the third stage after "culturing party's members" and "interaction with the society". The former, the party claims, is completed by the late 1950's and the latter which is now in progress is a 'political and ideological struggle' to prepare society as well as international situation for making change.[9]

The Islamic state is not a desire that one aims to satisfy, but an obligation that God has decreed on Muslims and commanded them to execute. God has warned of the punishment awaiting those who neglect this duty. A state must be established to prepare the army for battle, defend the territory, implement God's penal code and rule by what He has revealed. It is a must for Muslims for Islam would not have an influential existence without it, and their land would not become the 'abode of Islam' unless it is ruled by that which God has revealed.

Muslims today are in a state of backwardness, degradation and remoteness from the teachings of Islam, and they are subject to the system of infidelity in their own country. Because the Muslims have submitted to the rules and influence of unbelievers over their land, their Islamic citizenship has become non-Islamic even though their land is Islamic. It is obligatory upon them to live in an Islamic homeland

and to possess an Islamic citizenship, yet they cannot achieve this unless they establish an Islamic state. Thus, the Muslims would remain sinful until they began to work towards re-establishing the Islamic state so that they could give their *bay'ah* or pledge of allegiance to a Caliph who would implement Islam and carry its message to the world.[10]

8-3: The Caliphate

The only acceptable political system, Nabahani insists, is the Caliphate that would provide an overall government for the whole Muslim world. It would be the only system which is able to govern in accordance with the requirements of revelation and bring what is beneficial to the people. In dealing in detail with all important aspects of the state, Nabahani always draws inspiration from the age of the Prophet and *Rashidun* Caliphs as well as the works of classic scholars and particularly *'al-Ahkam us-Sultaniyyah'* of al-Mawardi.

The Caliphate system of Nabahani rests on four principles. Should any of these principles be missed, the ruling system would not be Islamic any more:

1- The appointment of one Caliph.

2- The authority belongs to the *ummah* (community).

3- The sovereignty belongs to the *shari'ah* (Islamic law).

4- The Caliph alone reserves the right to adopt the *shari'ah* and to enact its commands as laws.[11]

Nabahani builds the structure of the Islamic state on seven pillars which in the absence of them (except the first one) the state would be incomplete but still remain Islamic. These are the Caliph or the head of state, the executive body (the assistants), the administrative system, the governors, the judiciary, the armed forces and the

Council of *Shura* (or Consultation Assembly). All of these, he asserts, were established by the Prophet himself as a part of his organisational structure of the Islamic state.[12]

The Muslims are responsible for the implementation of the Islamic law. To discharge this responsibility, the nation, which possesses the power or authority, selects a leader to manage the affairs of the nation in accordance with the Islamic law. The Caliph is only empowered to rule by the Muslims giving him *bay'ah* (pledge of allegiance) through an offer and acceptance. Whilst the nation is the source of power, it has a limited authority. The nation's authority is restricted by the unlimited power of God. Sovereignty, therefore, belongs to God or, indeed, to His law.

The appointment of the Caliph is an obligation upon the Muslims. They are forbidden, Nabahani believes, from spending more than two nights without giving their pledge to a Caliph.[13] Muslims are forbidden from appointing more than one Caliph. If a group of people, who met all the requirements necessary for the office of the Caliphate were given the *bay'ah* then it would be the one with the majority of votes who would become Caliph, and whoever opposed the majority would subsequently be considered a rebel. This applies if the nominees were gathered together in person, Nabahani maintains,

> but if the Khilafah [the Caliphate] had been contracted to one man who
> fulfilled the requirements of the Khilafah [the Caliphate] and the
> majority of the Muslims gave their *bay'ah* to another, then the first
> man should become Khaleefah [the Caliph] and the second man should
> be turned down.[14]

The requirements for the Caliphate office, Nabahani says, are to be Muslim, man, mature, sane and just. All other conditions which has been put by others, such as bravery, knowledge and the like, are not needed and should not be laid down.[15] In fact the only real qualification for the office, as Nabahani tells us, is the obscure

concept of justice which can be interpreted in different ways. In reality, therefore, anybody can be a legitimate ruler of the state.

The Caliph's term of office is indefinite. He can stay in office as long as he works at executing the law and does not violate it, otherwise he ought to be deposed. 'He can be deposed through a legal ruling issued by a legal body, namely the court dealing with injustices.' This court can rule on the question of whether or not he has adhered to Islam and can determine what is a sufficient basis for deposing him.

> If he were not to submit to the ruling of this court, he would be considered disobedient to God and the Muslims would be required to depose him because their original approval of his instatement in office would no longer be binding on them.[16]

The Caliph rules and executes the law on behalf of the people and puts legal rulings into effect. People have the right to propose the legal rulings required to deal with the problems of life. But the right to legislate belongs to the Caliph and not to the people, for it is the Caliph who 'adopts an opinion and obedience becomes compulsory on everyone.' The Caliph deduces rulings through a correct understanding and settle all the differences.

> He is the one who runs and conducts the affairs of the nation. But he is neither the symbol of the latter nor the source of its powers; he is simply the executor of God's law. His presidency is not to be recognised unless it is conferred on him by the nation. He ought to be obeyed only within the limits of the law.[17]

The head of state has wide powers within the limits of the law: he is the one who appoints the members of the executive branch and all branches of government except the Council of *Shura* who are elected by the people. He prepares the state budget, declares war, makes peace, concludes treaties and conducts all matters pertaining to foreign policy. The Muslims are all obliged to execute the order of the

Caliph concerning the opinions which he adopts. 'His opinion is binding on them both visibly and secretly.'[18] Nabahani, however, maintains that

> [t]o give the head of state all these wide powers does not at all mean that he is sacred or has a divine right, for he does not rule on behalf of God but on behalf of the people, and all of the people have the right to judge him. To be a Caliph does not mean to be either a dictator or a saint.[19]

Nabahani holds the electiveness of the Caliphate by mentioning the process of *bay'ah* (oath of allegiance by the community) as an electoral instrument in the hands of people: '[n]o Muslim becomes a Khaleefah [Caliph] without the *bay'ah*.'[20]

> The application of the *bay'ah* varied, in some cases the Khaleefah [the Caliph] was given the *bay'ah* directly, some khulafa [Caliphs] recommended another person other than their relatives, some passed it on to their sons or other members of their family. However, this recommendation was not enough to make them the Khaleefah [the Caliph], they had to receive the *bay'ah* before taking office. No Khaleefah [Caliph] has ever been appointed without a *bay'ah*.[21]

The giving of the *bay'ah* also varied, it was taken from *ahl al-hall wal aqd* as prominent and distinguished figures, it was also taken from the people and in some cases it was taken from *Sheikh ul-Islam* (the leading scholar). He claims, surprisingly, that this rule has been followed in the Islamic history until the last days of Ottoman's reign. He admits, however, that 'there were certain instances where the taking of the *bay'ah* was abused.' Nevertheless, he insists that 'it was still a valid *bay'ah* and not simply a succession to the post of Khaleefah [the Caliphate].'[22] He acknowledges that the System of regency adopted by Mu'awiyah (the founder of Umayyad Caliphate) is contrary to Islam.[23] But when it comes to the question of nominating Umar by Abu Bakr, it is claimed that the first Caliph did not appoint his successor,

rather, he consulted the Muslims about who might be Caliph for them. So he nominated Ali and Umar. Then the Muslims through three months during the life of Abu Bakr, chose Umar by their majority.[24]

It is not clear from which historic sources this version of the story, that is not in accordance with other reliable documents, is narrated.

8-4: *Shura* (Consultation)

One of the principles of the Islamic system of government, as already mentioned, is *shura* or consultation. While many Muslims have sought to equate *shura* with democracy, Nabahani believes that *shura* does not mean democracy. Democracy, one of the bulletins of the party says, is 'hypocrisy'. The idea of a democratic society is 'deceptive, dangerous and unworkable.'[25]

Shura is a right that the Caliph owes to all Muslims. He owes it to them to turn to them whenever consultation is necessary in matters concerning them. *Shura* can include every matter, with no difference between legislative matters or worldly affairs like war, politics and general interest of the people. However, although the people have the right to be consulted in everything, their opinion will not necessarily be transferred into law. The divine law is sovereign and consultation cannot overrule it.

> Simply put, for example, no matter how many people hold the opinion that the obligatory prayers should be reduced from five times a day to two times a day, the law will not be changed. *Shura* carries no weight when in opposition to revelation.[26]

The will of the nation as expressed through *shura* can be turned into legislation not in the area of obligatory (*wajib*) or forbidden (*haram*) matters but only in the area of permissable (*mubah*) matters, provided that it is not contradictive with the Islamic law.

Having all these said about the importance of *shura*, it is specified that

consultation and decision making are two different matters. Due to individuality of leadership in Islam, the head of state is the exclusive body that has the mandatory power in decision making, and in enacting laws that are binding. Islamic law allows the Caliph to have the final say after consultation, and execute his opinion, and not that of the *shura* people.[27]

There should be instituted a 'Council of *Shura*', Nabahani says, which is one of the pillars of the Islamic state. This council represents the people, men and women; discusses and formulates its views on all matters of government which are referred to it; questions and checks the policies of the Caliph, his assistants and governors; and limits the nomination for the post of the Caliphate. The Council members have the power to nominate the Caliph whom the nation elects and instates.[28] Non-Muslims can also have their representatives in the council but they can take part in the process of *shura*.

All issues that are the legitimate concern of this council are to be decided on the basis of the majority opinion, irrespective of whether it is considered to be correct or not. In all other matters of *shura* the correct opinion is sought based on the strength of Islamic evidence rather than the will of the majority. Considering the view of the experts and specialists, the Caliph will take the view which convinces him rather than the majority view. In the matters that the Council disagrees with the Caliph over an action from the view point of Islamic law, a court which consists of small band of jurists will decide whether the Caliph has acted in accordance with the divine law.

What attracts attention in this structure is that the members of the Council of *Shura* should be elected and not appointed. Every citizen of the Islamic state, whether man or woman, Muslim or non-Muslim, has the right to become a member of this Council.[29] Non-Muslims however have limitations on their rights.[30]

8-5: Conclusion

Hizb ut-Tahrir al-Islami, or the Islamic Liberation Party, is often considered as the Palestinian counterpart of the Muslim Brotherhood in Egypt. But it not only differs from the Brotherhood in various aspects, also differs from all other known Islamic groups and organizations. In fact, it is a peculiar organization primarily because it considers itself a political party in the true sense of the word, but at the same time rejects sharing power with anyone and refuses to participate in democratic processes as it does not recognise the legitimacy of any of the presently established regimes in the Muslim world, including even Iran. A party-member told me, in a personal conversation, that the Iranian government is not an Islamic one since, among others, 'it has signed and accepted the Charter of the United Nations and by this way has given up the destiny of a Muslim people to the disbeliever powers.' Thus, the party is neither akin to the Muslim Brotherhood, that wishes to be considered as a society rather than a party; nor to the Jama'at-i Islami of Mawdudi (contrary to the comparison that Jansen makes[1]) which works inside the system; nor to the any other Muslim organization.

The next major dissimilarity which makes the party yet more peculiar is its ideal to re-establish the Caliphate, almost a dead phenomenon for other Muslim revivalists. Furthermore, the party recognizes the whole period of Umayyad, Abbasid and Ottoman Caliphates as legitimate Islamic states in favour of implementing Islamic rule. This is when nearly all contemporary Muslim thinkers are of the opinion that the real Caliphate had only lasted thirty years -during *Rashidun* period, and afterwards there was only a government by kings without true Islamic features. Nevertheless, the Islamic state for Nabahani is the same as those which dominated the history of Muslims for more than thirteen hundred years. He does not adopt all policies and doings of them and admits that there have been even deliberately maladministration of the rule, but considers the Caliphates of this period, in general, legitimate Islamic states which were 'on the basis of Islam and for the sake of carrying the Message to

the whole world.'[32] The Islamic state, he says, 'remained strong and prosperous until the colonial disbelieving forces destroyed it as a state in 1924.'[33]

Nabahani and his party, anyhow, are theoretically the symbol of Sunni radicalism, though not that radical in their methodology and tactics. A distinctive feature of Nabahani's thought is the attention he has given to a detailed and explicit exposition of the nature of the Islamic state and its institutions, as he saw them. These are matters which, apart from Mawdudi, others have usually preferred to describe in vague and general terms. Contrary to the majority of contemporary Muslim reformists who have had a hard time to find solutions for associating Islamic values with democratic principles, Nabahani drew a clear distinction between the two and explicitly mentioned to the limited role of the people and the centrality of leadership in what he believed was true Islamic state./

CHAPTER NINE

The Doctrine of Imamate

Introduction:

The Shiite doctrine of Imamate differs fundamentally from the Caliphate theory of Sunni Muslims. While, the Caliphate is just one of the regulations of the religion in Sunni Islam, Imamate in Shiite belief is an integral part of the religion and, in effect, one of its five principles (others are: *Tawhid*, Oneness of God; *Adl*, Justice; *Nubuwwah*, Prophecy; and *Ma'ad*, Resurrection Day).

The purpose of this chapter is to provide a general perception of the political doctrine of Shiite Islam, Imamate. This is rather a preliminary step for the next two chapters when I address Khomeini's theory of 'the Governance of Jurisprudent' and the Constitution of Iran after the revolution. It should be noted that what is discussed here is not the doctrine in its entirety, but those parts which are essentially related to this thesis in general, and can help to further its argument.

9-1: The Imamate's Institution

The word 'Imam' in Arabic literally means 'exemplar', 'model', one who stands at the front, hence 'leader', he who leads others. Political leadership or heading the society, from Shiite point of view, is only one aspect of this concept. As a matter of fact, Sunni and Shiite do not basically differ if the question is seen from this angle only. In spite of deep arguments about who rules and how, they both recognize the necessity of leadership for a Muslim community. Nevertheless, there are two more cardinal concepts for the Imamate which Shiites believe in while the majority of Sunni Muslims reject them entirely.

Imamate in Shiite Islam holds three capacities. First, it is a political leadership in the sense of succeeding the Prophet in governing society. As I said, there is no contradiction between Sunni and Shiite in this regard except as regards the person who has the right to succeed the Prophet. Shiites argue that the Prophet appointed his successor and it was Ali (the fourth Caliph of Sunni Islam) while Sunni Muslims insist that the Prophet did not mention anything in this regard and left the question for the people to decide. To this extent, the contrast between the two sects is not a conceptual debate.

> If Imamate was only the political leadership and the question of the succession of the Prophet, we also, as Shiites, would indeed identify it as one of the regulations of the religion, not of the principles.[1]

Religious authority is the second capacity of the Imamate institution. Shiites hold the same authority for the Imam as that of the Prophet, i.e. to define and interpret the religion. Islam, as Shiites observe, is not what has been revealed in the Qur'an alone or what has been reported as the Prophetic codes of conduct. Although Muhammad, as the last of the prophets, was 'the repository of the complete treasure of religious precepts', he revealed only some parts of it, leaving the rest undeclared because of either the inexpediency of disseminating them in that particular period of history, or simply because he was not practically confronted during his lifetime with all religious, political, social and economic difficulties, which might happen in a society. So not every solution of every problem can be found in the Qur'an or in the Prophet's Tradition. This task, therefore, was entrusted to the God-appointed Imams to strengthen the foundations of the religion and to illustrate different aspects of it after the Prophet.

Imam, in fact, is a religious master, next to the Prophet, who has received his knowledge from God, though not directly through revelation (wahy). This knowledge has been transferred from the Prophet to the first Imam and from each Imam to his

next. Moreover, Imam has the capacity to enjoy some sort of inspiration (*ilham*) from a divine origin. Consequently, Imam's knowledge is free of any error or mistake. Imam, in his role and capacity as such, is as faultless and infallible as the Prophet.[2]

The third aspect of the Imamate, and the most significant one, is the notion of "Perfect Man". This idea, which is very similar to that of the Sufism,[3] presumes that in every era there is a Perfect Man who bears the whole spirituality of human beings. He is 'the Proof of the Time' and conversant with the minds and hearts of people. He is 'the Friend of God' (*Waliyy Allah*) who mediates God's grace and blessings to the believers. The earth has never been without a Perfect Man and never will be. Most of the Sunni Muslims accord this feature only to the Prophet. For Shiites, however, Imam is that Perfect Man, and by this definition, the Prophet was also the Imam of his time.[4] This is perceived from a number of Qur'anic verses, particularly that of (2:124) in which God upgrades the position of Abraham from a prophet to both a prophet and an Imam. "...Abraham was tried by his Lord with certain commands, which he fulfilled: [then] He said: I will make you an Imam to the nations..."

Imams for the majority of Shiite Muslims are Ali, the Prophet's son-in-law, and his eleven direct descendants who are predestined by God to rule the community of the faithful after the Prophet.[5] The first one, Ali, was technically designated by the Prophet to be his successor. Successive Imams, similarly, named their successors during their lifetime. This line came to an abrupt end in 874, when the twelfth Imam, Abu al Qasim Muhammad ibn Hasan or *Imam Mahdi*, disappeared. Shiite doctrine holds that he went into hiding but that he is mysteriously alive and remains omnipresent as *Imam al Zaman* (the Imam of the Day, often described as the Hidden Imam). He, the Perfect Man of our time who is also known as *the Saviour of Allah*, will re-appear some day, when God allows him,

to establish the kingdom of Allah on earth, to fill the world with

Justice and equity, as it would be full of injustice and tyranny. He is
...Sahibu'l-Amr (the one vested with Divine authority).[6]

Hence, Mahdism or waiting for a promised ultimate, when a great reformer would fill the world with justice, is an integral part of Shiite belief. Mahdism is the conception of history as a trend of events, not so much following a predetermined course, as moving towards a fixed goal: the return of the Hidden Imam, the Mahdi, and the rehabilitation of the universe. *Contemporary Shiite and Sunni Muslims are more or less of the same opinion that Muslim history since the time of the four Rightly-Guided Caliphs has been for the most part a catastrophic deviation from true Islam.* But whereas for the Sunnis the course of history since then has been a movement away from the ideal state, for the Shiites it is a movement towards it.

The millenarian anticipation of the Return of the Hidden Imam has provided a historicist thrust for the Shiites' confidence in the ultimate victory over the 'forces of injustice'. This link between the Return and the ultimate global sovereignty of the righteous and oppressed makes Shiite Islam an idealistic belief. Sunni Islam, on the other hand, is considered a realistic ideology because of its greater adaptability to changing circumstances, with the approval of the theologians. This dissimilarity between Shiite and Sunni, as Jafri says, is

> centred on considerations of *what is necessary under the circumstances*, and *what ought to be*. The former principle soon resulted in the establishment of a mighty and sweeping caliphate-empire. The latter principle of *what ought to be* led a group of the community, though small, to develop its own interpretation of Islamic ideals and polity.[7]

Shiite Islam, through its ideal belief in the Imamate and Mahdi'ism, has developed as a 'political legitimist movement' in the history of Islam, as Lambton describes it,[8] striving to re-install the true Islamic state under the authority of the Imam. Its idealism, nevertheless, has had also a rather paradoxical effect on Shiite

political behaviour and thinking. Being an oppressed minority and believing that all temporal authorities are illegitimate, occasionally led Shiites to avoid all involvements in politics and sometime be politically apathetic. It has been a tendency, and some times a great one, among Shiites to consider 'just government', in the strict form, as an ideal which is impossible to achieve before the age of the Return. This eventually made the ideal state in Shi'ism to appear as a regime beyond the reach of ordinary human beings. So it is left for the time when Imam Mahdi returns.

Recent modern Shi'ism has challenged this passiveness by introducing a realistic approach to the issue of waiting for the Return. It argues that waiting for something is, in effect, preparing the ground for its return. Imam Mahdi will not establish a just world out of nothing. Those who anticipate the Mahdi are obliged to provide a foundation on which he can establish his authority. Therefore, establishing an Islamic state and government is not only a necessity for carrying out the Islamic law, but also a sacred duty to facilitate the return of the Imam Mahdi.

9-2: Political Leadership

The political authority to govern the Muslim society, in Shiite belief, is vested on the last Imam, *Imam Mahdi*. But since he is in occultation, the exercise of that authority is not practically possible, however rational the argument might be. The doctrine maintains that the religious authority and the judicial functions of the Imam in the occultation period have been delegated to the just and pious Fuqaha' (Faqih, pl. Foqaha, is a legal expert in Islamic law; a jurisprudent or jurisconsult). In exercising these functions the Fuqaha' act collectively as *al-na'ib al-'amm* (general representatives) of the Hidden Imam. There are, of course, different attitudes about the extension of the Fuqaha''s authority compared to that of the Imam. Over the years their competence was gradually extended to include most of the non-political functions of the Imam as the guardians of the Muslim community. But as for the political

authority and the right to govern the state, the established Sunni political authorities, 'were generally powerful enough to prevent any attempt by the ulama [Fuqaha'] to extend their authority into political affairs.'[9]

Historically speaking, Shiites were mostly an oppressed minority in opposition to the Sunni holders of power. Indeed, apart from the short-lived Fatimid dynasty in Egypt, Shiite held little power until the establishment of the Safavid dynasty in Iran and its adoption of Shi'ism in the Sixteenth century. Therefore, the doctrine inevitably evolved that legitimacy could neither be granted to nor withheld by the Fuqaha' from any government, and that all governments were usurpatory of the prerogatives of the Hidden Imam. Any government is principally illegitimate in the absence of the Imam. Therefore, no legitimate role in political matters for the Shiite Fuqaha' as the representatives of the Hidden Imam was implied. They, 'being apart from political affairs, had no real need to develop a fully articulated constitutional theory regarding political issues.'[10] Since all matters of state, government, and the administrative system were not directly or indirectly under their control, and they were even not asked about them, it gradually became outside of their concern.

9-3: Development in the Doctrine

The first major and the most fundamental development in Shiite jurisprudence, which had a direct effect on its political theory too, came after the settlement of the *usuli-akhbari* controversy in favour of *usuli* followers. These were two schools of law in Shi'ism. The *Usuli* school believed in a rationalist use of the religious sources while the other insisted on a strict use of clear texts without any, or with a minimum, use of reason. It was a great Shiite jurist, Shaikh Murtaza Ansari (1799-1864), who mainly contributed to this development by the reconstruction of the law and its methodology through his scholarly rational approach.

