



NATIONAL OPEN UNIVERSITY OF NIGERIA

SCHOOL OF ART AND SOCIAL SCIENCES

COURSE CODE: ISL 436

COURSE TITLE: ISLAMIC POLITICAL THOUGHT

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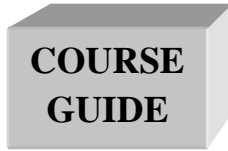
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Course Code/Title : Isl 436: Islamic Political Thought

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Introduction

You are welcome to ISL 436: Islamic Political Thought. This is a two-credit Units course for the Islamic studies students who are in the final year of their Bachelor of Arts Degree programme. The material has been developed to acquaint you with the concept and dynamics of Political Thought in Islam. This course guide gives you an overview of the Course. It also provides you with information on the organization and requirements of the course.

What you will learn in this course

The topics that will be treated in this Course include : Qur'ānic teachings on governance; the Prophetic model of governance in Madinah; the qualities of Ūlu' l-Amr (People in Position of Authority); *Shūrā*; meaning , model and scope; Detailed study of *al- 'Adlu wa 'l-Ihsān* (Q.16:90) in governance; and the Islamic perspectives on international relations. An examination of selected treaties, letters and covenants signed during the Prophetic era and subsequent Islamic governance of the *Salaf* (Early Muslim leaders).

Course Aims

The aims of this course are to help you to understand Qur'ānic and prophetic teachings on governance in Islam.

Course Objectives

To achieve the aims set out above, ISL 436 has overall objectives for the course as a whole. These are not the same with the specific objectives which are at the beginning of each unit and upon which you are advised to read before you start working through the unit. You may want to refer to them during your study of the unit to check your progress. Presented below are the wider objectives of the course. By meeting these objectives, you regard yourself as having met the aims of the course. On successful completion of the course, you should be able to:

- i. identify some Qur'ānic teachings on governance;
- ii. explain the prophetic model of governance;
- iii. List some qualities of Ulu