One of the significant effects of this development was the theoretical extension

of the area of the jurisdiction of the Fuqaha' to virtually any matter where there was no clear-cut ruling, thus providing doctrinal justification for participation in matters previously regarded as the province of the political authority. This theoretically paved the way for the Fuqaha''s intervention in political affairs and in the legislative and administrative processes of government. Political grounds had been also prepared, on the other hand, by the adoption of Shi'ism as the official religion of the Safavid dynasty in Iran.

As the Fuqaha' promulgated rulings over an extensive range of activities, secure in the knowledge that they were following the guidance of the Hidden Imam, it followed rationally that they could not only legislate (though they defined their actions as identification, interpretation and codification of the details of God's law) but also rule, pending the return of the Hidden Imam. If they were the representatives of the Hidden Imam they had an obligation to exercise all the latter's function, which included ruling and governing the community.

Shaikh Ansari, in fact, resolved two major doctrinal problems, one peculiar to Shi'ism, and one common to all forms of Islam. For the Shiites, the doctrine of usurpatory government can be set aside provided that the government is controlled by the Fuqaha' in their capacity as the representatives of the Hidden Imam and the Fuqaha' can, by the act of participating in the government, accord it legitimacy. More importantly, the obvious need for governments to legislate, in the fullest sense of the word, can also be granted legitimacy, always provided that legislation is consistent with the principles and precepts of the Qur'an and Sunnah, and can be presented as identification, interpretation, clarification, or codification of the detailed provisions of God's law.

This line of reasoning has not, of course, gone unchallenged. At least three general approaches regarding the political authority of the Fuqaha' can be realized among Shiite scholars at the present time. The first one still insists on the illegitimacy of any sort of government in the absence of the Hidden Imam. Fuqaha' may remain

aloof, leaving temporal government strictly to the temporal authorities whether or not they act justly or apply Islamic law. They neither grant nor withhold recognition and legitimacy to the government. Muslims have to keep themselves away from the political authority and wait for the promised just government which the Imam would establish on his re-appearance. Inevitably, the idea of separation between religion and state can be one of the results of this logic.

The second approach lets the Fuqaha' co-operate with state authorities provided that the authorities enforce Islamic law and the ruler is just. They can accord legitimacy to the state as the representatives of the Imam. They will observe and control the activities of the government and may participate, to some extent, in executive bodies. Such co-operation is not permissable, however, if the ruler is not just and does not implement Islamic law. Fuqaha' in this respect are not in the position of Imam to carry the whole political authority. Shaikh Ansari himself was of this opinion.[11] Among the contemporary Shiite thinkers, a prolific Lebanese scholar and writer, Muhammad Jawad Maghniyah (d. 1979), has the same idea:

> Government in the present time is not in the monopoly of the Fuqaha'.
> Rather, people have to elect, by their own votes, an appropriate person
> be a Faqih or not. ...An Islamic government is the one that follows the
> Islamic law, not the one which is necessarily ruled by the Fuqaha'.[12]

And finally, the last approach believes that the Fuqaha' should dominate the power and take the reins of the government directly into their hands. This idea was theorized for the first time by Ayatollah Khomeini under the title of *Vilayat-i Faqih* and is being implemented in Iran after the revolution. I will discuss this theory in the next chapter. Molla Ahmad Naraghi[13] and Hossein Ali Montazeri[14] are among the well known advocators of this approach.

9-4: Conclusion

In Conclusion, Imam and Caliph are two completely different concepts, although in practice both are, or supposed to be, the political leaders of the Islamic state. Imam, for the Shiite, though not a prophet, is the divinely inspired, sinless, infallible, religio-political leader of the community. He is both political leader and religious guide, the final authoritative interpreter of God's will as formulated in Islamic law. Whereas after the death of the Prophet, Sunni Islam came to place the final religious authority for interpreting Islam in the *ijma'* (consensus) and *qiyas* (analogy), Shiite Muslims believe in continued divine guidance through their divinely inspired guide, the Imam.

Imamate, in its divinely definition, is a continued institution represented by an alive, though non-visible, Imam. He, the Mahdi, is the Saviour of God who is waiting in occultation for a promised time to re-appear and make the world full of justice and equity. Mahdi'ism, or waiting for the Return, is the most substantial concept in Shiite belief that contains some sort of aspiration for a utopian future.

The guardianship of the Muslim community in all its aspects, including political leadership, is vested in the Imam, in general, and in Imam Mahdi in our present time. In the real world, however, the Fuqaha' as representatives of Imam Mahdi, act on his behalf. It is considered as an established fact that the religious authority of the Imam has been delegated to the Fuqaha', but there is not a consensus about his political authority as well. Whether or not the Imam's political authority is also delegated to the Fuqaha' -and, if so, to what extent- is a matter of controversy and argument among Shiite scholars, even among the Fuqaha' themselves./

CHAPTER TEN

The Governance of Jurisprudent,
Ruhullah Khomeini

Introduction:

Imam Khomeini, as his followers call him, or Ayatollah Khomeini, as Western press designated him, is a figure who raised the most controversial arguments, attitudes and interpretations about Islam and Islamic fundamentalism, in the past two decades. It is a fact, however, that no event in recent history has demonstrated more dramatically the power of a resurgent Islam than the Iranian Revolution of 1978-79. Iran provided the first example of a modern Islamic revolution, a revolt against impiety, oppression and injustice. The call of Khomeini for an Islamic revolution struck a chord among many who identified with his message of anti-imperialism, his condemnation of failed, unjust and oppressive regimes, and his vision of a morally just society.

Khomeini, an Islamic scholar and a high-ranking cleric, achieved a rare degree of success in the purely political sphere, as a statesman and a revolutionary leader. He is the first Islamic thinker of our time who was able to enforce and exercise, at the summit of a Muslim country, what he theoretically believed in (regardless of its positive and negative impacts). His theory of an Islamic state is worth considering in this thesis not merely because it is a new theorized approach to political Islam and a new concept of leadership in Islam, but, more importantly, because it has been put into practice in the true sense of an established political system. The centrality accorded to the religious establishment in Iran, in the form of the doctrine of the governance by jurisprudents, seems to be a landmark in the transformation of Shiite

Islam from a vehicle of protest and opposition to one of established order.

The political ideas of Khomeini have yet another important dimension. They left a strong impression on the other contemporary Islamic ideas and ideals. The fact that a revolution against the most stable ally of the United States in the Muslim world was effectively mounted in the name of Islam, generated euphoria among many in the Muslim world and convinced Islamic activists that these were lessons of success to be emulated. The Islamic government that Khomeini introduced, for many of the Muslim intellectuals and thinkers, was that alternative which they were seeking to replace the failed imported models of both the West and the East.

Khomeini's main theoretical position in giving legitimacy to an Islamic state was his doctrine of *Vilayat-i Faqih*, which has been variously translated as the Governance of the Jurisprudent (or simply the Jurist), the Vicegerency of the Theologian or the Guardianship of the Jurisconsult. I am going to address this theory, of which I will preferably use the translation of 'the Governance of Jurisprudent', in this chapter. It is, obviously, not a survey of Khomeini and all the dimensions of his conception. So many aspects of his thought will be left unattended. His ideas about imperialism, nationalism, pan-Islamism, justice, equity, economic affairs and so on, are all postponed for a comprehensive study since space, as well as the aim of this thesis, do not permit their elaboration here. This chapter, therefore, is limited to Khomeini's political notion of the Islamic government and the question of people's participation. A brief account of his biography and his political activism will come first.

10-1: Biography

Ruhullah Musavi Khomeini was born on September 24, 1902, into a family of strong religious traditions in Khomayn, a small town in central Iran. His father was

murdered by bandits only five months after Ruhullah's birth, so he was brought up by his mother and a paternal aunt, and then, after both women died in a single year, by his elder brother, Murtaza.

At the age of nineteen, the young Khomeini was sent to the nearby town of Arak for religious studies under the guidance of Shaykh Abd al-Karim Ha'iri, a leading cleric who had been a disciple of great scholars at the Shiite teaching centres. Two years later Ha'iri left for the city of Qum and established the theology school of Qum which eventually turned this city into a major theological centre of the Shiites. Khomeini followed him to Qum. Soon he attained prominence among the numerous students of Ha'iri, excelling in a wide variety of Islamic subjects. On Ha'iri's death in 1936, Khomeini was a respected *mujtahid* (competent authority for Islamic jurisprudential investigation).

While studying in Qum, Khomeini also studied two unconventional traditions of Islam, *falsafa* (philosophy) and *irfan* (the distinctive Shiite form of gnosis). *Irfan*, the mystical knowledge of the inner world of man seeking intimacy with God, is a spiritual tradition found mainly in the Shiite world. Most of Khomeini's early writings were on this topic.[1] 'Practical involvement with *irfan* and the inner life' as Algar and many other Khomeini's biographers have said, 'remained an integral part of his personality, touching even on his political activity.'[2]

Khomeini was particularly influenced by one of his teachers, Ayatollah Shahabadi, who did not believe in quietism and actively opposed Reza Shah's policies.[3] Shahabadi emphasized the importance of planning in order to educate and organize Muslims. He was in favour of using modern tools and methods to spread religious knowledge among ordinary people. He advised his students to simplify difficult subjects for a wider popular appreciation. It was a lesson that was to be practised, most effectively, by Khomeini in future years when he conducted the revolution through the simple and easily understandable way of speaking with which he addressed the masses.

In 1937, after the death of Ha'iri, the religious institution of Qum was headed by Ayatollah Burujirdi. Burujirdi, though a conservative cleric, was a great Shiite scholar who soon became the single religious leader of all Shiite Muslims. After his death, in 1962, no single successor to his position emerged. Khomeini is said to have been reluctant to allow his own name to be canvassed, but he ultimately yielded to the urging of close associates that a collection of his rulings on matters of religious practice be published, thus implicitly declaring his availability as leader and authority. He eventually attained the position of *marja'-e taqlid* (a supreme authority on Islamic law and source of reference in religious matters), the highest rank in Shiite clerical structure.

10-2: Political Activities

Khomeini's first public statement of a political nature came in a book published in 1944, *Kashf al-Asrar* (Secrets Exposed). The book was essentially a detailed, systematic critique of an anti-religious tract, but was also a condemnation of the Pahlavi regime. Reza Shah was seen by Khomeini as the enemy of religion, one who is planted by the West to secularize Iran in the same way as Ataturk did in Turkey. Khomeini criticized both the Constituent Assembly of 1925, which was forced to install Reza in the position of Shah, and the Majlis (Parliament) which was used only to impose European laws and was unsuited to Iran.

During 1950s when Ayatollah Burujirdi was at the summit of Shi'ism, Khomeini entered a period of silence in order to respect his leadership. He engaged himself in scholarly activities of writing books and giving lessons and lectures in various fields of religious studies including jurisprudence, philosophy, mysticism, and ethics. In his classes on the particular subject of jurisprudence

> he trained and inspired a whole generation of ulama who went on to
> become the organizers of revolution. His classes were marked by an

unusual ability to relate Fiqh [jurisprudence] to gnostic, rational and political concerns, and were so popular that they become the first attended in Qum, with the single exception of those of Burujirdi. After the death of Burujirdi, the number attending them arose to 1200, an unprecedented figure in the history of the *hauza* [theology school].[4]

The course of ethics given by him during this period was also a great attraction among students since the teacher had abandoned the traditional way of teaching and spoke seated on the ground in a corner of the room.

As one of the successors of Burujirdi, Khomeini began his direct combat against the Pahlavi regime. It first came in October 1962, when Khomeini, joined by religious leaders elsewhere in the country, protested vigorously against the new and less Islamic law for the election of the local and provincial council members. The next step was taken in 1963, when the Shah began to promulgate a series of measures for reshaping the political, social, and economic life of Iran under the name of 'White Revolution'. These measures were perceived by Khomeini, and many others, as being imposed on the country by the United States to bring about augmentation of the Shah's dictatorial authority, as well as intensification of the United States hegemony in Iran.[5]

Khomeini moved immediately to denounce the White Revolution and to expose the motives which he saw that underlay it. He preached a series of sermons from Fayziya Theology School in Qum that had a nationwide impact. The Shah's regime responded by sending paratroopers to attack Fayziya on March 22, 1963. A number of students were killed and the School was ransacked in the largest and bloodiest assault on a religious gathering since the *Gauhar Shad* incident in 1935.[6] Khomeini, however, continued to denounce the Shah's regime. He concentrated his attacks on its tyrannical nature, its subordination to the United States, and its expanding collaboration with Israel.

After delivering a historic speech on 3 June 1963, in which Khomeini denounced the government for the first time as 'fundamentally opposed to Islam,'[7]

he was arrested at his residence and taken to confinement in Teheran. His arrest caused a wide-spread uprising that shook the major cities of the country. The uprising was put down mercilessly by the regime. About 15,000 people in the space of a few days were killed to make a turning point in the recent history of Iran. The uprising of '15 Khordad' established Khomeini as not merely one of the leading ayatollahs but as the political leader of the opposition against the Shah regime. The uprising was suppressed, but for Khomeini it was 'the beginning of the Islamic movement of Iran.'[8]

Khomeini was released in August 1963 but re-arrested in October, being held this time until May 1964. In October 1964 another opportunity was raised for Khomeini to consolidate his political position. A bill was presented by the government to the Majlis (Parliament) which extended diplomatic immunity to the personnel of American military advisory missions in Iran, to their staffs, and their families. The effect of the bill was to make almost all Americans resident in Iran subject to the jurisdiction of American and not Iranian courts. After learning that the Majlis had adopted this bill, Khomeini, in his speech on 27 October, furiously denounced this immunity as a new form of humiliating capitulatory right and an open violation of Iranian sovereignty and independence.[9] Once again he was arrested and taken to Teheran. This time, however, the Shah decided to banish him. He was sent into exile first to Turkey and later to Iraq. He proceeded to Najaf, one of the Shiite shrine cities of Iraq, where he resided for thirteen years.

Khomeini established himself as a major presence in Najaf and in the meantime maintained his influence and popularity in Iran. He resumed his scholarly work in Najaf Theology School and it was in this period when he outlined his theory of Vilayat-i Faqih in the two books of Kitab al-Bay'a and Hokumat-e Eslami. At the same time, Khomeini continued to carry on his political activities by issuing periodic proclamations and messages concerning events in Iran, which were smuggled into the country and clandestinely circulated.

On late October 1977, Khomeini's elder son, Hajj Mustafa, died suddenly and mysteriously in Najaf, believed to be assassinated by the Shah's security police, SAVAK. The incident, once again, inflamed the public in Iran. This, together with a scurrilous article in a semi-official daily accusing Khomeini of treachery and collusion with foreign enemies of Iran, started a series of events which culminated in the 1979 revolution. Huge social corruption and economic dislocation as well as continuing political repression had already prepared the grounds in the country. Massive demonstrations broke out in the city of Qum that progressively unfurled across the country.

Throughout the spring and summer of 1978, Khomeini had remote control of the events by his proclamations, messages and speeches which were widely distributed inside the country. Khomeini, as a matter of principle, was not in favour of violent revolution. He sought, rather, a wide spread popular uprising through massive demonstrations and expansive strikes. His strategy, inspired by the tragedy of *Karbala*,[10] was defined by him in one sentence: "Blood will break the Sword". In different occasions he refused to ratify the legitimacy of guerilla and militant groups who combatted the regime. He did not let his followers to take to guns until the last days before the collapse of the regime. He urged religious students and clerics, teachers, university professors and all Iranians to work for the realization of the Islamic state by speaking out, propagation and teaching true Islam, and actively organizing. 'When they oppress you', he stated, 'cry out, protest, deny, uncover falsehood.'[11]

The Shah's regime finally requested the government of Iraq, in September 1978, to expel Khomeini from its territory, in the hope of depriving him of his base of operations. No Muslim country offered Khomeini refuge with the assurance of his being able to continue his activity freely. So he went to France, taking up residence at the hamlet of Neauphle-le-Chateau near Paris in early October 1978. The move to France ironically proved beneficial. Communication with Iran was easier from France

than it had been from Iraq. The declarations and directives that were now being issued with increasing frequency were telephoned directly to Teheran, for further dissemination to a number of centres in the provinces. Moreover, the world's media descended on his modest residence and his words began to reach a global audience.

December 1978 witnessed vast and repeated demonstrations in Teheran and other Iranian cities demanding the abolition of the monarchy and the establishment of an Islamic republic under the leadership of Khomeini. The Shah left the country on January 16, 1979, and Khomeini returned on February 1, when he was met with an impressive welcome by millions of the people.

With his renewed presence in Iran, the fate of the Bakhtiar government, the last Prime Minister of Shah, was sealed. After a final outburst of savagery on February 10 and 11, 1979, the old regime collapsed and Khomeini established his authority on the strength of his personal charisma and the aura attaching to him as the architect of the revolution. The Council of Islamic Revolution was established and a provisional government was appointed to administrate the country. In 30 and 31 March 1979 a referendum was held in which an overwhelming majority of the people voted for an Islamic Republic as their new system of government. In another referendum, in 2-3 December 1979, a new constitution, based primarily on Khomeini's political thought, was adopted by the people. The Constitution provided Khomeini with the formal and legal authority of 'Just Faqih' as the supreme leader of the country. He remained in the position until his death in 3 June 1989.[12]

I avoid, intentionally, going through Khomeini's political life in the post-revolutionary period since it is a complicated history full of ambiguities, controversies and misinterpretations. Khomeini passed a decade in which he was primarily involved in the consolidation and stabilization of the revolution, a decade of events which were naturally enough for a century-long period. As a statesman in power, he was mostly effected by the stormy and turbulent situation of transitional years, accompanied by

internal conflicts and separatist movements, external pressures, international isolation, economic boycott, and last but not least an extensive eight year war with a neighbouring country. Instead of becoming involved in a controversial debate on this period and how successful Khomeini was in putting his doctrine into practice, I intend to discuss his pure theory based essentially on his written works.

10-3: The Theory of Vilayat-i Faqih

Khomeini introduced his assumptions about Islamic government in two books written while he was in exile in Iraq. The first one, and probably the best known of his works, is the book *Hokumat-e Eslami* (Islamic Government) originated in a series of lectures given at Najaf between January 21 and February 8, 1970. The lectures were recorded and transcribed by a student, and then published in book form.[13] The book contains a simple and easy writing understandable by ordinary people. In *Kitab al-Bay'a* (The Book of Business), however, Khomeini elaborated the theory in a pure academic and expert method by reviewing all the relevant religious texts in the Qur'an and Tradition. It is a five volume professional book on Islamic jurisprudence, particularly in matters of economic and finance, in which a chapter is allocated to the question of *Vilayat-i Faqih*.[14]

The two above-mentioned books are consulted for an account of the theory here. Khomeini's concern in these books is not to provide either a full account of the political philosophy of Shi'ism or a detailed sketch of the structure of an Islamic state. His aim is rather to elucidate the doctrine, in a decisive manner, that the Fuqaha' (the jurisprudents) are the heirs to the political authority of the Twelve Imams, and in Particular of the Hidden Imam. To this textual discussion he appended an equal critique of the monarchical and dictatorial regime of the Shah in Iran, and of the religious institutions that still persisted in a pious avoidance of politics.

The book *Hokumat-e Eslami* (Islamic Government) contains four essential

themes. First, it comprises a condemnation of the institution of monarchy as alien to Islam, abhorrent to the Prophet, and the source of all Iran's misfortunes over 2500 years of history. Second, it displays the necessity for the establishment and maintenance of Islamic political institutions, or to put it differently, the need for subordinating political power to Islamic goals, precepts, and criteria. The third is the duty of the Fuqaha' to bring about an Islamic state, and to assume legislative, executive, and judicial positions within it -in short, the doctrine of 'the Governance of the Jurisprudent'. Finally, Khomeini sets out a program of action for the establishment of an Islamic state, including various measures for self-reform by the religious establishments. This last part of the book is more like a handbook or manual for revolution. All these themes are expounded against a backdrop of particular concern with Iran; hence the occurrence of numerous references to Iran in the course of the general and theoretical discussion.

Vilayat-i Faqih in traditional jurisprudence primarily referred to guardianship over persons not competent to look after their own financial affairs (orphans, the mentally deficient, communal religious property lacking a designated administrator, and the like); occasional references in the literature hint at extending this meaning to political guardianship. Khomeini's purpose in the book *Hokumat-e Eslami*, in fact, is a trying to build a case for this expansion.

Vilayat-i Faqih, or the governance of jurisprudent, he says at the very beginning, is a subject that 'in itself elicits immediate assent and has little need of demonstration'. Anyone with even some general awareness of the beliefs and ordinances of Islam will 'recognize it as necessary and self-evident'.[15] It is because of the alienation from the genuine Islamic identity that Muslims in general, and theological institutions in particular, have been led, during a long historic process, to believe that Islam concerns itself only with ethical principles and rules of ritual purity, and has nothing to say about human life and the ordering of society. Khomeini locates

the source of this alienation in the hostile influence of Jews[16] and the imperial ambitions of the Ummayad and Abbasid Caliphates,[17] in earlier history, and in the satanic efforts of the colonialist and imperialist states as well as the 'Westoxication' (*Gharbzadegi*) of Muslim societies in more recent times.[18]

Khomeini tries to prove, in the first step, that Islam is unquestionably a political religion with a particular form of government and comprehensive laws and regulations for the ordering of society. To this effect he shared with other Islamic ideologues, whom I have already discussed in this research, a comprehensive vision of Islam.

Establishing Islamic state and government, Khomeini argues, is a must for Muslims. The reasons, which it is not my intention to go through in detail, are as follows:

1- Legislation alone is not sufficient to assure the well-being of a society. For this reason, God has laid down a particular form of government together with executive and administrative institutions, in addition to revealing a body of laws (*shari'ah*).

2- The tradition of the Prophet constitutes a proof of the necessity for establishing government.

3- The necessity for enactment of the law, which required the formation of a government by the Prophet, was not confined or restricted to his time, but continues after him.

4- *The nature and character of Islamic law indicates that they have been laid down for the purpose of creating a state and administrating the political, economic, and cultural affairs of society.* One would easily realize, if one examined them closely, that their execution and implementation depend upon the formation of a government and comprehensive administrative and executive organs.

5- Establishing government is imperative in order to ensure the unity of the Islamic community (*ummah*), and in order to liberate the Islamic homeland from

occupation and penetration by the imperialists and their puppet governments.

6- Establishing an Islamic government is necessary for the scholars of Islam to fulfil their divine duty of struggle against all attempts by the oppressors to misuse the sources of wealth and keep the masses hungry and deprived.[19]

10-4: Islamic Government

Islamic government does not correspond to any of the existing form of governments, Khomeini declares in his *Hokumat-e Eslami*. He opens the chapter entitled as 'the Islamic form of government' by saying that:

> Islamic government is neither tyrannical nor absolute, but constitutional. However, it is not constitutional in the current sense of the word, i.e., based on the approval of laws in accordance with the opinion of the majority. It is constitutional in the sense that the rulers are subject to a certain set of conditions in governing and administrating the country, conditions that are set forth in the Noble Qur'an and the Sunnah of the Most Noble Messenger. It is the laws and ordinances of Islam comprising this set of conditions that must be observed and practised. Islamic government may therefore be defined as the rule of divine law over men.[20]

The fundamental difference between an Islamic government and other forms of government, according to Khomeini, is attributed to the issue of legislation. Whereas the representatives of the people or the monarch in other systems engage in legislation, in Islam the legislative power and competence to establish laws belongs exclusively to God. However, a representative body, like parliament, is not totally rejected. It is necessary to set agendas and to oversee implementation.

> No one has the right to legislate and no law may be executed except the law of the Divine Legislator. It is for this reason that in an Islamic government, a planning body takes the place of the legislative assembly

as one of the three branches of the government. This body draws up programs for the different ministries in the light of the ordinances of Islam and thereby determines how public services are to be provided across the country.[21]

In short, Islamic government is a government of law and it is law alone that rules over society. Sovereignty belongs to God alone and law is His decree and command. The law of Islam, divine command, has absolute authority over all individuals and the Islamic government. Everyone, including the Prophet himself and his successors, is subject to law that has been revealed by God. Referring to the well-known verse of the Qur'an, "Obey God, and obey the Messenger, and obey the holders of authority from among you" (4:59), Khomeini affirms that even obedience to the Prophet and those entrusted with authority takes place on the basis of divine decree. 'Individual opinion, even if it be that of the Prophet himself, cannot intervene in matters of government or divine law. All are subject to the will of God.'[22]

10-5: Conditions of Ruler

To the extent of the above, Khomeini has, in fact, presented nothing that goes beyond previous Muslim thinkers. His innovative attitude, however, lies in what he concludes concerning the conditions of ruler.

> The qualifications essential for the ruler derive directly from the nature and from of Islamic government. In addition to general qualifications like intelligence and administrative ability, there are two other essential qualifications: knowledge of the law and justice.[23]

In *Shuo'on va Ekhteyarat-i Vali-e Faqih*, Khomeini maintains that competence and proficiency are also necessary for the ruler and it would be acceptable if one considers them as the third qualification for the ruler.[24]

Since Islamic government is a government of law, knowledge of the law is

necessary for the ruler. This knowledge is the key element in Khomeini's theory. The other qualification, justice, is not limited exclusively to the Fuqaha', but knowledge of the religion is the qualification of only the Faqih. Such knowledge is, in effect, necessary for anyone holding a post or exercising some governmental function, Khomeini says, but the ruler must surpass all others in knowledge.

> Knowledge of the law and justice, then, constitute fundamental qualifications in the view of Muslims.... Reason also dictates the necessity for these qualities, because Islamic government is a government of law, not the arbitrary rule of an individual over the people or the domination of a group of individuals over the whole people.[25]

The second essential qualification is justice. The 'quality of justice', on Shiite assumptions, is an integral part of the religion that has been demanded for rulers as well as religious scholars in general. Requiring this quality for the ruler, in fact, has been the main reason for Shi'ism being characterized as a legitimist movement from the beginning. The quality includes not only the practice of equity in all social dealings, but also complete abstention from major sins, the consistence performance of all devotional duties, and the avoidance of conduct incompatible with decorum. Khomeini maintains that

> [t]he ruler must also possess excellence in morals and belief; he must be just and untainted by major sin. ...God says in the Qur'an: "My covenant does not embrace the wrongdoer" (2:124); therefore, He will not assign such functions to an oppressor or sinner.[26]

10-6: Faqih's Political Authority

The political authority of the Faqih, Khomeini assumes, extends as far as that of the Prophet and the Imams. All political responsibilities, functions and authorities

of the Prophet and the Imams have been left, without exception, for the Faqih.

> If a worthy individual possessing these two qualities arises and
> establishes a government, he will possess the same authority as the
> Most Noble Messenger in the administration of society, and it will be
> the duty of all people to obey him. The idea that the governmental
> powers of the Prophet were greater than those of the Imam Ali or those
> of him greater than those of the Faqih, is false and erroneous.[27]

Khomeini maintains, however, that giving a Faqih the same authority as that of the Prophet and the Imams does not mean that the Faqih has been granted a superior status over other Muslims.

> For here we are not speaking about status, but rather of function. By
> 'authority' we mean government, the administration of the country, and
> the implementation of the sacred laws of the *shari'ah*. These constitute
> a serious, difficult duty but do not earn anyone extraordinary status or
> raise him above the level of common humanity. In other words,
> authority here has the meaning of government, administration, and
> execution of law; contrary to what many people believe, it is not a
> privilege but a grave responsibility.[28]

Establishing an Islamic government, therefore, is a duty for Fuqaha' to undertake, collectively or individually. 'The governance of the Faqih is nothing but *the performance of a duty*.'[29] *If this task falls within the capabilities of a single* person, Khomeini says, he has personally incumbent upon him the duty to fulfil it; otherwise, it is a duty that devolves upon the Fuqaha' as a whole. Even if it is impossible to fulfil the task, the authority vested in the Fuqaha' is not voided, because it has been vested in them by God. They have to implement the Islamic law to whatever extent they can.[30]

Khomeini rejects the idea that the Fuqaha' act as a body in parallel to the

rulership, advising or even instructing rulers by providing religious decrees. He explicitly insists on the direct dominion of the Faqih over the government and administrative bodies.

> If the ruler is unacquainted with the contents of the law, he is not fit to rule; for if he follows the legal pronouncements of others, his power to govern will be impaired, but if, on the other hand, he does not follow such guidance, he will be unable to rule correctly and implement the laws of Islam. It is an established principle that "the Faqih has authority over the ruler". If the ruler adheres to Islam, he must necessarily submit to the Faqih, asking him about the laws and ordinances of Islam in order to implement them. This being the case, the true rulers are the Fuqaha' themselves, and rulership ought officially to be theirs, to apply to them, not to those who are obliged to follow the guidance of the Fuqaha' on account of their own ignorance of the law.[31]

The last question in this regard is the relationship of the Fuqaha' with each other. As I said earlier, Fuqaha' are collectively considered as the general representatives of the Hidden Imam. So how it comes to the other Fuqaha' if a Faqih establishes his authority? Khomeini argues that establishing government and implementing Islamic law is a *fard al-kifayah*. *Fard al-kifayah* is a responsibility in the Islamic jurisprudent for all due Muslims who are able to perform it. However, as soon as one has performed it others are discharged. Thus, according to Khomeini, *when a just Faqih established his authority, other Fuqaha' have no more responsibility in this regard. They are, moreover, obliged to pay obedience to him.*[32]

Khomeini reviews all the relevant religious texts regarding the position of the Fuqaha' in succeeding the Prophet and concludes: 'In fact it is not possible to understand from the religious sources that the Fuqaha' have authority over each other.'[33] It is more agreeable with prudent social contracts and the dictation of reason and the structure of governments, Khomeini says, that no other Faqih would have authority over the one who has established his power. As nobody had the right to

intervene in the authority of the Prophet, neither by a religious duty nor by a social contract, similarly nobody, including other Fuqaha', has the right to intervene in the authority of a Faqih.[14]

10-7: The Position of People

A very important question, which is also a new line of discussion among Shiite scholars, is the place of people in the theory. At first glance, it seems that no room has been assigned for the community of Muslims in the doctrine of Imamate in general, and in the theory of *Vilayat-i Faqih* in particular. Imams have been chosen by God and in the absence of the last of them, the authority is delegated to his representatives, the Fuqaha'. While there is no question about the status of the Imams, as God-appointed religious and political leaders, the political authority of the Faqih and the extent in which people are able to possess a role is a matter of discussion.

This discussion has given rise to two approaches or modes of interpretation towards the governance of the Faqih, 'the standard approach' and what we may call 'the new approach'. The standard approach emphasizes the absolute authority of the just jurisprudent and ignores the role of people in validating the Faqih's authority. The authority of the supreme jurisprudent is the result of divine appointment based on the reported utterances of the Prophet and Imams. It is maintained, however, that the people have a tangible function of approving him. The Faqih's political authority potentially exists but it is practically depends on the people's approval. These are Muslims who should prefer and adopt a Faqih as their ruler, though their right, after all, is limited only to ratification. The Faqih's legitimacy is utterly drawn from God, since he enjoys a divine appointment, and not from the people's vote.

The new mode of interpretation, on the other hand, lays the primary emphasis on the role of people in conferring legitimacy on the incumbent of the office of governance. This approach regards the process of the people's acknowledgement of

the supreme Faqih as the main element in confirming and validating his authority. The Faqih's authority derives from the fact that it is based on a contract between him and the majority of the population in the Muslim community. The juridical nature of the 'governance' consists of a social contract between the people and the designated Faqih. In this contract it is the people who offer him the position, and the Faqih who accepts the obligation of the incumbent. This approach, as a matter of fact, appeared after the revolution when some attempted to develop or, perhaps, rationalize the theory of the Faqih's governance. It was first put forward by a well known scholar, Salihi Najafabadi,[35] and confirmed and expanded in more details by Ayatollah Montazeri, now a distinguished jurisprudent of Shi'ism.[36]

As far as Khomeini is concerned, the Faqih's authority is based on an appointment, not a contract. The prevailing mode of his books indicates that his view is of the standard approach. In the book, *Hokumat-e Eslami*, he refers to the governance of the Faqih as a matter of extrinsic to his person, whose juridical nature is simply an appointment.[37] Fuqaha' have been appointed by the Prophet and the Imams. Their juridical and governmental functions are also assigned by the Imams and are retained permanently.[38] Khomeini quotes the Qur'an to the effect that "the Prophet is more entitled to rule the Muslims than they are entitled to rule themselves" (33:6), he then refers to a well known utterance of the Prophet, "The scholars are the heirs of the prophets", and argues,

> all functions of the Prophet that were capable of being transmitted - including rule over people- and that devolved on the Imams after him, pertain also to the Fuqaha', with the exception of those functions that must be excluded for other reasons and which we too exclude wherever there is reason to do so.[39]

Thus, it is evident, for Khomeini, that what was acknowledged for the Prophet and the Imams is also acknowledged for the Faqih.

Khomeini's only reference to the role of people, in his books, is where he asserts that since the body of Islamic law, as presented in the Qur'an and the Tradition, has been accepted by the Muslims and recognized by them as worthy for obedience, so 'this consent and acceptance facilitates the task of government and makes it truly belong to the people.'[40]

Having said this in his books, Khomeini demonstrated, also, a great concern towards the question of people's political participation in his numerous speeches, messages and interviews before and after the revolution. He indicated a clear belief that people's acceptance of the government is a necessity for the installation of the Faqih's authority. People were referred to by him as the source of power. Before the revolution, he repeatedly clarified his stance that the people are free to adopt whatever system of government they want, 'I have proposed Islamic republic and will put it to the vote.'[41] Later in the announcement in which he declared the formation of the Council of the Islamic Revolution he referred to his authority for establishing the council as a right granted to him by the people:

> In accordance with the rights conferred by the law of Islam and on the basis of the vote of confidence given me by the overwhelming majority of the Iranian people, for the sake of attaining the Islamic goals of the people, a temporary council has been appointed, to be known as the Council of the Islamic Revolution.[42]

Again in his address upon his return from exile, when he declared his decision to appoint a provisional government, he said:

> With the support of the people, and by virtue of the acceptance the people have granted me, I will appoint a government.[43]

In his declaration in which he formally proclaimed the establishment of the

'Islamic Republic of Iran', after the referendum, he marked that day (April 1st, 1979) as 'the first day of God's rule', but at the same time maintained that it is the beginning of the people's leadership:

> I announce the Islamic Republic of Iran on this blessed day, the day of the leadership of the community, the day of the victory of the people.[44]

He confirmed, later in a public speech, that April the first was the day in which the people took their destiny in their own hands and 'from now on, it is up to the people to implement the Islamic Republic.'[45]

One can find plenty of similar examples in Khomeini's words. 'It is among the primary rights of every nation to dominate its destiny and to determine its type of government;'[46] '[our] imminent community is a judicious and critic one in which all the people would participate in piloting their affairs;'[47] 'our policy is first to establish freedom, rightful democracy, and independence in true sense of it;'[48] 'there are people who have to choose competent and trustworthy persons to delegate to them the responsibility of conducting matters;'[49] 'in the Islamic republic, authorities have to conclusively respect the people's opinion in every matter;'[50] 'we are bound to follow the expressed wishes of the people;'[51] and so on and so forth.

Khomeini also appreciated the freedom of parties, associations and gatherings,[52] of belief and speech,[53] of publications and press,[54] the principle of voting,[55] the integrity of women and their equality with men in human rights,[56] the principled rights of minorities,[57] and the like.

In all above statements, Khomeini is addressing the public. One may, therefore, consider them less theoretic and being occasionally influenced by the requirements of politics. It sounds to me, however, that although they are ambiguous and not clear

enough, they still reflect, in a fashionable way though, the core of his belief as expressed in the standard approach: the Faqih's authority is a matter of divine appointment, and not of a social contract, but its realization depends on the acceptance and support of the people. The Faqih holds the whole political authority and is obliged to accomplish it to whatever extent that people accept; like a prophet who is designated by God but his prophetic authority would not establish without the followers' submission. If people desire an Islamic system of government, they should subscribe to the governance of the one who is appointed by God and is given a sort of authority unable to be limited by them.

10-8: The Faqih's Deposition

An important consequence of the argument on the legitimacy of the Faqih's political authority and whether it is from God or the people, is the question of dismissing the Faqih. Since the Faqih's authority, in Khomeini's view, consists of a divine origin, his deposition, therefore, is only when he loses those qualities that have made him capable for such kind of authority. Particular attributes have been set down as necessary for the Faqih as the holder of authority, and they are these attributes, as far as Khomeini is concerned, that prevent him from going astray. If he takes a single wrong step, he loses his qualifications and, therefore, forfeits his claim for governance.

> If a Faqih acts in contradiction to the criteria of Islam (God forbid!), then he will automatically be dismissed from his post, since he will have forfeited his quality of trustee.[58]

In an interview, about a year after the revolution, Khomeini made the question in hand more clear:

> [T]he Faqih who possesses the attributes mentioned in the Constitution

cannot, in the very nature of things, be a tyrant. On the contrary, he is just, not in the limited sense of social justice, but in the more rigorous and comprehensive sense that his quality of being just would be annulled if he were to utter a single lie, or cast a single glance at a woman past the degrees that are forbidden. Such a person will not act wrongly; on the contrary, he will seek to prevent others from acting wrongly.[59]

Thus, like his authority, the Faqih deposition has also a divine origin and is, therefore, not based on the people's wish. The Faqih would not automatically be authorised any more and obedience to him would not be due, should he loses one of the necessary qualifications. Since then, he will remain in his status for lifetime. It is not a valid argument, as far as Khomeini is concerned, to accuse his theory of possessing an authoritarian nature. The just Faqih will not become a tyrant since tyranny is in contradiction with justice. 'An Islamic regime,' Khomeini says, 'cannot be associated with despotism.'[60]

Khomeini has not gone through any technical procedure according to which the Faqih's deposition is exercised, but perhaps his endorsement of the Constitution of the Islamic Republic, in which a body of experts who elect the leader has been authorised to examine the deposition -if necessary,[61] can be taken as his opinion in this regard. The remarkable point, anyway, is Khomeini does believe in the possibility of a Faqih being removed from his position, though not by decision of the people.

10-9: Conclusion

Khomeini's ideological notion of shi'ism is, in effect, that of an Islamic reformer with an original and creative enterprise. Having considered the whole body of his religious and political thought, he presented, I believe, a mixed approach, of traditionalism and modernism, to Islam. It was, perhaps, this kind of world-view that enabled him to mobilize a more traditional, Islamically oriented majority of the people

together with a modern, and to some extent Westernised, intellectual minority. Nevertheless, this has not effected his clear view concerning the Islamic government and the nature of the person who should assume rule in such a government.

Khomeini maintained a comprehensive vision of Islam. Islam, for him, is a system and program for all the different affairs of society: the form of government and administration, the regulation of people's dealing with each other, the relations of state and people, relations with foreign states and all of the political and economic matters. Establishing government, is an integral part of the religion and a must for all Muslims.

Khomeini's theory of *Vilayat-i Faqih* introduces Shi'ism as an institutionalized political, and to some extent, revolutionary ideology. The status of Faqih and his functions, in fact, have been a matter of concern for jurisprudents throughout the history of Shi'ism. It is true that the issue is dealt with, to different extents, by some jurisprudents and thinkers. What Khomeini has done in his theory, however, is, in a word, ideologization of the Faqih's position and functions. These have been formalized and institutionalized in Khomeini's thought to a degree that renders them things different from what was traditionally undertaken by jurisprudents.

Khomeini has demonstrated, on numerous occasions both before and after the revolution, his conviction that the Muslim world is confronted with a crisis of fundamental identity, a pervasive alienation in which is rooted the Muslim world's apparent political, military, scientific, economic, and moral debilitation. Unlike many other reformers, he regarded the crisis as a threat to the very existence of Islam. He *also assimilated the problem of alienation into a complex* of philosophical and jurisprudential concerns. This underlies his program aimed at building an institutional milieu, based on Shiite jurisprudence, for the revolutionary restructuring of the personal and social consciousness of Muslims into an ideologically configured Islamic identity.

By controlling the basic processes of government, the jurisprudent is positioned, in Khomeini's theory, to guarantee institutional conformity to the agenda

for restructuring consciousness and to articulate by expression and example the content of the genuine Islamic identity. It is the jurisprudent who is responsible for assuming leadership and mobilizing the ideological unity and its spiritual power in order to bring an Islamically oriented society into existence. This task is to be accomplished, unquestionably for Khomeini, only by establishing government.

Islamic government is distinguished by its adherence to law. Since sovereignty belongs to God alone, law is, therefore, His decree and command. Individual opinions cannot intervene in matters of divine law. They are summoned, nevertheless, to set plans of actions and oversee implementation.

The governance of jurisprudent is a matter of appointment. He is appointed by God, not elected by the people. People, nonetheless, provide a second level of legitimacy. Their acceptance and approval is necessary for his divine legitimacy and authority being acknowledged and extended.

The principle is affirmed that no jurisprudent has precedence over any other. As soon as one establishes his authority, obedience to him is necessary for all Muslims including the other jurisprudents.

There is not a guaranteed status for the jurisprudent in his position as the ruler. He would be dismissed once he loses one of the features that have qualified him for the post. If he does not follow the goals of an Islamic state, acts against the Islamic law, or even commits a single sin, he is no longer capable for being obeyed and is automatically dismissed from the job./

CHAPTER ELEVEN

The Constitution of
the Islamic Republic of Iran

Introduction:

Nearly six months after the revolution in Iran, the election for the 'Assembly of Experts' (*Majlis-i Khubragan*) was held, on 3rd August 1979, in order to elect a group of 72 people for the task of the codification of the constitutional law in the country. After three months of critical discussions, both formally in the Assembly and informally in the press and public media, the Assembly presented a final draft text, in 12 chapters and 175 articles, which was signed by Khomeini and, on 3rd December, received the final ratification of the people through a national referendum.

After a decade of implementation, it was felt by the authorities that certain amendments are indispensable in the Constitution. A group of twenty-five experts were appointed by Khomeini, on 24th April 1989, to review some specified issues and amend them as necessary. 36 articles were amended or added to the Constitution. The revised text, in 14 chapters and 177 articles, was put to referendum and was approved by the people on 28th July, 1989. Khomeini had died on June, so it was signed by his successor, Ayatollah Sayyid Ali Khamene'i.[1]

Different reasons have caused a consideration of the Iranian constitution in this thesis. First of all, it is the only existing document in the Islamic world, in an official form of a constitution, that is claimed to be written entirely on the basis of the Islamic religion. Moreover, it is the codification of a political theory, the Khomeini's 'Governance of the Faqih'. Khomeini, as I said in the foregoing chapter, has not given us a detailed blueprint of the structure and the institutions of an Islamic state in his

political philosophy. Rather, he elucidated the general framework of the doctrine that the Fuqaha' (jurisprudents), as the heirs to the political authority of the Prophet and the Imams, are the only option for the leadership of an Islamic state. The Constitution of the Islamic Republic of Iran is an attempt, by a considerable number of Islamic experts, to translate this theory into a practicable way of governing the country, and to codify it in a constitutional way.

There is yet another factor, I suppose, that is added to the significance of this document. The Constitution is, first of all, the production of an elected group of Islamic experts, who form the mainstream of the religio-political thought in contemporary Shiite Iran. Moreover, there was a less influential collection of individuals in the Assembly who advocated a less fundamentalist view of Islam. The result was a compromise document whose contents, essentially, reflects Khomeini's political argument but also accommodates modern and democratic patterns of government. Though Khomeini signed the constitution and principally endorsed its Islamic nature, he later expressed his slight dissatisfaction:

> Now the Constitution makes some provision for the principle of the governance of the Faqih. In my opinion, it is deficient in this regard. The religious scholars have more prerogatives in Islam than are specified in the Constitution, and the gentlemen in the Assembly of Experts stopped short of the ideal in their desire not to antagonize the intellectuals! In any event, only part of the principle of the governance of the Faqih is present in the Constitution, not all of it.[2]

What is important to be discussed here is the position of the people in a document which tries to incorporate democratic institutions into a theocratic theory. To this end, I will investigate how it approaches the concepts of 'sovereignty', 'leadership', 'legislation' and 'the rights of the people'. The text I am referring to here is the amended text which is now formally recognized as the Constitution of the Islamic Republic of Iran. There is no need to discuss how this Constitution is

implemented and whether or not its concepts are violated, or properly executed, since this is something definitely out of my concern in this study.

11-1: Sovereignty

Two concepts of divine and popular sovereignty, it seems, are standing side by side in the Constitution of the Islamic Republic in an uneasy or, given a different perspective, creative symbiosis. As a matter of principle, sovereignty, in *Islamic* perspective, belongs totally and eternally to God and to His revealed decrees. The Constitution recognizes this at the very beginning:

> The Islamic Republic is a system based on belief in: 1. the One God...,
> His exclusive sovereignty and the right to legislate, and the necessity
> of submission to His commands; 2. divine revelation and its
> fundamental role in setting forth the laws;... (article 2).

It is maintained, however, that God's sovereignty is extended to the people and, therefore, the legitimacy of government depends on the realization of the people's sovereignty.

> Absolute sovereignty over the world and man belongs to God, and it
> is He Who has made man master of his own social destiny. No one can
> deprive man of this divine right, nor subordinate it to the vested
> interests of a particular individual or group... (article 56).

The sovereignty of God is established by the recognition of His commands. This has been explicitly stipulated in article four:

> All civil, penal, financial, economic, administrative, cultural, military,
> political, and other laws and regulations must be based on Islamic
> criteria. This principle applies absolutely and generally to all articles of

the Constitution as well as to all other laws and regulations,....

The above-mentioned article provide a basis for the sovereignty of God in regards to the legislation. As for the implementation, one may assume that this sovereignty demonstrates itself in the governance of the jurisprudence. As elaborated in Khomeini's theory, the governance of jurisprudence is a matter of appointment by God in the absence of the Hidden Imam. The Constitution supports this notion in article five:

> During the Occultation of the *Vali al-Asr* [the Lord of the Time, i.e., the Hidden Imam] (may God hasten his reappearance), the *vilayah* [governance] and leadership of the *ummah* [the Islamic community] devolve upon the just (*'adil*) and pious (*muttaqi*) Faqih, who is fully aware of the circumstances of his age; courageous, resourceful, and possessed of administrative ability, will assume the responsibilities of this office in accordance with Article 107.

The sovereignty of people, on the other hand, is of an administrative nature and presents itself in the twin directions of legislation and implementation. It is maintained, in article two, that the Islamic Republic is a system based on belief in, among others,

> the exalted dignity and value of man, and his freedom coupled with responsibility before God; in which equity, justice, political, economic, social, and cultural independence, and national solidarity are secured by recourse to... negation of all forms of oppression, both the infliction of and the submission to it, and of dominance, both its imposition and its acceptance.

Article six then declares that:

> In the Islamic Republic of Iran, the affairs of the country must be administered on the basis of public opinion expressed by the means of

elections, including the election of the President, the representatives of the Islamic Consultative Assembly [Parliament], and the members of councils, or by means of referenda in matters specified in other articles of this Constitution.

According to article seven, the decision-making and administrative organs of the country are consultative bodies, such as the Islamic Consultative Assembly (the Parliament), the Provincial Councils, the City, Region, District, and Village Councils, and the like.[3]

11-2: Leadership

The subject of leadership is, perhaps, the best clear example of the combination of two religious and democratic institutions. Whilst there is a just Faqih at the head of the country as the Supreme Leader, there is also a president who is responsible for the implementation of the Constitution and acts as the head of the executive power, except in matters directly concerned with the office of the Leadership (article 113). These excluded matters, however, are in no way negligible. The duties and powers of the Supreme Leader consist, as stated in article 110, in the delineation of the general policies of the country; supervision over the proper execution of the general policies of the system; issuing decrees for national referenda; assuming supreme command of the armed forces; declaration of war and peace, and the mobilization of the armed forces; appointment, dismissal, and acceptance of resignation of the jurists on the Guardian Council, the supreme judicial authority of the country, the head of the radio and television network, the chief of the joint staff, the chief commander of the Islamic Revolution Guards Corps, the supreme commanders of the armed forces; and so on.

The President is the highest official in the country after the office of Leadership (article 113). However, he emerges, in effect, as an assistant to the Leader in executive matters. The President is elected for a four-year term by the direct vote

of the people and his re-election for a successive term is permissible only once (article 114). Use of male pronoun for the President is due to his male gender according to article 115.

The combination of divine and democratic principles in the question of leadership is seen, still further, in the process according to which the Leader proceeds to the office. The procedure is a formulation which connects God's appointment with the people's election. The well known article 107 entrusts a body of Islamic scholars, who are elected by the people, with the task of choosing the Leader from among those who possess the established religious requirements.

> After the demise of... Khomeini, who was recognized and accepted as *marji'* [religious source of reference] and Leader by a decisive majority of the people, the task of appointing the Leader shall be vested with the experts elected by the people. The experts will review and consult among themselves concerning all the Fuqaha' possessing the qualifications specified in Articles 5 and 109....

The main qualifications necessary for the Leader, as stated in article 109, are applicable scientific capability for performing the religious jurisprudential functions and justice, the same as set out by Khomeini in his theory. The article also maintains that the Leader must possess 'right political and social perspicacity, prudence, courage, administrative facilities and adequate capability for leadership.' In case of a multiplicity of persons fulfilling the above qualifications and conditions, the person possessing the better jurisprudential and political perspicacity will be given preference.

No personal privilege is assigned for the appointed Leader. He is equal with the rest of the people of the country in the eyes of law (the last sentence of article 107), and his assets, as well as those of his family, should be under control of the head of the judicial power, in order to ensure they have not increased in a fashion contrary to law (article 142).[4]

The Leader is given a lifetime status but is not immune from dismissal. Whenever the Leader becomes incapable of fulfilling his constitutional duties, or loses one of the necessary qualifications, or it becomes known that he did not possess some of the qualifications initially, he will be dismissed (article 111). The authority of determination in this matter, the article says, is vested with the same elected experts who have the authorization of choosing the Leader.

The Leader can resign. It is understood from the second part of the same article:

> ...In the event of the death, or resignation or dismissal of the Leader, the experts shall take steps within the shortest possible time for the appointment of the new Leader.

However, the article is silent about to whom the appeal for resignation has to be submitted.

11-3: Legislation

legislature power in the Islamic Republic is one of the three independent governmental powers working under the supervision of the Leader. It emerges, basically, in a single-chamber legislature called the 'Islamic Consultative Assembly' (*Majlis*) or Parliament. This body has been granted two tasks: establishing laws and overseeing their implementation.

According to article 71, the Parliament can establish laws on all matters, within the limits of its competence as laid down in the Constitution. Since all laws and regulations, according to article 4, must be based on Islamic criteria, the legislative authority of the Parliament is limited by an injunction not to contradict the Islamic law.

The Islamic Consultative Assembly cannot enact laws contrary to the

usul [principles] and *ahkam* [regulations] of the official religion of the country or to the Constitution... (article 72).

To secure this principle, a 'Guardian Council' is situated to determine whether a violation has occurred. The Parliament does not hold any legal status if there is no Guardian Council in existence (article 93). The Guardian Council has been empowered to veto all legislation in violation of Islam and the Constitution.

All legislation passed by the Islamic Consultative Assembly must be sent to the Guardian Council. The Guardian Council must review it... with a view to ensuring its compatibility with the criteria of Islam and the Constitution. If it finds the legislation incompatible, it will return it to the Assembly for review. Otherwise the legislation will be deemed enforceable (article 94).

The Parliament considers the demands and expediencies of society in passing laws, but the Guardian Council only investigates their compatibility with the Islamic, as well as the constitutional, law. In the case of contradiction between the two, when both insist on their convictions, the matter will be referred to a higher council, known as the 'National Exigency Council', to judge and to decide whether the bill can be accepted based on the principle of *ahkam-i sanaviyeh* (article 112). This principle is a canon in Islamic jurisprudence which allows some regulation to be ignored in emergency conditions, like, for example, the permission of eating unlawful meat in the case of a risk of death because of hunger.

The members of Parliament are elected directly by the people through secret ballot (article 62). The Guardian Council is constituted of six Islamic scholars appointed by the Leader and six jurists appointed by the Parliament (article 91). The permanent and changeable members of the National Exigency Council are also appointed by the Leader (article 112). The number of its members is not specified in the article.

The second task of the Parliament, observing the implementation of law and overseeing the authorities, is established according to article 76.

> The Islamic Consultative Assembly has the right to investigate and examine all the affairs of the country.

According to article 87, the President must obtain for the Council of Ministers, after their choice and before all other business, a vote of confidence from the Parliament. The Parliament can, on the basis of articles 88 and 89, question the President or any minister of his cabinet on a subject relating to their duties. The President or the minister is then obliged to attend the Parliament and answer the question. The members of the Parliament can, moreover, interpolate the Council of Ministers or an individual minister or even the President himself, and dismiss them in instances they deem necessary.

According to article 90, whoever has a complaint concerning the work of the Parliament or the executive power, or the judicial power can forward his complaint to the Parliament. The Parliament must investigate his complaint and give a satisfactory reply. In cases where the complaint relates to the executive or the judiciary, the Parliament must demand proper investigation in the matter and an adequate explanation from them, and announce the results. In cases where the subject of the complaint is of public interest, the reply must be made public.

The Parliament also approves the annual budget of the country (article 52), supervises the National Accounting Agency (article 54), approves international treaties, protocols, contracts, and agreements (article 77), and exercises some other duties and powers.

11-4: Rights of the People

A chapter is allocated in the Constitution in regards to the rights of the people.

In articles 19 to 42 it provides, in strong language, basic rights and freedoms for all citizens of the country but only to the extent permitted by law and by Islam. It secures equal rights and equal protection of the law for all the people of Iran, whatever the ethnic group or tribe to which they belong. The people should enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria. The chapter also protects the dignity, life, property, rights, residence, and occupation of all individuals, specially those of the women, and explicitly forbids the investigation of individuals' beliefs (article 23).

As for political rights, a basis is provided in article 3, in the chapter of 'General Principles', in which the government is obliged to direct all resources to, among others, 'raising the level of public awareness in all areas', 'the elimination of all forms of despotism and autocracy and all attempts to monopolize power', 'ensuring political and social freedoms within the framework of the law, and, very importantly, 'the participation of the entire people in determining their political, economic, social, and cultural destiny.' Article 26 then guarantees:

> The formation of parties, societies, political or professional associations, as well as religious societies, whether Islamic or pertaining to one of the recognized religious minorities, is permitted provided they do not violate the principles of independence, freedom, national unity, the criteria of Islam, or the basis of the Islamic republic. No one may be prevented from participating in the aforementioned groups, or be compelled to participate in them.

Publications and the press are given the freedom of expression in article 24 except when it is detrimental to the fundamental principles of Islam or the rights of the public. Article 27 insures the freedom of public gatherings and marches, provided arms are not carried and that they are not detrimental to the fundamental principles of Islam.

11-5: Conclusion

If Khomeini's theory of the governance of the Faqih ideologized and institutionalized the political thought of Shi'ism, it has, in its own turn, been institutionalized by the Constitution of the Islamic Republic of Iran to form a constitutional theory of the state.

The constitution entrenches Islamic jurisprudence as the foundation for the country's laws and legal system, defines the Faqih as the central figure in the political order and verifies his powers and constitutional roles in an applicable form. It also accommodates some democratic principles which, in fact, reflects the impact and effect of the people and the politics of popular mobilization during the revolution in Iran on the juridical thought of Muslim thinkers.

The interrelation between divine and popular sovereignty in the Constitution is one of its problematic aspects. The two concepts co-exist in the document in a symbiotic context, with the upper hand given inevitably to divine sovereignty. The co-existence of divine and popular concepts is the prevalent spirit of the Constitution which has created intense controversies, particularly in practice.

The legislative power in the Constitution consists of three separate bodies. The process of legislating, nevertheless, goes with a single-chamber, directly elected, parliament whose legislative authority is remarkable but subject to the control of the Guardian Council. It can, however, exceed the boundaries of the Islamic law should the National Exigency Council be convinced.

In short, the Constitution of the Islamic Republic of Iran is a combination of democratic principles and broader religious ideas and aspirations. It incorporates the role of people into the interpretation of a theocratic doctrine, and harmonizes the latter with the principle of 'majority rule'. This combination, I believe, represents the main peculiarity of the Constitution whose footprints can be observed in each and every question discussed in the chapters and articles. It gives almost all the ultimate power

to a Faqih who is indirectly elected by the people and, at the same time, includes a president and a parliament, both directly elected by the people, with considerable authorities of different forms. The text has a strong libertarian and egalitarian language, but does not go beyond the Islamic precepts. Finally, although the Constitution has been given both democratic and theocratic appearances, and is capable of being interpreted in an authoritarian way, it cannot be simply labelled as authoritarian, theocratic, or democratic. One should admit, however, that the dominant spirit of it is certainly that of a theocracy./

CHAPTER TWELVE

CONCLUSION

Part One:

Twentieth-Century Developments

The twentieth century constitutes a significant era in Islamic political thought, completely different from the previous ages. Clearly enough, the golden age of the Muslims was long past and a major shift of power in the nineteenth century had reversed the relationship of the Muslim world to the West, from that of ascendant expansionism to one of defensiveness and subordination. Increasingly, Muslims were now on the defensive in the face of the West and its ideologies. Whereas the primary challenge to Islamic identity and unity in the previous centuries was generally seen to be an internal one, the real threat of the West was not experienced until the late nineteenth and early twentieth century. It constituted a remarkable challenge to Islam politically, economically, morally, and culturally. European colonialism and imperialism threatened, among others, the political and religio-cultural identity and history of Muslims too. For many Muslims, the West was the enemy that threatened both the faith of Islam and the political life of the Muslim community. It came not only with its armies of bureaucrats and soldiers but also with its ideologies of different kinds, all alien to Muslims and their belief.

The Muslim world, moreover, suffered from a various number of internal ills such as economic, social and moral decline, military debility, political divisions and, very importantly, religious stagnation. For centuries, Islam provided for the believers a way of life the validity and perfection of which no believer ever questioned. When the decadence in Islamic society became apparent, the pious Muslim underwent a moral crisis. Deviations, unwarranted innovations, ignorance of different aspects and

retrogressive interpretation of Islam, provided a theological base for the submissiveness, fatalism and quietism of Muslims. Islam was a spent force before fatalistic tendencies that had infected much of popular Islamic belief and practice. This, together with the impact of Western rule and modernisation, raised new questions and challenged traditional beliefs and practices.

The internal and external threats to the life of the community proved to be stimuli for Muslim intellectuals. A variety of responses emerged from Muslim self-criticism and reflection on the causes of decline. These were ranged from adaptation, secularization and westernization to isolationism, rejectionism and withdrawal.

A very distinguished response emerging during the late nineteenth century was that of a religious revival and reform, or what is usually called Islamic modernism, and, with reservation, Islamic fundamentalism. Islamic modernism searched to delineate an alternative to Western and secular adaptationism on the one hand and religiously motivated rejectionism on the other. A group of reform-minded Muslims sought to respond to, rather than react against, the challenge of Western imperialism. They proclaimed the need for Islamic reform. They blamed the internal decline of Muslim societies, their loss of power and backwardness, and their inability to respond effectively to European colonialism on a blind and unquestioned clinging to the past (taqlid). Islamic reformers stressed the dynamism, flexibility, and adaptability that had characterized the early development of Islam, notable for its achievements in law, education, and the sciences. They pressed for internal reform through a process of reinterpretation (ijtihad) and selective adaptation (Islamization) of Western ideas and technology. From this perspective, Islamic modernism was a process of internal self-criticism, a struggle to redefine Islam to demonstrate its relevance to the new situations that Muslims found themselves in as their societies modernized. It tried to free the Muslim mind both from centuries of tradition and from the intellectual and spiritual domination of the West.

Three key figures of this group of reformists are Jamal al-Din al-Afghani (Asadabadi), a major catalyst for Islamic reform with a great passion for pan-Islamism, and his disciples, Muhammad Abduh and Rashid Rida, two distinguished synthesizers of modern Islam. The former is to be remembered as the Father of Islamic Modernism in the Arab world and the latter, being more conservative, as one who concerned himself with the restoration of the Caliphate and pan-Islamic unity. There is also a controversial thinker, Ali Abdul Raziq, who rejected not only the Caliphate, but the integrity of religion and politics in Islam. His thesis reduced religion to the realm of spirit, pushing politics away from its domain. Abdul Raziq and Rashid Rida, though in opposite directions, both paved the way for a doctrinal justification of separate Muslim *nation-states*.

To name other major figures in this circle, one can mention, from the Indian Subcontinent, Sayid Ahmad Khan, a traditionally educated Muslim who sought to make modern Western liberal thought Islamically acceptable,[1] and Muhammad Iqbal, a modern Western-educated Muslim who reinterpreted Islam in conjunction with Western thought to demonstrate its relevance as a viable alternative to Christian European and Marxist ideologies.[2] Syrian Abd ul-Rahman al-Kawakibi,[3] and two Egyptians Mustafa Abdul Raziq[4] and Khalid Muhammad Khalid[5] are also worth mentioning in this respect.

The legacy of Islamic modernism has been mixed. Islamic modernists were pioneers who did not simply seek to purify their religion by a return to an Islam that merely reappropriated past solutions. Instead, they wished to chart its future direction through a reinterpretation of Islam in light of modern realities. They planted the seeds for the acceptance of change, a struggle that has continued. While their secular counterparts looked to the West rather uncritically and traditionalists shunned the West rather obstinately, Islamic modernists attempted to establish a continuity between their Islamic heritage and modern change. Islamic modernism influenced attitudes toward Islam regarding both its past significance and its modern relevance. Its emphasis on

Islam as a progressive, dynamic, rational religion generated a sense of pride, identity, and conviction that Islam was relevant to modern life. Though Islamic modernism did not produce a systematic reinterpretation of Islam and splintered in many directions, its outlook and modernist vocabulary penetrated Muslim society and enabled a new generation of Muslims to confidently embrace modern civilization with the belief that Islam was compatible and adaptable to the demands and challenges of modernity. Islamic modernism, however, failed to provide a systematic, comprehensive theology or program for legal reform. It was able to prescribe, but proved less successful in implementation.

Parallel to modernist reforms initiated in the first half of the twentieth century was the emergence of new religious organizations from the mid-century onwards influenced by both the ideas of Islamic modernists and a combination of circumstances arising from the collapse of the Caliphate system and the secularisation of Turkey, the setbacks to secular-liberal ideologies in Egypt, the aggressiveness of some Western powers, and last but not least, the consequences of the Palestine crisis. The creation of the state of Israel, in 1948, further inflamed anti-Western feelings and deepened the Muslims' sense of defeat. These organizations, in particular Hasan al-Banna's Muslim Brotherhood in Egypt and Mawlana Mawdudi's Jama'at-i Islami (the Islamic Society or Party) in the Indian subcontinent, saw the Islamic community of the twentieth century at a critical crossroads. Like secular and Islamic modernists, they acknowledged the internal weakness of the community, the external threat of Western imperialism, and the value of science and technology. However, they were more sweeping in their condemnation of the West and assertion of the total self-sufficiency of Islam.

The Brotherhood and the Jama'at rejected the accommodationist spirit of Islamic modernism. They combined a holistic interpretation of Islam and an organizational activism, calling for a social order based not on modernist acculturation

but on a self-sufficient Islamic alternative. Their options were clear and simple. Both capitalism and Marxism represented man-made secular paths that were alien to the God-ordained, straight path of Islam. If Muslims were to remain faithful to God and His divine will, they must reject Western secularism and materialism and return solely to Islam, whose perfection assured guidance in all aspects of life. For many of the religiously minded intellectuals the causes for the political, military, and economic breakdown were to be found in the spiritual and moral decay that afflicted the community of believers. The fundamental failure of the community resulted from its departure from true Islam; its revitalization, thus, could only come from a return to the straight path of Islam.

For the Muslim Brotherhood and the Jama'at-i Islami, Islam was not restricted to personal piety or simply a component in social or political life. It was rather a comprehensive ideology for personal and public life, the foundation for Muslim state and society. Despite distinctive differences in their movements due to local conditions, both Hasan al-Banna and Mawlana Mawdudi combined religion with social activism. They shared a revivalist ideology and established activist organizations that remain vibrant today and have served as an example for others throughout much of the Muslim world.

There are yet other organizations with more radical outlooks and strategies that are mostly inspired by the ideas of Sayyid Qutb. Qutb, an influential ideologue of the Muslim Brotherhood, transferred the ideological beliefs of Banna into a rejectionist revolutionary call. Being executed after spending the most intellectually productive years of his life in prison and persecution, he widely influenced many of the Islamic movements as a martyr of the Islamic revival. Islamic activism in the late fifties and sixties became more militant and combative as a result of his radical cry.

A notable point in the ideas of these organizations is the source of the radical

aspects of their activism which is apparently more rooted in the political circumstances rather than theoretical attitudes. It is not merely the doctrinal convictions, but, more importantly, political suppression, social corruptions and deprivations, biased policies of certain Western countries, and to some extent, the media coverage of the Muslim world in the West, that contributed to the creation of Islamic radicalism. This can be perceived by the examination of many present extremist Muslim organizations. Algeria's Islamic Salvation Front and Tunisia's Renaissance Party provide clear examples of radicalization of movements in response to government manipulation of the political system, suppression, or violence. Increased government repression intimidates, factionalizes, and radicalizes. The result has been an escalation of confrontation and violence.

The *Hizb ut-Tahrir al-Islami* is one with a theoretically radical position which advocates openly the farthest end of Sunni revivalism: aiming to re-establish an overall Caliphate for the whole Muslims and declaring unrelenting war against all established political systems in the Muslim world. Interestingly enough, the party, relatively due to its location, is less engaged in militant activities compared to those organizations with more advanced world-views but under the persecution of domestic regimes. The Palestinian founder of the party, Taqiuddin an-Nabahani, promoted a political and ideological struggle to prepare the Muslim community as well as international circumstances for making change.

As for Shiite Islam, after the Constitutional Revolution of 1906 in Iran - supported by the grand Shiite *ulama*,[6] Khomeini's theory of '*Vilayat-i Faqih*' or 'the Governance of Jurisprudent' emerged as the major twentieth-century manifestation of the Imamate, the Shiite political doctrine. It presented a mixed approach, of traditionalism and modernism, to Islam. Khomeini, as the first Islamic thinker of our time who was able to enforce and exercise his political theory of the Islamic state, maintained a comprehensive vision of Islam in search of a morally just society. His

theory introduced Shi'ism as an institutionalized political ideology capable of governing the worldly affairs of modern societies. The Iranian revolution of 1978-79, led by Khomeini, provided the first example of a modern Islamic revolution and demonstrated, more than any other event in recent history, the power of a resurgent Islam.

Khomeini's theory places clergy, or more precisely, the most knowledgeable Islamic jurisprudent, in the position of the Prophet in leading the Muslim community. The constitution of the Islamic Republic of Iran combined this notion, fundamentalist in nature, with democratic principles and institutions. The result was a document in which the role of people was incorporated into the interpretation of a theocratic doctrine. The two concepts of divine and popular sovereignty co-exist in the Constitution in a symbiotic context, with the upper hand given inevitably to divine sovereignty. This, of course, has not been without difficulty, particularly in practice.

To conclude, the struggle to produce viable Islamic responses to the new demands of modernity has been a continued preoccupation of Muslim thinkers in the twentieth century, as evident in the contemporary resurgence of Islam. The struggle, in effect, includes a number of different ideas, attitudes and strategies. What it has achieved in practice and to what extent it has been able to materialize its ambitions is a matter of discussion. The doctrinal achievements, however, are perhaps the most significant outcomes of this struggle.

Part Two:

Speculative Evolution, a General Outlook

What were the effects and accomplishments of Islamic thought in the twentieth century? I try to present here my overall analysis of what I have investigated in this

thesis. Although this analysis is generally based upon those theories and thoughts presented here, it has also consulted the ideas of other less important thinkers as well.

The following is a conclusion with respect to contemporary Islamic political thought, and the question of political participation in particular. The major political trends in the modern Islam are intended to be seen in this conclusion as one body and a whole stream of thought, despite all existing differences. Thus, obviously not every single individual would completely fit within this conclusion.

I start with the obstacles in the path of modern Islamic political thinking and then go to the results.

A: Obstacles

Islamic political thought of this century, in order to obtain proper answers for the problems and the requirements of modern man and to provide a new identity for Muslims as well as a solution to their decadence and deterioration, has been faced by a series of speculative complexities. These were in addition to other serious obstacles of different natures such as: the devastating legacy of European colonialism as well as that of the past authoritarian Caliphates; the political disintegration of the Muslim world and the artificial nature of post-independence national governments headed by military officers, monarchs, and ex-military rulers; the problems of national unity and stability as well as political legitimacy; social underdevelopment, weak economies, illiteracy, and high unemployment, especially among the younger generation; the challenges of other ideologies, nationalism and socialism in particular; the invasion of secular forces who sought a western-oriented solution; and many others. Although these points are quite important and had a serious impacts on contemporary political Islam, I do not intend, nor am able, to go through them at this juncture since each of them deserves a separate comprehensive study.

The main speculative difficulties in the way of contemporary Islam and the revival of Islamic political thought in our age can be categorized as follows:

1- Political science in Islam has not been an independent discipline aspiring to the utmost heights of intellectual speculation, but a department of theology. All political theories in Islam started from the assumption that Islamic government existed by the virtue of a divine determination and was based on the *shari'ah* (Islamic law). None, therefore, asked why the state exists. There was no distinction between state and society, or between the religious institutions and state; and no doctrine of the temporal end which alone belonged to the state, and the eternal end which belonged to and was the prerogative of the religious institutions. One cannot find the distinction between the Church and state, and the related discussions, since religion was not separated from politics, or politics from morals. The speculative activity of the Muslim and his relation to the state, therefore, had a metaphysical and religious basis.

2- Islam, like every other religion, involves a number of unchangeable eternal principles that naturally confine the perceptions of any thinker to be exercised within the boundaries of these principles. Questions like the sovereignty of God and the authority of His creeds cannot easily accommodate to temporal ideas. The inherent dogma of divine command inevitably overshadowed political thinking among Muslims. Another characteristic of Islam, universalism, also proved problematic in coping with modern times. Islam recognizes no boundaries for itself. No race or nation is given any sort of superiority above others. This feature, together with historic facts, naturally led Muslim thinkers to always consider the community of Muslims (*ummah*) as a single universal entirety which, obviously for them, demands a single widespread government. The Caliphate, with some considerations, has been this kind of government until its abolition in 1924. The concepts of 'nation', 'state', and the like, were alien to Muslims and to their leading scholars.

3- The corrupting realism of medieval writers, with the sanctity of *status quo* as its inherent consequence, created a long period of stagnation and submissiveness

in the Muslims' intellectual life. Mawardi, Ghazali and Ibn Jama'ah are perhaps the best known writers of this kind who by betraying a concern for expediency declared that government was a result solely of military power, and that military power pure and simple constituted the essence of rulership. This much realism and consequent revision of political thought in the light of changing circumstances may be explained by the necessities of the time, but, prior to that, it is certainly rooted in the special nature of Sunni realism which, in contrast to Shiite idealism, has displayed much greater flexibility in adapting political ideas with political realities. Undoubtedly, generalizations about Sunni realism can be as inaccurate as those concerning Shiite idealism. It is commonly accepted, however, that Sunni realism, partly due to its conviction that the Prophet did not appoint any successor after himself and left the question open for the Muslims to resolve, found a vast range of flexibility in itself. Political realities directed this flexibility to acknowledge the necessity of strong government to repulse foreign aggressors, but this eventually reached a point at which tyranny was justified in the name of religion. The price of medieval flexibility was to sanctify the latter position, which soon became the ruling political doctrine among the majority of Muslims of all sects. There followed a long period of stagnation in political thought, as indeed in most forms of intellectual activity, which ended only with the abolition of the Ottoman Caliphate.

4- An integral feature of classical Islamic theory-making has been always consolidated on the ruler and his personality instead of the institution of rulership. The main concern of Muslim political writers was questions like: how to elect or select the ruler, how to advise or perfect him, what to do with an unjust ruler, and so on and so forth. The ruler was the main, and sometimes the only, political establishment supported by a strong religious conviction. The ultimate goal was to make him more faithful and competent. Manuals of conduct for rulers and governors, the Mirrors for Princes, are not few in Islamic political literature. This was based on both religious

and historical backgrounds. In fact, the separation of powers has not applied in Islam. The ruler (whatever be called, caliph, imam, vice-regent, etc.) constituted the executive power, the legislative power and the judicial power. This was the practice of the Prophet and the four Rightly Guided Caliphs and was considered, thus, as an established tradition (*Sunnah*). The experience of the three main authoritative Caliphates in the history of Islam (Ummayads, Abbasids and Ottomans), on the other hand, provided a basic for the recognition of the idea, by a great majority of Muslim thinkers, that the ruler of an Islamic state is a single authority above everything, to whom rendering obedience is obligatory for all Muslims even if he holds the office by compulsion or in an unjust manner.

B: Outcomes

Islamic political thinking of the twentieth century has developed in various fields by the ongoing intellectual efforts of Muslim scholars. The outcome, I suggest, is a relatively more rationalized perception updated for the modern life. The followings are among the main developments, as far as I perceive:

1- At the heart of the present-century Islamic worldview is the belief that the Muslim world is in a state of decline. Like other forms of political revisionism, historical criticism is an integral part of Islamic reformism too. So as the present situation of Muslims is one of decadence and stagnation, the first task is to demolish what is seen as the presumed theological and canonical foundations of this stagnation and, by derivation, the demolition of Muslim submissiveness and quietism. All deviations which have been externally added to Islam and have caused passivity and fatalism instead of dynamism, blind imitation instead of intelligence and science, and irresponsibility instead of commitment and integrity, have to be eliminated or be subjected to reform.

An important effect of this criticism is the rejection of almost the whole history

of the Caliphate as an unacceptable deviation, being far from the true spirit of Islam. It is now a relatively established idea that the real Caliphate only lasted for about thirty years after the Prophet, and afterwards there were simply governments of kings and sultans without true Islamic features. Some have gone even further by extending their criticism to the period of early four Caliphs (*Rashidun*).

2- While westernization and secularization of society are condemned, modernization as such is not. Today's Islamic thought, in general, does not seek to restore a pristine past but instead wishes to reformulate its Islamic heritage in response to the political, scientific, and cultural challenges of the West. It preaches the need and acceptability of a selective synthesis of Islam and modern Western thought; condemns unquestioned veneration and imitation of the past; and seeks to provide an Islamically based rationale for educational, legal, and social reform to revitalise the inactive and impotent Muslim community. It incorporates the community's internal concerns with the need to respond to the threat of the West and the demands of modernity. In fact, a desirable end that has been hardly attempted is to bridge the gap between religious traditionalism and secular modernism, on one side, and the conservative ulama and Westernized elites on the other.

Islamic modernism, which is the name I wish to give to the mainstream of contemporary Muslim thinkers, has an ambivalent attitude toward the West, a simultaneous attraction and repulsion. Western countries are admired for their strength, technology, and some of their political ideals, but rejected for their imperialistic goals and antagonistic policies. Muslims must look to Islam as their source of strength and unity, but learn the secrets of Western power in order to discard foreign rule and regain their identity. Muslims are able to repel the West not by ignoring or rejecting the sources of Western strength (i.e. science and technology), but instead by reclaiming and reappropriating reason, science, and technology, which, they maintain, has been integral to Islam and the grand accomplishments of Islamic civilisation.

3- A remarkable feature of modern Islamic thought is the revival of *ijtihad* or re-interpreting the sources of Islam by the use of reason. Although interpreting Islamic texts and sources was a conventional practice in early Islam, Sunni jurists rejected it, from the ninth century, as an unjustified innovation which might lead to diversity in canonical law. Most of the contemporary Muslim thinkers, however, condemned blind imitation and laid emphasis on reopening the gates of *ijtihad* in the light of modern conditions. This interpretation is not simply to reappropriate answers from the past, but to formulate new Islamic responses to the changing conditions of Muslim societies, according to Islamic principles. It has become almost an established notion that the Prophet of Islam has left a very large sphere of freedom in legislative enactments and judicial decisions. Therefore, the survival of Islam depends on the rejection of the unquestioned acceptance (*taqlid*) of medieval interpretations of Islam and the exercise of *ijtihad* in order to produce fresh interpretations of Islam to demonstrate again its relevance and validity for modern life.

For Shiite Islam, *ijtihad* was a familiar concept which has been practised throughout its history. Nevertheless, it, too, experienced some sort of evolution that transferred it from a narrow procedure of solving new problems, by using historical Islamic roots and reason together, to a means of reenacting Islam and its law in the numerous appearances of modern life. *Ijtihad*, in Shiite jurisprudence, has methodologically been more developed, due to its historic background, compared to Sunni Islam that is still suffering from the lack of a viable methodology for the interpretation of religion.

4- Ideologization of religion as a response to the calls of rationalization is a great accomplishment of today's political Islam. During the past hundred years or so, the religion of Islam has been gradually shaped, to some extent, in the form of an ideology with its own epistemologic identity. Religious belief and knowledge has been revived to a more this-worldly ideological belief and to a system of specified values

and instructions. Today's Islam is not any more concerned only with otherworldly affairs and life to come, but with the believers' interests in the world here as well. It seeks success in this world and wants to show the ordinary man that it can meet his personal needs in his life from day to day. This is a trend that both Sunni and Shiite convictions have approached.

The Islamic state, in this approach, has been shifted from being simply a divine order and a religious obligation to a social requisite and a utilitarian institution, designed for the utmost judicious administration of the Muslim community. The abolition of the Caliphate and its consequences were definitely determining elements in this regard. Being impossible to resuscitate, the Caliphate, for Sunnis, lost its sanctity as a divine form of government to become simply a method of administration. Many Sunni jurists reached the point where establishing the Caliphate was not based on divine order nor on the Prophet's recommendations, but on the Muslims choice. This forced them to accept the reality of life without a Caliph and, by derivation, the legitimacy of any form of government provided that it works on the basis of the Islamic law. Government, therefore, was not an end in itself any more, but a means to an end, a tool to fulfil the ultimate goals of Islam, and an instrument to secure the satisfaction of the Muslims, to administer their affairs, and to protect their rights.

In this way, Islamic government can be of any form and structure. There is nothing in Islam which forbids Muslims to destroy their old political system and build a new one on the basis of the newest conceptions of the human spirit and the experience of nations. Forms of government are of no concern to the divine will since God has left the field of civil government and worldly interest for the exercise of human reason.

The concept of state in Shiite Islam has also considerably evolved. Establishing government which was considered to be an illegitimate attempt in the absence of the Hidden Imam, became not only legitimate but also a fundamental requirement for the implementation of the Islamic law, and, more importantly, for making a proper base

that enables the Return of the Hidden Imam. The assumption according to which all governments in the period of Occultation are considered to be usurpatory and, therefore, Muslims must wait for the Imam to establish the promised just government, can be set aside provided that the government is controlled or, at least, supervised by the Fuqaha' in their capacity as the representatives of the Hidden Imam. The Fuqaha' are able, by the act of participating in the government, to accord it legitimacy.

5- In contrast to the traditional Islamic ideal in which political loyalty and solidarity rest on a transnational Islamic community (*ummah*) based upon a common belief, modern Islamic political thinking recognizes the notion of national communities based not upon religion but upon common language, territory, ethnic ties, and history. The modern desire of pan-Islamism, which emerged in the middle of the nineteenth century, then ceased both in theory and practice due to the political realities in the aftermath of the Caliphate abolition.

The breakdown of the Ottoman Empire, together with the nationalism of Arabs and Turks, developed an environment in which the legitimacy of having separate Islamic countries developed as an accepted notion. The essence of the idea indicates that although all Muslims constitute a single community, it does not necessarily mean that they cannot inhabit different states. Contrary to the classical approach to the Islamic state which was universal and not territorial, the new concept recognized territorial sovereignties and the right of each Muslim nation to establish its own national state in its own territory. Twentieth-century Islamism is more interested in domestic politics and the ideas of 'state' and 'nation-state' than in bringing about the unity of the world's Muslims into one state.

The idea of Islamic unity, however, is not totally abandoned. It has only changed its direction, from establishing a worldwide single Islamic state, to building a united front of independent Islamic nation-states, tied to each other with strong relations, aimed to move toward same direction in the international arena. Pan-

Islamism, in effect, has been developed into the idea of Islamic solidarity.

C: Evolution in the Concept of Political Participation

A major preoccupation of modern Islamic political thought has been the matter of Islamic government and the way in which it can be established and receive its legitimacy, organize its institutions and administer the worldly affairs of Muslim life. In this line, great attention has been shown to the vital question of political participation and the role which people are capable of playing in an Islamic state. Efforts were concentrated on rediscovering the Islamic principles and values that would provide the basis for Islamic versions of democratic concepts and institutions. These efforts have manifested themselves in various areas, particularly on the crucial topics of sovereignty, legislation and the executive power.

(a) **Sovereignty:** Sovereignty is the prime challenge of contemporary Islamic thought. An established fact, that no thinker has been able to deny or ignore, is the possession of the whole undivided sovereignty by God alone. Obviously enough, while sovereignty belongs to God, God does not Himself intervene directly in the life of the Islamic state to give orders, decide politics, or make decisions; there must be a human agency to do those things on His behalf and in His name. This agent was traditionally epitomized in the person of the Caliph or the Imam.

Contemporary approaches try to introduce, at least in theory, the entire Muslim people as vicegerents of God acting on His behalf and, thus, by extending God's sovereignty to the people, provide them with some kind of limited sovereignty. Two concepts of divine and popular sovereignty are being presented together, sometimes standing side by side.

Although the absolute sovereignty and authority is theoretically kept for God, His agents on the earth are, in a growing manner, considered to be the people of each Muslim country or each Muslim nation-state. Practically speaking, however, it is still

the ruler, whoever he might be and by whatever method he may be selected, who performs the administrative functions. Therefore, the principle of consultation with the Muslim populace is strongly appreciated in order to guarantee this limited sovereignty of people.

(b) **Legislation:** Traditional Islamic faith maintains that law, in its entirety, has already been laid down by God in the Book. The head of the Islamic state, therefore, is only an executive authority and has no inherent power to legislate. He is authorised to make subordinate legislation guided by these laws and principles. At most, he was recommended to appoint a council of advisors which must be consulted in making subordinate legislation or for the administrative matters, but he was not bound by their advice. The legislature power, thus, is not an important feature since all legislation is already pre-existing.

The intellectual efforts of the nineteenth and twentieth centuries, undertaken by several outstanding thinkers who were anxious about the modern requirements of the time, granted legitimacy for the obvious need for governments to legislate, in the fullest sense of the word. Legislation is usually justified, however, under the terms of identification, interpretation, clarification, or codification of the detailed provisions of God's law.

There are a number of arguments advanced in favour of the democratic methods. If people can hold the extended sovereignty of God, and if the powers and obligations of the ruler are to be shared by the Muslim community in a particular national state, it is necessary to create a body of persons to constitute the principles of *ijma'* (consensus) and *shura* (consultation) which should conduct the affairs of the Muslim community through mutual consultation. Such a body cannot be constituted except through the elected representatives of the Muslim community. As the real object of Islam is to establish a community of faith governed by the *shari'ah*, the Muslim community is free to evolve any suitable method for the enforcement of

Islamic law. The establishment of a legislature is, thus, necessary because subordinate legislation which is not repugnant to the Qur'an and Sunnah is a very wide field due to the changing needs and requirements of the modern Muslim community. Islam, revealing only the very basic principles, has left a vast sphere of legislation open for the Muslim community to determine by themselves according to their necessities.

Muslim legislative assemblies, nowadays, constitute an integral component of contemporary Islamic activism. It is seen not only in the states who claim to be Islamic, but also in the Islamic organizations and societies. To maintain the Islamic nature of these assemblies and, at the same time, keep its popular and elective nature, a constitutional device have been adopted by some Muslim states and organisations. That is to place a body of Islamic experts and jurists, inside or outside the legislature body, invested with the power to supervise the legislative activity. Their power, however, varies considerably from only giving advice to even exercising an outright veto.

(c) The Executive Power: In the aftermath of the Caliphate's collapse, in which the caliph was possessed of a divine right and legitimacy, and in the time when popular legitimacy of Western democracies attracted the consciousness of many Muslim intellectuals, a big question mark emerged in regard to the source of legitimacy for an Islamic government. Is there a divine appointment or a contract that constitutes the legitimacy of the government? Who, God or people, is represented by the government, and to whom is it responsible? The question proved sensitive, complicated and controversial and could not be easily answered. There are different approaches in this regard and I have elaborated some of the most prominent of them in the thesis. The prevailing idea, I suppose, is the one that makes government, and the leader in particular, the representative of the people and holds the office of leadership to be an elected office based on a contract between the ruler and ruled.

This notion was more easily accepted by Sunni Muslims since the office of

Caliphate was relatively an elected office from the very first day of its establishment. It is true that it lost the real sense of electiveness after the period of *Rashidun* Caliphs, but it still kept the ritual of *Bay'ah*, though in a cosmetic appearance, to justify the legitimacy of the *'ahd* (contract) between the Caliph and the community.

For Shiite Islam, however, debate still continues due to their firm belief in divine appointment for the Imam which forms the heart of Shiite political thinking. Nevertheless, popular appointment has found its way here too. The most distinguished recent theory in Shi'ism is that of Khomeini yet with two divergent approaches to the source of Faqih's legitimacy. Khomeini himself, Seyed Ali Khamene'i -the current leader of the Iranian Islamic Republic,[7] and a number of other scholars hold the authority of the Faqih to be a result of divine appointment, while some others, including Salihi Najafabadi and Hoseinali Montazeri, lay the primary emphasis on the role of people in conferring legitimacy on the incumbent of the office of the Faqih and, therefore, consider Faqih's authority as the effect of a contract between him and the majority of the people in the Muslim community. Beside that, also, exist dissimilar ideas and theories, usually stated by laymen, in most of which the government is considered only a matter of people's choice, in whatever form it might be. Among the best known of those with such ideas I can name Ali Shari'ati who advocated a 'directed' democracy,[8] and very recently Abdolkarim Soroush who rejects Khomeini's theory and advocates a religious democratic government.[9] Of the two, I will briefly mention Soroush and his opinion about democracy in the following part.

Two important concepts emerged with a significant concern in the midst of all these discussions among both Sunni and Shiite scholars: *shura* or consultation (recommended by the Qur'an and mirrored in the example of the Prophet) and a body of elite called *ahl al-hall wa'l-aqd* (exercised by the very first companions of the Prophet). An attempt is made to present these concepts as the basis of democracy in Islam. None of the two is new in Islamic terminology. Both originate from the early

years of Islam but received little attention in the classic writings and were never definitively institutionalized in the history of Islam. They are revived by contemporary Muslim scholars and are represented and reclaimed as a way to build the structure of popular political participation in modern Islam.

On this ground, Islamic modernism demanded the setting up of constitutional forms of government with democratic institutions manned by the elected representatives of the people, and contended that this was the most effective way of implementing the Qur'anic principle of *shura*. The body of *ahl al-hall wa'l-aqd* is regarded by almost all contemporary Muslim thinkers as a consultative body and the legitimate representatives of the community. There is not a consensus, however, about the powers and authorities of this institution. Different scholars have associated it with different authorities and functions such as the powers of election and deposition of the ruler, general influence and prestige among the subjects at large, representation of the rights of the community, participation in the processes of decision-making of state and authoritative determination of the law. Nevertheless, there is still not a clear distinction between the authorities of this institution and those of the ruler. Moreover, the personality and the character of those who are capable of being a member of this body and the ways in which the community can establish it also differ from the viewpoints of one scholar to another.

D: Recent Muslim Thinkers

At the end of this part and before the final conclusion, it would be helpful to briefly discuss the political ideas of some of the leading figures of current Sunni thinkers and activists who maintain, in general, the representative nature of Islamic government. Among recent Shiites scholars, the ideas of only Abdolkarim Soroush is mentioned at the end. These figures, I believe, are influenced, in one form or another, by the ideas of those who have been presented in this thesis. This, however, should

not imply that the importance of their ideas is discarded.

(a) **Rashid al-Ghannoushi:** Rashid al-Ghannoushi is the exiled leader of the Islamic Tendency Movement or, as it is known today, the Renaissance Party in Tunisia. The Islamic movement in Tunisia from the early seventies onwards is known by his name. He preaches a holistic view of Islam relevant to the issues of political and economic rights, and advocates a more practically oriented approach to the theory. In 1981, when Tunisia's one-party political system was briefly liberalized by the Bourguiba government, he developed his Islamic activism into the form of a political party aiming, among others, promotion of democracy, political pluralism, and economic and social justice in Tunisia. Ghannoushi denounced the use of violence and instead chose to work within the system, emphasising a gradual process of social transformation and political participation as the means to realize the party's long-range goal of establishing an Islamic state. He has been *imprisoned several times and now is in exile in Britain.*

Ghannoushi and his Renaissance Party accepted democracy and its institutions more readily than many of their counterparts in other Islamic countries. In a recent interview with the Channel 4 Television, in London, he said:

> We too, the Islamic community, need the west, at the level of administrative systems, at the level of the democratic organisation of society, and at the level of technology. We both need each other....[10]

Despite differences in their philosophy, he believes, there is no contradiction between the ideals of democracy and what Islam stands for. The problem arises where not Islam nor democracy are understood correctly.[11]

(b) **Abbasi Madani:** Abbasi Madani, the leader of the Islamic Salvation Front in Algeria, has been slower than Ghannoushi of Tunisia to recognize multiparty

politics and the democratic process. It was partly due to a strong presence of a radical wing in the Front. However, he finally affirmed his acceptance of democracy while some of the younger voices of the Front, like the popular preacher Ali Belhadj, rejected it as an un-Islamic concept. 'There is no other way at the present', Madani said prior to the Algerian parliamentary elections, '...the way to power passes through elections which reflect the general will of the people.'

Al-Minqaz, the official journal of the Front, wrote in 26/7/1990: 'The foundation of Islamic state is based on *shura*... [which] provides the head of the state with the best advices. *Shura* assimilates democracy on the point that both are taken shape through public elections.' The Front also maintained, in a statement released before the elections entitled "The Political Agenda of the Front", that

> politics, as far as the Front is concerned, is... a commitment to the principle of *shura* to confront despotism,... guarantee the freedom of speech, and promote criticism. Legislation is based on *shari'ah* but must consider the requirements of the time and the conditions of party pluralism and political participation.[12]

(c) Hassan al-Turabi: Hassan al-Turabi, the ideologue of the current Islamic government in the Sudan, is a Sorbonne-trained leader of the National Islamic Front (NIF) or Muslim Brotherhood in the Sudan. The military regime of Gen. Omar al-Bashir, who seized power in June 1989 following a coup, proved to be ideologically influenced by Turabi. Bashir on December, 1990, promised to implement Islamic law in the country.

Turabi's way of thinking, though relatively more traditionalist, follows, in general, the pattern of many activists of his generation. The Islamic state for him is not a secular, nor nationalist, nor absolute state. It is also not primordial since the primary institution in Islam is the Muslim community. Muslims can incorporate any experience whatsoever if not contrary to their ideals. Muslims of the first generations, he claims, took most of their bureaucratic forms from Roman and Persian models.

Now, much can be borrowed from contemporary sources, critically appreciated in the light of the *shari'ah* values and norms, and integrated into the Islamic framework of government.

Islamic government can be of any form unless expressly excluded by the *shari'ah*. The head of the Islamic state, Turabi maintains, is elected by the people.

> In early Islam the system of government was called a caliphate.... But whereas the Prophet was appointed by God, the caliph was freely elected by the people who thereby have precedence over him as a legal authority. Although the Prophet used to consult his companions systemically and normally would follow their consensus, he had the divine right to an overriding authority. The caliph, however, or any similar holder of political power, is subject both to the Shari'ah and to the will of his electors. As reflected in Islamic jurisprudence this implies that, save for the express position of the Shari'ah, the consensus (*ijma'*) of the community is paramount. A process of consultation that leads ultimately to *ijma'* is mandatory for the resolution of all important public issues.

No class or group of people has any extra right in Islamic state of Turabi. Islamic state is not the government of the clergy, he insists. There is no legal bar to the development of different parties or to the freedom of opinion and debate. A well-developed Islamic society, however, would probably not be conductive to the growth of rigid parties. Turabi, however, does not claim that Islamic state, though elective and consultative, amounts to a liberal representative democracy, since Islamic government is first of all the government of the *shari'ah*.[13]

(d) Sadiq al-Mahdi: The Sudan's Oxford-educated ex-Prime Minister, Sadiq al-Mahdi, is the great-grandson of the Sudanese Mahdi, the Islamic revivalist reformer who had driven out the British and established an Islamic state in the Sudan in the 1880s. After the overthrow of Nimeiri on April 5, 1985, by a military coup, a

temporal democracy was restored in the Sudan in which a civilian government was selected in 1986 with Sadiq al-Mahdi as prime Minister. After three years of a multi-party democracy, his ineffectual government was replaced by the military regime of Gen. Bashir.

Sadiq al-Mahdi is regarded as a modern reformer who preaches a dynamic open-minded attitude to Islam capable of making social change. Revelation and reason, he says, compliment each other. To transcend Islamic thesis, in its various forms, in a modern context is both Islamic and rational.

There is no particular system of Islamic government, he maintains. An Islamic system of government requires the fulfilment of two conditions:

> first, a set of general principles -for example, the need to politically organize society, the need to base that on popular participation, the imperative of justice, and so on; second, the requirements to apply Islamic legislation. Any system which fulfils those two conditions is entitled to be called Islamic. Contemporary Muslim political thought may abide by these two conditions, inform itself with all the achievement of modern political thought and institutions, be fully aware of contemporary political problems and needs, and proceed to establish a political system of leadership and government which is both Islamic and modern.[14]

(e) **Abdolkarim Soroush:** Soroush is an Oxford-educated philosopher, now a professor in the University of Teheran. In his view Islam and democracy are not only compatible, their association is inevitable.

> In Muslim society, one without the other is not perfect. I have given two bases. The first pillar is this: To be a true believer, one must be free. To become a believer under pressure or coercion will not be true belief. And this freedom is the basis of democracy. The second pillar in Islamic democracy is that interpretation of religious texts is always in flux. Those interpretations are also influenced by the age you live in. So you can never give a fixed interpretation.[15]

In his opinion, therefore, everyone is entitled to an interpretation. Although some may be more scholarly than others, no one version is automatically more authoritative. So like democracy anywhere, the beliefs and will of the majority at the bottom define the ideal Islamic state. It can't be imposed from the top or by an elite, such as the clergy.

Soroush is against the ideologization of Islam for it is too likely to become totalitarian. Islam, he says, is a religion that can still grow. He believes in *shari'ah*, or Islamic law, as a basis for modern legislation. But he views *shari'ah* less rigidly than does the traditional clergy. '*Shari'ah* is something expandable,' he believes. 'You cannot imagine the extent of its flexibility. And in an Islamic democracy, you can actualize all its potential flexibilities.'[16]

Part Three:

Final Conclusion

It is clear that in the Muslim world of our age, speculative political thought, like political traditions and institutions, social conditions and class structures, continues to evolve in a very critical atmosphere. The living struggle of today's Islamic political thought is centred around the confrontation of God's sovereignty with that of the people, and the source of legitimacy for the Islamic government. Muslim thinkers of the twentieth century rejected and discarded the absolute concept of popular sovereignty but simultaneously tried to utilize its values and advantages, and to justify some of the existing democratic methods and institutions which are not in contradiction with the Islamic law and can be useful and effective for Muslim communities.

In recent decades many Muslims have accepted the notion of democracy but

differed as to its precise meaning. The Islamization of democracy has been based upon a modern reinterpretation of traditional Islamic concepts of political deliberation or consultation (*shura*), community consensus (*ijma*), public approval (*bay'ah*), and personal interpretation (*ijtihad*), to support and accommodate notions such as parliamentary democracy, representative government, election, constitutionalism and the like. It is true that a considerable amount of radical revolutionaries reject any form of parliamentary democracy as Westernizing and un-Islamic, but the majority of Muslim thinkers and activists have "Islamized" parliamentary democracy and assert an Islamic rationale for it.

This, of course, does not mean a democracy in the Western sense of the word. There are still vital differences between Western notions of democracy and Islamic principles of belief. Increased emphasis upon political liberalization, electoral politics, and democratization does not necessarily imply uncritical acceptance of Western forms of democracy. A commonly heard argument is that Islam possesses or can generate its own distinctive forms of democracy in which popular sovereignty is restricted or directed by God's law. Thus both divine and popular sovereignty are affirmed in a delicate balance capable of producing multiple forms and configurations.

Finally, the question of political participation is a great challenge in contemporary Islamic political thinking. In the confrontation of God's and people's sovereignties, no Muslim thinker doubts that God is, of course, the sovereign. But there are inevitably rival interpretations of what it amounts to. These interpretations tried, in an uneasy manner though, to extend the absolute sovereignty and the supreme authority of God to the people, to the extent that they were able to; incorporate the popular institutions of Western democracy into the interpretation of the religion, and harmonize the latter with the principle of 'majority rule'; and finally, to rediscover Islamic principles and values that would provide the basis for democratic institutions

within the framework of the Islamic law. While the philosophy of liberalism behind democracy is, rather inclusively, rejected, democracy itself and its tangible advantages, as a pattern of administration, is more or less condoned. Political participation in the form of representative and constitutional governments and even party pluralism, I assume, has been one of the most attractive advantages of democracy for many Muslim scholars, and is going to find its place as an integral part of modern Islamic political thought and practice. It should be admitted, however, that there are still many questions as to the specific nature and degree of popular participation which has remained uncertain, or even unanswered./

NOTES:

Chapter One

1. S. E. Finer, *Comparative Government*, Penguin Books, 1980, p.42.

2. Roy C. Macridis, *Modern Political Regimes, Patterns and Institutions*, Little, Brown and Company, Boston, 1986, p.52-3.

3. See, for instance, David Held, *Models of Democracy*, Polity Press, Cambridge, 1995, pp.254-61, where he discusses the model he coined 'Participatory Democracy' as stated in the ideas of Pateman, Macpherson and Poulantzas.

4. R. Hague, M. Harrop and S. Breslin, *Comparative Government and politics*, Macmillan, London, 1994, p.159.

5. The question of political participation is discussed in virtually all books in the field of politics and comparative governments. For a detailed study, however, see: S. Verba, N. Nie, and J. Kim, *The Modes of Political Participation: A Cross-National Comparison*, Beverly Hills, California, 1975; and, Lester W. Milbrath, *Political Participation, How and Why Do people Get Involved in Politics?*, Rand McNally & Company, Chicago, 1965.

6. Seyed Hosein Nasr, *Ideals and Realities of Islam*, George Allen & Unwin Ltd., London, 1966, p.16.

7. See also verses: 2:120, 6:62, 9:116, 12:40, 12:67, 29:22, 32:4, 42:31, and so on.

8. Nasr, *op.cit.*, p.93.

9. A. N. Baqirshahi, 'Western and Islamic Concept of Man', in Message of Thaqalayn, vol.2, no.2, April 1995, p.89.

10. The matter of first sin and the expulsion of Adam and Eve from Paradise, as stated in the Qur'an, is attributed to the forgetfulness and negligence of Adam and Eve, not to the sinfulness and impurity of their nature. Therefore, when Adam repented, God forgave him. The Qur'an says:

> And certainly We gave a commandment to Adam before, but he forgot... Satan made an evil suggestion... Then they both ate of it [the forbidden fruit] ...and Adam disobeyed his Lord, and allowed himself to be seduced... Then his Lord chose him, so He turned to him and guided [him] (20:115-122).

11. Baqirshahi, *op.cit.,* p.89.

12. Muhammed S. El-Awa, *On the Political System of the Islamic State,* American Trust Publications, 1978, p.103.

13. W. Montgomery Watt, *What is Islam,* Longsman, London, 1968, p.185.

14. Muhammad. T. Ja'afari, *Hekmat Osoul Siyasi Islam (Philosophy of political principles in Islam),* Teheran, 1990, p.48.

15. Bernard Lewis, 'Politics and War', in Joseph Schacht (ed.), *The legacy of Islam,* Oxford University Press, Second edition, 1974, p.156.

16. There are also a number of Muslim scholars who do not believe that politics is an integral part of the religion. See Nazih Ayubi, *Political Islam, Religion and Politics in the Arab World,* Routledge, London, 1991, chapter nine. See also Bassam Tibi, 'Major themes in the Arabic Political Literature of Islamic Revivalism 1970-1985', in ICMR (Issues in Christian-Muslim Relations) vol. 3, no. 2, December 1992, p.183ff.

17. See also the Qur'anic verses: 61:9, 21:72-73, 2:124,214 and 16:36.

18. Hamid Enayat, *Modern Islamic Political Thought,* The Macmillan Press Ltd., London, 1982, p.1-2.

19. "You have in the Messenger of Allah an noble paradigm, for him who hopes to meet with Allah and the Last Day, and who remember Allah much (33:21)."

20. Sir H. A. R. Gibb, *Mohammadanism,* Oxford University Press, 1969, p.19.

21. Bernard Lewis, *The Arabs in History,* Oxford University Press, 1993, p.38.

22. W. Montgomery Watt, *Islam and the Integrity of Society,* Routledge & Kegan Paul. London, 1970, p.19.

23. For the full text of the document see: Alfred Guillaume, *The life of Mohammed, A translation of Ibn Ishaq's Sirat Rasul Allah,* Oxford University Press, London, 1970, pp.231-3; also, W. Montgomery Watt, *Muhammad at Medina,* Oxford University Press, London, 1962, pp.221-5. Watt has brought the document under 47 articles. Some of its main articles are:

> - Believers are against whoever of them acts wrongfully or seeks (? plans) an act that is unjust or treacherous or hostile or corrupt among the believers; their hands are all against him, even if he is the son of one of them.
> - A believer does not kill a believer because of an unbeliever, and does not help an unbeliever against a believer.
> - Whoever of the Jews follows us has the [same] help and support [as the believers], so long as they are not wronged [by him] and he does not help [others] against hem.
> - The peace of the believers is one; no believer makes peace apart from another believer, where there is fighting in the way of God, except in so far as equality and justice between

them [is maintained].
- Wherever there is anything about which you differ, it is to be referred to God and to Mohammed.
- To the Jews their religion and to the Moslems their religion.
- No one of them [those belonging to *Ummah*] may go out [to war] without the permission of Mohammed.
- Between them [the people of this document] is help against whoever suddenly attacks *Yathrib* [Medina].

24. Bernard Lewis, *op.cit.*, p.45.

25. For the political life of Muhammad while he was in power in Medina, see two well known works of W. Montgomery Watt, *Muhammad at Medina*, Oxford University Press, London, 1962; and *Muhammad, Prophet and statesman*, Oxford University Press, London, 1964. Two historic books of: Tabari, *The History of al-Tabari*, State University of New York Press, Albany, 1990 (volumes VII, VIII and IX); and Alfred Guillaume, *op.cit.*, (p.219 ff); are also recommended.

26. M. Lapidus, *A History of Islamic Societies*, Cambridge University Press, Cambridge, 1988, p.33.

27. El-Awa, *op.cit.*, p.87.

28. Alfred Guillaume, *op.cit.*, p. 294.

29. J. B. Glubb, *The Life and Times of Muhammad*, Hodder and Stoughton, London, 1970, p.184; Martin Lings, *Muhammad, his Life based on the earliest sources*, George Allen & Unwin, London, 1983, p.143; A. Guillaume, *op.cit.*, p.307.

30. Martin Lings, *op.cit.*, pp.173-4. See also A. Guillaume, *op.cit.*, pp.371-2.

31. M. Lings, *op.cit.*, p.216.

32. J. B. Glubb, *op.cit.*, p.246.

33. Ignaz Goldziher, *Introduction to Islamic Theology and Law*, trans. Andras and Ruth Hamori, Princeton University Press, Princeton, 1981, pp.50-1.

34. Abu,1-fadl Ezzati, *An Introduction to Shi'i Islamic Law and Jurisprudence*, Ashraf Press, Lahore, 1976, p.104.

35. Allameh Ja'afari, an eminent Shiite philosopher of our time, told me, in an interview (Sheffield, May 1995), that there is actually no difference between Shiite Muslims (in the period of Occultation) and Sunni Muslims in respect to the method according to which the head of the Islamic state is chosen. *Ahl al-hall wal-'aqd* who are the representatives of the people and have been chosen by them would appoint the ruler on the basis of *shura* (consultation).

36. Youssef M. Choueiri *Islamic Fundamentalism*, Printer Publishers Limited, London, 1990.

37. Anthony Hyman *Muslim Fundamentalism*, Conflict Studies, No. 174, n.d.

38. John L. Esposito, *Islam, The Straight Path*, Oxford University Press, New York, 1991; and *The Islamic Threat, Myth or Reality*, Oxford University Press, New York, 1992.

Chapter Two

1. A. K. S. Lambton, 'Islamic Political Thought', in Joseph Schacht and C. E. Bosworth (eds.), *The legacy of Islam*, Oxford University Press, 1974, p.411.

2. Hamilton A. R. Gibb, 'Al-Mawardi's Theory of the Caliphate', in Stanford J. Shaw and William R. Polk (eds.), *Studies on the Civilization of Islam*, Routledge & Kegan Paul Limited, London, 1962, p.141.

3. Sir Thomas Arnold, *The Caliphate*, Routledge & Kegan Paul Ltd., London, 1965, p.74.

4. H. Gibb, *op.cit.*, p.154-5.

5. Muhammed S. El-Awa, *On the Political System of the Islamic State*, American Trust Publications, Indianapolis, 1980, p.37.

6. S. T. Arnold, *op.cit.*, p.19.

7. Mawardi, *Al-Ahkam al-Sultaniyyah*, quoted from: Bernard Lewis, *Islam, from the Prophet Muhammad to the capture of Constantinople*, vol. I: *Politics and War*, Harper & Row, 1974, p.174.

8. Many Islamic and other sources have dealt with the details of what took place in *Saqifah* meeting. See, for instance: Alfred Guillaume, *The life of Muhammad, A translation of Ibn Ishaq's Sirat Rasul Allah*, Oxford University Press, London, 1970, pp.683-7; Duncan B. Macdonald, *Development of Muslim Theology, Jurisprudence and Constitutional Theory*, The Premier Book House, Lahore, 1964, pp.7-13; and, Tabari, *The History of al-Tabari*, vol. IX, *The last years of the Prophet*, trans. Ismail K. Poonawala, State University of New York Press, Albany, 1990, p.183-206.

9. These two *bay'ahs*, specially the second one known as the second pledge of *al-Aqabah* or the Pledge of War in which a group of seventy Medinans recognised Muhammad as their religious as well as military leader, are in effect the foundation stone of the Islamic state in Medina. By such *bay'ahs* the Medinans pledged

themselves to defend Muhammad as they would defend their own kin. See W. Montgomery Watt, *Islam and the Integrity of Society,* Routledge & Kegan Paul, London, 1970, p.18.

10. *Khutbah* is an address or sermon given during the Friday Prayer and some other Islamic festivals. In early times this was usually a pronouncement by the Caliph or his governors on political, military and similar issues. For more details see: *Encyclopedia of Islam,* vol. Five, p.74-75.

11. Arnold, *op.cit.,* p.171.

12. Lambton, *op.cit.,* p.409.

13. Ibn Khaldun, *The Muqaddimah,* trans. Franz Rosenthal, Princton University Press, 1967, pp.389-90.

14. Arnold, *op.cit.,* p.47-8.

15. Lewis, *op.cit.,* p.172.

16. Since in the time of Mawardi, the conception of 'Caliph' had been changed and the title meant 'the successor of God' instead of 'the successor of the Messenger of God', Mawardi was against the use of this title on the ground that only one who is dead or absent can have a successor, and God of course can never be supposed to be in either of these conditions (Arnold, *op.cit.,* p.51). As a result, he always used the phrase *Imam* (ruler) and not Caliph. This *Imam* should not be mistaken with the 'Imam', the word as used by the Shiites.

17. Lewis, *op.cit.,* p.173.

18. Mawardi, *al-Ahkam al-Sultaniyyah,* pp.5-7, quoted from: Arnold, *op.cit.,* p.71.

19. See Lambton, *op.cit.,* p.413-4.

20. The passage is quoted in both Lewis, *op.cit.,* p.179, and Gibb, *op.cit.,* p.143.

21. Gibb, *op.cit.,* p.143.

22. Lewis, *op.cit.,* p.173-4.

23. Ibn Khaldun, *op.cit.,* pp.396-402.

24. *Ibid.,* pp.394-5.

25. Arnold, *op.cit.,* p.72.

26. Patricia Crone and Martin Hinds, *God's Caliph, Religious authority in the first centuries of Islam,* Cambridge University Press, Cambridge, 1986, p.11. Crone and Hinds present a detailed study on this question.

27. Tabari, *The History of al-Tabari*, vol. XXIX, *Al-Mansur and al-Mahdi*, trans. Hugh Kennedy, State University of New York Press, Albany, 1990, p.131.

28. Arnold, *op.cit.*, p.129.

Chapter Three

1. Hamid Enayat, *Modern Islamic Political Thought*, The Macmillan Press Ltd., London, 1982, p.52.

2. *Ibid.*

3. When the Abbasid Caliphate was extinguished by the Mongols in 1258, the few remaining members of the family escaped to Cairo and continued a kind of nominal Caliphate under the authority of Mamluk sultans of Egypt. When Ottomans conquered Egypt, the last Caliph was carried off in 1517 by Sultan Salim. See Halil Inalcil, 'The Rise of the Ottoman Empire', in *The Cambridge History of Islam*, vol. I, Cambridge University Press, London, 1970, pp.320-2.

4. C. E. Bosworth, *Islamic Dynasties*, Edinburgh University Press, Edinburgh, 1967, p.10.

5. Bernard Lewis, *The Emergence of Modern Turkey*, Oxford University Press, London, 1961, p.397.

6. D. Sourdel, 'The History of the Institution of the Caliphate', in *The Encyclopedia of Islam*, vol. IV, Leiden, 1978, p.946.

7. Geoffrey Lewis, *Modern Turkey*, Praeger Publishers, New York, 1974, p.86.

8. *Ibid.*, p.87.

9. *Ataturk*, Turkish National Commission of UNESCO, 1963, p.140.

10. Sir Thomas Arnold, *The Caliphate*, Routledge & Kegan Paul Ltd., London, 1965, p.180.

11. Bernard Lewis, *op.cit.*, p.258.

12. Arnold, *op.cit.*, p.180.

13. For more details about the document see: Sylvia G. Haim, 'The Abolition of the Caliphate and its Aftermath', in Arnold, *op.cit.*, pp.210-18.

14. *Ibid.*, pp.210-11.

15. *Ibid.*, p.240.

16. *Ibid.,* p.241. For the full text of the Resolution see: A. J. Toynbee, *Survey of International Relations,* 1925, vol. I, *The Islamic World since the Peace Settlement,* London, 1927, pp.576-8.

17. Enayat, *op.cit.,* p.61.

18. *Ibid.*

19. Haim, *op.cit.,* p.244.

20. Majid Khadduri, 'The Islamic Theory of International Relations and its Contemporary Relevance', in J. Harris Proctor, *Islam and International Relations,* Pall Mall Press, London, 1965, p.30. The stages are: 1. City-state stage (622-32), 2. The imperial stage (632-750), 3. The universal stage (750-900), 4. The decentralization stage (900-1500), 5. The fragmentation stage (1500-1918), and 6. National stage (1918-).

21. Jalal ad-Din as-Suyuti, *Husn ul-Muhadarah,* vol. II, pp.53-7, quoted in Arnold, *op.cit.,* p.82.

22. Khadduri, *op.cit.,* p.32.

Chapter Four

1. Edward Mortimer, *Faith and Power, The Politics of Islam,* Faber and Faber, London, 1982, p.109.

2. J. L. Esposito, *Islam, The Straight Path,* Oxford University Press, New York, 1994, p.126.

3. There are a great number of Persian literature in which Seyed Jamal's Iranian nationality is discussed and the related documents, including his Iranian diplomatic passport, is revealed. See, for example, Muhammad Muhit Tabatabai, *Seyed Jamal al-Din Asadabadi va Bidari-e Mashriq Zamin,* Daftar-e Nashr-e Farhang-e Islami, 1370 (1991), pp.222-41. Many Western writers have also admitted his Iranian origin. For instance, see his chief biographer Edward G. Brown, *Persian Revolution of 1905-1909,* Frank Cass & Co. Ltd., 1966, pp.3-4; and, J. L. Esposito, *The Islamic Threat, Myth or Reality,* Oxford University Press, New York, 1992, p.56.

4. A collection of the published issues of the paper has been repeatedly published and distributed in many Islamic countries and Europe. Seyed Jamal al-Din al-Hosaini al-Afghani and Muhammad Abduh, *Al-Urwat al-Wuthqa,* Al-Maktabata al-Ahliyah, Beirut, 1933.

5. See Edward Brown, *op.cit.,* particularly the first two chapters.

6. Said Bensaid, 'Al-Watan and Al-Umma in Contemporary Arab Use', in Ghassan Salame (ed.), *The Foundations of the Arab State*, Croom Helm, New York, 1987, p.173.

7. Jamal al-Din al-Afghani, 'Islamic Solidarity', in John J. Donohue and John L. Esposito, *Islam in Transition: Muslim Perspectives*, Oxford University Press, New York, 1982, pp.21-23.

8. Jamal al-Din al-Afghani, 'An Islamic Response to Imperialism', in *Ibid.*, pp.17-19.

9. Wilfred Cantwell Smith, *Islam in Modern History*, Princeton University Press, New Jersey, 1957, p.50.

10. Rashid Rida, *Tarikh al-Ustadh al-Imam al Shaikh Mohammed Abduh*, vol. I, Al-Manar Press, 1931, p.73.

11. Ahmad Amin, *Mofakher-e Shargh, Seyed Jamal al-Din Asadabadi*, Persian trans. S. H. Khosroshahi, Daftar-e Nashr-e Farhane Islami, Teheran, 1993, p.73.

12. *Ibid.*, pp.31-2.

13. Seyed Jamal, *Al-Radd ala al-Dahriyyin*, Al-Rahmaniyyah Press, Cairo, 1925, pp.82-90.

14. Charles C. Adams, *Islam and Modernism in Egypt*, Oxford University Press, London, 1933, pp.13-4.

15. Amin, *op.cit.*, p.59.

16. *Ibid.*, p.71.

17. Seyed Jamal, *Al-Urwat al-Wuthqa*, vol. I, Hajr Press, Teheran, p.73.

18. Amin, *op.cit.*, p.60.

19. Majid Khadduri, *Political trends in the Arab World, The Role of Ideas and Ideals in Politics*, The Johns Hopkins Press, London, 1970, p.29-30.

20. Amin, *op.cit.*, p.59.

21. Khadduri, *op.cit.*, p.30.

22. The theology school of Al-Azhar (or the Azhar University, as usually called) is the oldest centre of Islamic education. It was built in 970 and its reputation still is acknowledged throughout the world of Islam.

23. Adams, *op.cit.*, p.52.

24. See Articles 'Inhitat al-Moslimin' and 'Sunnat Allah fi al-Umam', in Al-Urwat al-Wuthqa, both reprinted in Rida, *Tarikh...*, vol. II, pp.244-49, and 325-31.

25. Abduh, *Risalat al-Tawhid*, 5th ed., Cairo, 1926-7, p.168.

26. *Ibid.,* p.142.

27. Abduh, *al-Islam wa al-Nasraniya ma al-Ilm wa al-Madaniyyah,* Al-Manar Press, Cairo, 1923, pp.51-53.

28. For Abduh's legal opinions (*fatwas*), see Rida, *Tarikh...,* vol. I, pp.464-716.

29. Rida, *Tarikh ...,* vol. I, p.43; and Adams, *op.cit.,* pp.39,135.

30. Adams, *op.cit.,* p.136.

31. Khadduri, *op.cit.,* p.63.

32. Adams says that Abduh was 'a great admirer of Herbert Spencer, the English philosopher, whom he visited in England, and translated his work on 'Education' from a French version to Arabic.' Adams, *op.cit.,* p.95.

33. Rida, *Tarikh...,* vol. II, p.480.

34. See Abduh, 'The Error of the Intellectuals', in Rida, *Tarikh...,* vol. II, pp.131-143.

35. Abduh, *Risalah...,* p.224.

36. Abduh, 'Open letter to an English clergyman', in Rida, *Tarikh...,* vol. II, p.515.

37. Hamid Enayat, *Modern Islamic Political Thought,* The Macmillan Press Ltd., London, 1982, p.135.

38. Abduh, *Risalah...,* p.175.

39. Rida, *Tarikh...,* vol. II, p.402.

40. Abduh, 'National Representation and Tyranny', in Rida, *Tarikh...,* vol. II, p.203.

41. *Ibid.,* p.203.

42. Adams, *op.cit.,* p.174-5.

43. *Ibid.,* p.175.

44. Amin, *op.cit.,* pp.49-50.

45. Amin, *op.cit.,* p.106.

46. Rashid Rida, 'Biography of Muhammad Abduh, in *Al-Manar,* vol. VIII, 1905, p.407.

47. *Ibid.,* p.413; and Rida, *Tarikh...,* vol. I, p.146.

48. *Ibid.,* p.416.

49. Rida, *Tarikh...,* vol. III, pp.247-8.

Chapter Five

1. For an account of Rida's biography see, C. Adams, *Islam and Modernism in Egypt,* Oxford University Press, London, 1933, pp.177-180.

2. Muhammad Rashid Rida, *Tarikh al-Ustadh al-Imam al Shaikh Muhammad Abduh,* vol. I, Al-Manar Press, Cairo, 1931, p.390.

3. Muhammad Rashid Rida, *Al-Manar,* vol. II. p.340.

4. Enayat believes that since his revised Caliphate theory was too idealistic to become into the reality in 1920s, his real intention had been to emphasize on the concept of Islamic state instead of the Caliphate. See Hamid Enayat, *Modern Islamic Political Thought,* The Macmillan Press Ltd., London, 1982, pp.70-79.

5. For a detailed study of the Rida's Caliphate theory see M. Kerr, *Islamic Reform,* University of California Press, California, 1966, pp.153-208; and A. Hourani, *Arabic Thought in the Liberal age,* Cambridge University Press, Cambridge, 1983, pp.222-44.

6. Perhaps this was because these classical writers, while justifying post-*Rashidun* practices, outwardly based their formulas in large part on the *Rashidun* record. Or maybe, as Enayat believes, 'his quotations from authoritative sources of the past transpire to be no more than precautionary lines of defence against possible orthodox attacks'. (Hamid Enayat, *op.cit.,* p.71.)

7. Muhammad Rashid Rida, *Al-Khilafa aw al-Imamat al-Uzma,* Cairo, (n.d.), p.10.

8. *Ibid.,* p.10.

9. *Ibid.,* p.11.

10. *Ibid.,* p.11.

11. *Ibid.,* p.13.

12. *Ibid.,* pp.13-15.

13. See *Ibid.,* p.118, where Rida discusses about the document published by Grand National Assembly of Turkey (see chapter three for more about the document).

14. *Ibid.,* p.32.

15. *Ibid.,* p.30.

16. Rida, *Al-Manar,* vol. XIV, pp.740-741.

17. Rida, *Al-Khilafah...,* p.129.

18. *Ibid.,* p.40.

19. *Ibid.,* p.25.

20. *Ibid.,* p.41.

21. *Ibid.,* pp.35-6, and 38.

22. *Ibid.,* p.38.

23. Analogy, or *qiyas,* together with *istihsan* (preferential interpretation) are the sources of religious knowledge in Sunni Islam after the Qur'an, *Sunnah* (the Tradition) and *ijma'.*

24. *Ibid.,* p.90.

25. Ali Abdul Raziq, *Al-Islam wa Usul al-Hukm,* Beirut, 1966, p.40.

26. *Ibid.,* p.46.

27. On Abdul Raziq and the question of *ijma',* see his book *Al-Ijma' fi sh-Shari'a al-Islamiyyah,* Cairo, 1947.

28. He refers to the verses 5:47-52 and 43:32.

29. Abdul Raziq, *Al-Islam...,* pp.102-3.

30. *Ibid.,* p.82.

31. Majid Khadduri, *Political Trends in the Arab World,* The Johns Hopkins Press, London, 1970, p.218.

32. Abdul Raziq, *Al-Islam...,* p.78.

33. *Ibid.,* p.81.

34. *Ibid.,* pp.167-77.

35. *Ibid.,* p.57.

36. *Ibid.,* pp.13-17 and 199.

37. *Ibid.,* p.201.

Chapter Six

1. Z. S. Bayyumi, *Al-Ikhwan al-Muslimun,* Cairo, 1979, p.90.

2. M. Khadduri, *Political Trends in the Arab World, The Role of Ideas and Ideals in Politics,* The Johns Hopkins Press, London, 1970, p.75.

3. The Liberation Rally was a government-supported political organization under the name of 'people's movement' to implement the slogan of 'unity' in Egypt. It was created in 23 January 1953, by Free Officers, to replace all parties which had been invalidated by government in 16 January.

4. For a full study of The Muslim Brotherhood's history, organization and ideology before 1970 see Richard P. Mitchell, *The Society of the Muslim Brothers*, Oxford University Press, London, 1969; and Christina P. Harris, *Nationalism and Revolution in Egypt, The Role of the Muslim brotherhood*, Mouton & Co., the Hague, 1964.

5. J. L. Esposito, *The Islamic Threat, Myth or Reality*, Oxford University Press, New York, 1992, p.132.

6. Hasan al-Banna, *Mudhakkirat Hasan al-Banna* (Memories of Hasan al-Banna), Cairo, 1949, p.65.

7. Fahmi Jadaane, 'Notions of the State in Contemporary Arab-Islamic Writings', in G. Salameh (ed.), *The Foundations of the Arab State*, Croom Helm, New York, 1987, pp.119-20.

8. Hasan al-Banna, *Majmu'at Rasa'il al-Imam al-Shahid*, Al-Mu'assasa al-Islamiyya, Beirut, 1981, p.274.

9. *Ibid.*, p.274.

10. Hasan al-Banna, *Majmu'at Rasa'il al-Imam al-Shahid*, Dar al-Ghalam, Beirut, n.d., p.358-9.

11. Banna, *Majmu'at...*, 1981, p.256.

12. Banna, *Majmu'at...*, n.d., p.358.

13. *Ibid.*, p.272.

14. *Ibid.*, pp.358-9.

15. *Ibid.*, p.363.

16. *Ibid.*, pp.284-5.

17. *Ibid.*, p.361.

18. *Ibid.*, p.377.

19. *Ibid.*

20. Mitchell, *op.cit.*, p.246.

21. Banna, *Maj nu'at...*, 1981, p.322.

22. Banna, *Majmu'at...*, n.d., p.274-5.

23. See al-Banna, *Da'watuna fi Tawr al-Jadid*, Cairo, n.d.

24. Khadduri, *op.cit.*, pp.76-7.

25. Mitchell, *op.cit.*, p.249.

26. Banna, *Majmu'at...*, n.d., p.287.

27. *Ibid.*, pp.287-290.

28. Said Bensaid, 'Al-Watan and Al-Umma in Contemporary Arab Use', in Salameh, *op.cit.*, pp.168-173.

29. Banna, *Majmu'at...*, n.d., p.280.

30. *Ibid.*, p.281.

31. *Ibid.*, pp.381-2.

32. Bensaid, *op.cit.*, p.171.

33. Banna, *Majmu'at...*, n.d., pp.352-7.

34. Banna, *Da'watuna...*, pp.11-12.

35. Sayyid Qutb, *Al-Mustaqbal li Hadha al-Din*, Holy Koran Publishing House, Beirut and Damascus, 1978, p.3.

36. Sayyid Qutb, *Social Justice in Islam*, *(Al-Adalah al-Ijtima'yah fi al-Islam)*, trans. John B. Hardie, American Council of Learned Societies, Washington, D.C., 1953, p.276.

37. Sayyid Qutb, *Maarakat al-Islam wa-al-Rasmaliyyah*, Dar al-Shuruq, Cairo and Beirut, 1978, p.36.

38. Qutb, *Social Justice...*, p.90.

39. *Ibid.*, p.88.

40. Qutb, *Maarakat...*, pp.95-7.

41. *Ibid.*, p.33.

42. *Ibid.*, pp.10-12.

43. *Ibid.*

44. Qutb, *Social Justice...*, p.227. See also pp.88-90, 248, 276.

45. Sayyid Qutb, 'Ma cheh migoyeem va cheh mikhahim' (What we say and what we demand), in *Ma cheh migoyeem*, ("What are we Saying", a Persian-translated collection of some Qutb's articles), S. H. Khosroshahi (ed.), Daftar-e Nashr-e Farhang-e Islami, Teheran, 1372 (1993), p.27-29.

46. *Ibid.,* p.32.

47. This book was written when Qutb was not influenced by the pressure of prison and torture of the government. It can better reflect his real ideas, I suppose. See endnote 36.

48. Qutb had a great deal of concern to discuss economic issues from an Islamic point of view. His ideas in this regard are also very characteristic in their turn. Many writers have found them close to those of socialism (for instance, see Enayat, *op.cit.,* p.205). For Qutb's economic ideas see his *Social Justice in Islam,* and *Maarakat....*

49. Qutb, *Social Justice...,* p.91.

50. *Ibid.,* p.91.

51. *Ibid.,* p.92.

52. *Ibid.,* p.93.

53. *Ibid.,* pp.93-4.

54. Qutb, *Ma cheh migoyeem va cheh mikhahim,* pp.29-30.

55. Qutb, *Social Justice...,* p.94.

56. *Ibid.*

57. *Ibid.,* p.95.

58. *Ibid.,* p.97.

59. *Ibid.,* p.98.

60. *Ibid.,* p.95-6.

61. *Ibid.,* p.95.

62. Sayyid Qutb, *Fi Zilal al-Qur'an,* vol. I, Dar al-Shuruq, Beirut and Cairo, 1981, p.511.

63. Sayyid Qutb, 'Faghat yek rah' (Only one way), in *Ma cheh migoyeem,* p.82.

64. Qutb, *Fi Zilal...,* vol. III, pp.1561-3.

65. Sayyid Qutb, 'Islam mobarezeh mikonad' (Islam fights), in *Ma cheh migoyeem,* pp.39-40.

66. Sayyid Qutb, *Ma'alim fi at-Tariq,* Dar al-Shuruq, Cairo and Beirut, 1989, p.21.

67. The word "*Islam*" in Arabic has literally two meanings: "to submit" and "peace".

68. Sayyid Qutb, *Islam wa Solh Jahani* (World Peace and Islam), a Persian translation of *as-Salam al-Alami wal-Islam* by S. H. Khosroshahi and Z. Ghorbani, Daftar-e Nashr-e Farhang-e Islami, Teheran, 1368 (1989), p.49.

69. *Ibid.*, p.50.

70. *Ibid.*, p.51.

71. *Ibid.*, p.52.

72. Yvonne Y. Haddad, 'Seyyid Qutb: Ideologue of Islamic Revival', in John L. Esposito (ed.), *Voices of Resurgence Islam*, Oxford University Press, New York, 1983, p.84.

73. Qutb, *Islam wa Solh...*, pp.195-6.

74. Qutb, *Islam mobarezeh...*, p.38.

75. Qutb, *Maarakat...*, pp.113-21.

76. Qutb, *Islam mobarezeh...*, p.37-41.

77. *Ibid.*, p.40.

Chapter Seven

1. Abul A'la Mawdudi, *Jama'at-i Islami, us ka maqsad, tarikh, awr laihi amal*, Markazi Maktabah Jama'at-i Islami, Lahore, 1953, p.5.

2. On the relations between Zia regime and the Jama'at see Seyyed Vali Reza Nasr, 'Islamic opposition to the Islamic state: The Jama'at-i Islami, 1977-1988', in International Journal of Middle East Studies, vol. 25, no. 2, May 1993, pp.261-83.

3. For a more detailed history of Mawdudi and the Jama'at-i Islami see: Mawdudi, *op.cit.;* Seyyed Vali Reza Nasr, 'Mawdudi and the Jama'at-i Islami: The Origins, Theory and Practice of Islamic Revivalism', in Ali Rahnema (ed.), *Pioneers of Islamic Revival*, Zed Books Ltd., London and New Jersey, 1994, pp.98-124; and Charles J. Adams, 'Mawdudi and the Islamic state', in John L. Esposito (ed.), *Voices of Resurgent Islam*, Oxford University Press, New York and Oxford, 1983, pp.99-111.

4. Abul A'la Mawdudi, *Political Theory of Islam*, Islamic Publications Ltd., Lahore, 1968, p.3.

5. *Ibid.*, p.13.

6. *Ibid.*, p.8.

7. *Ibid.*, p.14.

8. *Ibid.*

9. *Ibid.*, p.15.

10. *Ibid.*, p.18-19.

11. *Ibid.*, p.20.

12. *Ibid.*, p.22.

13. *Ibid.*

14. *Ibid.*, pp.22-3.

15. Abul A'la Mawdudi, *The Islamic Way of Life*, The Islamic Foundation, Leicester, 1986, p.31. See also Abul A'la Maududi, *First Principles of the Islamic State*, Islamic Publications Ltd., Lahore, 1967, p.27.

16. Mawdudi, *Political theory of Islam*, p.30.

17. *Ibid.*, p.32.

18. *Ibid.*, pp.32-3.

19. Abul A'la Mawdudi, *Islamic Law and Constitution*, Islamic Publications Ltd., Lahore, 1967, p.155.

20. The Qur'an, 24:55.

21. Maududi, *First Principles of the Islamic State*, pp.26-7.

22. Mawdudi, *Political theory of Islam*, p.35.

23. Mawdudi, *The Islamic Way of Life*, p.31.

24. Mawdudi, *Political theory of Islam*, pp.35-8.

25. *Ibid.*, pp.40-41; also, Abul A'la Mawdudi, *The Islamic State*, UK Islamic Mission Dawah Centre, Birmingham, 1994, p.24.

26. C. J. Adams, *op.cit.*, p.125.

27. Mawdudi, *Islamic Law and Constitution*, p.77.

28. Mawdudi, *Political Theory of Islam* p.41, and *The Islamic State*, pp.26-9.

29. Mawdudi, *Political Theory of Islam* pp.41-2.

30. *Ibid.*, p.43.

31. *Ibid.*

32. Vali Reza Nasr, *op.cit.*, p.107.

33. Hamid Enayat, *Modern Islamic Political Thought*, The Macmillan Press Ltd. London, 1982, p.102.

34. Abul A'la Mawdudi, *The Process of Islamic Revolution*, Islamic Publications Ltd., Lahore, 1955, pp.25-6.

35. *Ibid.*, pp.37-55.

36. *Ibid.*, p.62.

37. See Mawdudi's lecture on the question of *jihad* in: Abul A'la Mawdudi, *Khutabat* (Islamic Sermons), Kazi Publications, Chicago, 1977, chapter seven.

38. Mawdudi, *The Process of Islamic Revolution*, p.35.

39. Abul A'la Mawdudi, *Al-Islam al-Yawm*, Kuwait, 1973, p.62, quoted in Enayat, *op.cit.*, p.108.

40. Abul A'la Mawdudi, 'Nationalism and Islam', in Donohue and Esposito (eds.), *Islam in Transition, Muslim Perspectives*, Oxford University Press, New York and Oxford, 1982, p.94. The article is extracted from Mawdudi's *Nationalism and India*, Markazi Maktabah Jama'at-i Islami, Lahore, 1947.

41. *Ibid.*, pp.94-5.

42. Abul A'la Mawdudi, *Islam Today*, Chiragh-e-Rah Publications, Karachi, 1968, p.64.

43. Abul A'la Mawdudi, *Unity of the Muslim World*, Islamic Publications Ltd., Lahore, 1982, pp.19 and 34.

44. W. C. Smith, *Islam in Modern History*, Princeton University Press, Princeton and New Jersey, 1957, p.234.

45. Adams believes that Mawdudi was almost in all of his thought concerned with the theory and not with practice. Adams, *op.cit.*, p.118.

Chapter Eight

1. Taqiuddin An-Nabahani, *Nizam al-Hukm fi al-Islam*, al-Manar Press, Damascus, 1952, p.162.

2. *Ibid.*, p.56.

3. *Ibid.*, pp.121-2.

4. David Waines, *An Introduction to Islam,* Cambridge University Press, Cambridge, 1995, p.245.

5. Khilafah Magazine, supplement, 7 August 1994, p.10.

6. Kathy Evans, 'Radical time-bomb under British Islam', in The Guardian, 7 February 1994, p.6.

7. Taqiuddin An-Nabahani, *The Islamic State,* Al-Khilafah Publications, London, n.d., p.49.

8. *Ibid.,* p.229.

9. Hizb ut-Tahrir, *The War for Revival, The Methodology of Hizb ut-Tahrir for Change,* Al-Khilafah Publications, London, n.d., pp.35-40.

10. Nabahani, *The Islamic State,* p.228.

11. *Ibid.,* p.224.

12. *Ibid.,* pp.122 and 224.

13. *Ibid.,* p.224.

14. *Ibid.,* p.227.

15. *Ibid.,* p.228.

16. Nabahani, *Nizam al-Hukm...,* p.41. See also Khilafah Magazine, supplement, 7 August 1994, p.23.

17. Nabahani, *Nizam al-Hukm...,* p.29.

18. Nabahani, *The Islamic State,* p.138.

19. Nabahani, *Nizam al-Hukm...,* p.38-9.

20. Nabahani, *The Islamic State,* p.128.

21. *Ibid.*

22. *Ibid.*

23. Nabahani, *Nizam al-Hukm...,* p.115.

24. Hizb ut-Tahrir, *The Khilafah,* Al-Khilafah Publications, London, n.d., p.33. See also Nabahani, *Nizam al-Hukm...,* p.115.

25. *Democracy is Hypocrisy,* a bulletin produced by al-Khilafah Publications, n.d.

26. 'Shura, Not Democracy', in Khilafah Magazine, supplement, 7 August 1994, p.20.

27. *Ibid.,* pp.21-2.

28. *Ibid.,* p.22.

29. *Ibid.,* p.23.

30. On the question of *shura* and Nabahani see an article by Suha Taji-Farouqi in Qara'at Siyasiyya, WISE, USA, 1995.

31. G. H. Jansen, *Militant Islam,* Pan Books Ltd., London, 1981, p.151.

32. Nabahani, *The Islamic State,* p.129.

33. *Ibid.,* p.133.

Chapter Nine

1. Morteza Motahhari, *Imamat va Rahbary (Imamate and Leadership),* Entesharat Sadra, Teheran and Qom, 1372 (1993), p.50.

2. *Ibid.,* pp.51-4.

3. Sufism is the spirituality or mysticism of the religion of Islam. For an introduction see: Julian Baldick, *Mystical Islam, an Introduction to Sufism,* I.B.Tavris & Co Ltd., London, 1989.

4. Motahhari, *Imamat va Rahbary,* pp.55-8.

5. There are minor sects inside Shiite who believe in different number of Imams. Zaydis and Ismailis are the two most well known of them. The majority, however, are those believing in twelve Imams who are also often called 'the Twelvers'.

6. S. S. Akhtar Rizvi, *Imamate, the Vicegerency of the Prophet,* WOFIS, Teheran, 1985, P.105.

7. S. Husain M. Jafri, *Origins and Early Development of Shi'a Islam,* Longman, London and New York, 1979, p.50.

8. A.K.S. Lambton, *State and Government in Medieval Islam,* Oxford University Press, London, 1981, p.219.

9. Moojan Momen, *An Introduction to Shi'i Islam,* Yale University Press, New Haven and London, 1985, p.190.

10. Muhammad Taghi Ja'fari, *Hekmat Osoul syasi Islam (Philosophy of political principles in Islam),* Bonyad-e Nahj al-Balagheh, Teheran, 1369 (1990), p.59.

11. Shaikh Morteza Ansari, *Makaseb,* Tabriz, a.h. 1375, p.154; quoted in N. Salehi, *Vilayat-e Faqih, Hokumat-i Salihan,* Rasa, Teheran, 1363 (1984), p.198.

12. Muhammad Jawad Maghniyah, *Al-Khomeini wa ad-Dolat al-Islamiyah*, Beirut, 1979, pp.59-71.

13. Molla Ahmad Naraghi, *Awayed al-Ayyam*, chapter of 'Tahdid Welayat al-Hakim'.

14. Hossein Ali Montazeri, *Dirasat fi Wilayat al-Faqih wa Fiqh al-Dawla al-Islamiyah*, vol. One. The book is translated from Arabic into Persian under the title: *Mabani-e Feqhi-e Hokumat-i Eslami*, trans. M. Salavati, Nashr-e Tafakkor, Qum, 1369 (1990).

Chapter Ten

1. One of the well known treatises of Khomeini in this subject is *Misbah al-Hidaya* (Light of Guidance) written in Arabic.

2. Hamid Algar, 'Religious Forces in Twentieth Century Iran', in *The Cambridge History of Iran*, vol. VII, Cambridge University Press, Cambridge, 1991, p.751.

3. Reza Shah, the former Shah's father, was the founder of the Pahlavi dynasty in Iran, following a coup d'etat in 1921 which had brought him to power. He kept the appearances of constitutional monarchy, but initiated a despotic system in a modern guise.

4. Algar, *op.cit.*, p.753.

5. Nikki Keddie summarizes the effects of the White Revolution as 'to lay the base for a state-dominated capitalism in city and countryside.' Nikki Keddie, *Roots of Revolution*, New Heaven and London, 1981, p.156.

6. For a full account of the events at *Gauhar Shad* see Vahid Sina, *Qiyam-i Gauhar Shad*, Teheran, 1361 (1982).

7. Imam Khomeini, *Sahife-ye Nour*, (Collected messages, speeches and interviews), vol. I, Vezarat-e Ershad-e Eslami, Teheran, 1361 (1982), p.54. For an English translation of the speech see Imam Khomeini, *Islam and Revolution; Writings and Declarations*, translated and annotated by Hamid Algar, KPI Limited, London, 1985, pp.177-180.

8. *Selected Messages and Speeches of Imam Khomeini*, The Ministry of National Guidance, Teheran, n.d., p.34.

9. For the full text of this speech in Persian see Khomeini, *Sahife-ye Nour*, vol I, pp.102-108. For an English translation see Imam Khomeini, *Islam and Revolution...*, pp.181-88.

10. The tragedy of *Karbala* on the tenth day (*Ashura*) of the Islamic month of Muharram in 680 is the paradigmatic event of Shiite history. In this event, the third Imam of Shiite, Husayn the son of Ali, and his only 72 companions were massacred in an unequal battle against the army of Yezid, the second Umayyad Caliph. Remembrance of the tragedy of *Karbala* and Husayn's martyrdom is a cornerstone of faith, personal and communal identity, and piety for Shiites. It accounts for the special vision and character of Shiite Islam as a disinherited, oppressed community, loyal to God and His Prophet, struggling throughout history to restore God's rule and a just society. The 'passion' of Husayn symbolized the historic struggle between the forces of good and evil, God and Satan, and the eschatological hope and belief in the ultimate triumph of justice over tyranny when the Imam Mahdi will return.

11. Imam Khomeini, *Hokumat-e Eslami*, publisher unknown, 1971, p.158.

12. For more on the life of Khomeini and the Islamic Revolution of Iran, see Sayyid Hamid Rowhani, *Barrasi va Tahlili az Nahzat-i Imam Khomeini*, Teheran, 1363 (1985). See also Nikki Keddie, *op.cit.;* Hamid Algar, 'Imam Khomeini, 1902-1962: The Pre-revolutionary Years', in Ira Lapidus and Edmund Bruke (eds.), *Islam, Politics and Social Movements*, Berkeley, 1988, pp.263-88; and Hamid Algar, 'Religious Forces in Twentieth Century Iran', in *The Cambridge History of Iran*, vol. 7, Cambridge University Press, Cambridge, 1991, pp.732-64.

13. 'Islamic Government' is a translation of the original Persian title, *Hokumat-i Eslami*. The book appeared in numerous clandestine editions before the revolution. The one I am referring to in the text is printed by an unknown publisher in 1971. For English translation see: Imam Khomeini, *Islamic Government*, Manor Books, Arlington, 1979. A more accurate and reliable translation is made by Hamid Algar in: Imam Khomeini, *Islam and Revolution...*, pp.27-166.

14. The book is originally written in Arabic. The chapter in question is separately translated into Persian as: Imam Khomeini, *Shuo'on va Ekhteyarat-i Vali-e Faqih (The Responsibilities and Authorities of Islamic Religious Jurisprudent)*, Vezarat-e Farhang va Ershad-e Eslami, Teheran, 1369 (1990).

15. Khomeini, *Hokumat-e Eslami*, p.6.

16. *Ibid.*, pp.6-7.

17. *Ibid.*, pp.39 and 56.

18. *Ibid.*, pp.7-25.

19. *Ibid.*, pp.27-43.

20. *Ibid.*, pp.52-3.

21. *Ibid.*, p.53.

22. *Ibid.*, p.55.

23. *Ibid.*, p.58.

24. Khomeini, *Shuo'on va Ekhteyarat-i Vali-e Faqih,* p.30.

25. Khomeini, *Hokumat-e Eslami,* pp.59-60.

26. *Ibid.*, p.61.

27. *Ibid.*, pp.63-4.

28. *Ibid.*, pp.64-5.

29. *Ibid.*, p.70.

30. *Ibid.*, p.67.

31. *Ibid.*, p.60.

32. Khomeini, *Shuo'on va Ekhteyarat-i Vali-e Faqih,* p.33.

33. *Ibid.*, p.111.

34. *Ibid.*, pp.111-12.

35. Salihi Najafabadi, *Vilayat Faqih, Hokumat-i Salihan,* Rasa, Teheran, 1363 (1984), p.123. For an English review of the book see: Ahmad Kazemi Moussavi, 'A New Interpretation of the Theory of Vilayat-i Faqih', in Middle Eastern Studies, vol.28, no.1, January 1992, pp.101-107.

36. Ayatollah Hoseinali Montazeri, *Mabani-e Feqhi-e Hokumat-i Eslami,* translated from Arabic to Persian by M. Salavati, Nashr-e Tafakkor, Qum, 1369 (1990), vol. two, pp.286-7.

37. Khomeini, *Hokumat-e Eslami,* p.65.

38. *Ibid.*, p.127.

39. *Ibid.*, pp.137-8.

40. *Ibid.*, pp.53-4.

41. Khomeini, *Sahife-ye Nour,* vol. III, p.47; also pp.102, 156 and 257.

42. *Ibid.*, vol. IV, p.207. For English translation see Khomeini, *Islam and Revolution...,* p.246.

43. *Ibid.*, vol. V, p.7; and *Islam and Revolution...,* p.259.

44. *Ibid.*, pp.233-4; and *Islam and Revolution...,* pp.265-7.

45. *Ibid.*, p.236.

46. *Ibid.,* vol. III, p.42.

47. *Ibid.,* p.53.

48. *Ibid.,* p.96.

49. *Ibid.,* p.270.

50. *Ibid.,* vol. II, p.280.

51. In an interview with Hamid Algar on January 2, 1980; Khomeini, *Islam and Revolution...,* p.343.

52. See, for instance, Khomeini, *Sahife-ye Nour,* vol. II, p.280; vol. III, p.97; and also *Selected Messages...,* p.26.

53. See, for example, Khomeini, *Sahife-ye Nour,* vol. III, pp.88, 100 and 178.

54. See *ibid.,* vol. II, p.280, for example.

55. See *ibid.,* vol. II, p.255; vol. III, pp.27, 43, 105, 52, 75, etc.; and *Islam and Revolution...,* p.337.

56. *Ibid.,* vol. III, pp.49, 82, 92, 101, and ....

57. *Ibid.,* vol. III, pp. 48, 53, 75, 88, 95, 103, 159, 257, and so on.

58. Khomeini, *Hokumat-e Eslami,* p.93.

59. Khomeini, *Islam and Revolution...,* p.342.

60. Khomeini, *Sahife-ye Nour,* vol. II, p.205.

61. The Constitution of the Islamic Republic of Iran, article 111.

Chapter Eleven

1. For an English translation of the first text of the Constitution see: *The Constitution of the Islamic Republic of Iran,* trans. Hamid Algar, Berkeley, 1980. For the final revised text see: *The Constitution of the Islamic Republic of Iran,* Islamic propagation Organization, Teheran, 1990.

2. Imam Khomeini, *Islam and Revolution; Writings and Declarations,* translated and annotated by Hamid Algar, KPI Limited, London, 1985, p.342.

3. For duality of sovereignties in the Constitution of the Islamic Republic of Iran see Sami Zubaida, 'An Islamic State? The Case of Iran', in Middle East Report (MERIP), no. 153, vol. 18, no. 4, July-August 1988, pp.3-7.

4. The article also includes the assets of the President and his deputies and ministers, as well as their spouses and offspring.

Chapter Twelve

1. Sir Sayid Ahmad Khan (1817-1898) believed that Islam was the religion of reason and nature. There could be no contradiction between the word of God and the work of God (nature). These premises, reason and the laws of nature, governed Ahmad Khan's interpretation of the Qur'an and Sunnah. Though he maintained that the Qur'an was the final authority, in practice his rationalist approach meant that where a seeming conflict existed between text and reason, reason prevailed. Nevertheless, his strong affinity for the West, symbolized by his adoption of a European lifestyle and his acceptance of knighthood from Queen Victoria of England, undermined his influence.

For the life and works of Sayid Ahmad Khan, see Shan Muhammad, *Sir Sayed Ahmad Khan, A Political Biography,* Meenakshi Prakashan, Meerut, 1969. See also Hafeez Malik, *Sir Sayyid Ahmad Khan and Muslim Modernization in India and Pakistan,* Columbia University Press, New York, 1980.

2. Muhammad Iqbal (1875-1938), poet, philosopher, lawyer, political thinker, and Muslim reformer, is a great figure in twentieth-century Islam. The inner nature of Islam, for Iqbal, was dynamic and creative. Drawing on his Islamic heritage and influenced by his study of Western philosophy, he developed his own synthesis and interpretation of Islam in response to the socio-historical conditions and events of his time. For Iqbal, the relationship of God to Islamic society and the Muslim to society incorporates both permanence and change. The individual, the basic unit of Muslim society, is Qur'anically (2:30) charged as God's vicegerent with the mission of carrying out God's will on earth. Convinced that the survival of Islam and the Muslim community's role as a political and moral force were dependent on the centrality of Islamic law, Iqbal emphasized on the need for establishing the Islamic state.

Iqbal's central emphasis upon equality and brotherhood led to his conclusion that democracy was the most important political ideal of Islam. This democratic ideal, which existed for the first thirty years of Islamic history, had disappeared with Islam's political expansion. The fostering of this democratic spirit is one of the duties of the Islamic community which historical circumstances had prevented.

Iqbal's recognition of democracy as an ideal form should not be equated with a complete acceptance of democracy as existed and functioned in the West. He believed that the success of a democratic system was contingent upon the preparedness of its members and was always subject to God's law. A democratic system might be less than ideal given the constituents of the society. Thus, rejecting the absolute

democracy of undeveloped individuals, Iqbal emphasized on the need for the guidance of a great leader. This great leader, as Iqbal described him, assimilates the 'Perfect Man' of Islamic mysticism.

There are a huge body of literature about Iqbal and his ideas. For a brief study of his political thought see, John L. Esposito, 'Muhammad Iqbal and the Islamic State', in J. L. Esposito (ed.), *Voices of Resurgent Islam*, Oxford University Press, New York, 1983, pp.175-190. See also Iqbal's renowned book: Muhammad Iqbal, *The Reconstruction of Religious Thought in Islam*, Lahore, 1968.

3. See his two well-known anti-despotism books: Abd ul-Rahman al-Kawakibi, *Taba'i al-Istibdad (The Natures of Despotism)*, Matba'ata al-Ma'aref, Cairo, 1904; and *Umm al-Qura'*, Cairo, n.d. A Persian translation of the former is published by Nashr-e Tarikh-e Iran, Teheran, 1364 (1985). Kawakibi maintained in this book that the political system of Islam is based on a combination of democracy and aristocracy (pp.30-31 of Persian trans.). By aristocracy he meant a consultative body of influential elites. Establishing representative assemblies by modern nations, he claimed elsewhere in the book (pp.91-92), was in total harmony with the Qur'anic command of "Let there arise out of you a band of people, inviting to all that is good, enjoining what is right, and forbidding what is wrong" (3:104).

For a discussion of Kawakibi's life and works, see Khaldun S. al-Husri, *Three Reformers*, Beirut, 1966, pp.55-112; Albert Hourani, *Arabic Thought in the Liberal age, 1798-1939*, Cambridge University Press, Cambridge, 1983, pp.271-73; and, Hamid Enayat, *Seyri dar Andishe-e Siyasi-e Arab*, Amir Kabir, Teheran, 1370 (1991), pp.160-179.

4. Mustafa Abdul Raziq (1885-1947) was of a belief that the basic principles of Islam have been laid down to achieve the individual's welfare and inner satisfaction in accordance with reason and free will. See his book: Mustafa Abdul Raziq, *Al-Din wa al-Wahi wa al-Islam (Religion, Revelation and Islam)*, Cairo 1945. For a brief account of his life and works, by his brother Ali, see: Ali Abdul Raziq, *Min Athar Mustafa Abdul Raziq (Some Posthumous Writings of Mustafa Abdul Raziq)*, Cairo, 1957.

5. Khalid Muhammad Khalid saw Islam essentially a social system, inherently rational and democratic. See his book: Khalid M. Khalid, *Min Huna Nabda' (From Here We Start)*, Cairo, 1950.

6. For the Constitutional Revolution of 1906 in Iran see Edward G. Brown, *Persian Revolution of 1905-1909*, Frank Cass & Co. Ltd., 1966.

7. Ayatollah Seyed Ali Khamene'i succeeded the late Khomeini, in 5 June 1989, as the *Vali-e Faqih* and the leader of the Islamic Republic of Iran. In response to a written question of mine he wrote: *'Vilayat-i Faqih* (the governance of jurisprudent) is a divine appointment granted to the qualified Faqih by the Infallible Imams.' (October 1995)

8. See his book *Ommat va Emamat (The Community and the Imamate)*, n.p., n.d.. See also *Tashayo'-e Alavi va Tashayo'-e Safavi (Alid Shiite and Safavid Shiite)*, n.p., n.d., pp.273-4, in which he maintains that:

> But at the time of the [Imam's] Occultation, as there was no prophet and the Imam was absent, the mission of the prophets and Imams fell upon the people themselves, and it is the people themselves who should learn Islam, put in practice the fundamental ideas of Islam, form Islamic society, and guide the people. Muslims must defend Islam, its power and unity, ...make the effort of interpretation (*ijtihad*), and oblige one group among them to specialize in the theoretical knowledge of Islam, the deducing of Islamic laws, and the resolution of the problems of society and the events of the time. They should confide to this group social and ideological leadership as well as responsibility for people's destiny. This group can decide the best, most honourable, most conscientious, most enlightened, and purest person for their guidance. And they can elect from among themselves some one in place of the Imam -which is the place of the Prophet of Islam! And they would invest him. In the execution of his heavy responsibilities -which are those of the Imamate- the people feel a permanent and direct responsibility and build the government of wisdom, of engaged wisdom, as Plato wished... That is to say that the one who was chosen by God in the period before the Occultation (i.e., the Prophet and the Imams), during the Occultation is chosen by the people.

9. He has published a good number of articles in this subject. See, in particular, 'Hokumat-e Democratic-e Dini? (Religious Democratic Government?)', in Kiyan, no.11, Teheran, April-May 1993; and, 'Modara va Modiriyyat-e Mo'menan (The Tolerance and Administration of Believers)', in Kiyan, no.21, Sep-Oct 1994.

10. Simon Louvish, *The Fundamental Question*, Channel 4 Television, London, 1994, p.15.

11. For a brief study of his overall political though, see his interviews with Salih Darvish published in a book form: Rashid al-Ghannoushi, *Hawarat Ghasa Salih al-Darvish*, Khalil Media Service, London, 1992. See, in particular, the chapter entitled "Liberalism, Communism and Democracy", pp.60-72. See also another collection of his interviews, *Harekat-e Imam Khomeini va Tajdid-e Hayat-e Islam*, Moasseseh-e Ettela'at, Teheran, 1372 (1993).

12. Al-Minqaz, 22/12/1991.

13. For more on the Islamic state in Turabi's view see, Hassan al-Turabi, 'The Islamic State', in Esposito J. L., *Voices of Resurgent Islam*, Oxford University Press, New York, 1983, pp.241-51. For his reformist ideas, in general, see: Hassan Al-Turabi,

Tajdid al-Fikr al-Islami, Dar al-qarafi len-Nashr wa at-Tawzi'e, al-Maghrib, 1993.

14. Sadiq al-Mahdi, 'Islam -Society and Change', in Esposito, *op.cit.,* pp.230-40.

15. See his interview with Robin Wright in <u>Los Angeles Times,</u> 27th January 1995; republished in <u>The Guardian,</u> 1st February 1995.

16. See his books *Gabz-o Bast-e Theoric-e Shari'at (The Theoretic Expansion and Contraction of Shari'ah),* Moasseseh-e Farhangi-e Serat, Teheran, 1371 (1992); and *Farbeh-tar az Ideology (Wealthier than Ideology),* Moasseseh-e Farhangi-e Serat, Teheran, 1372 (1993).

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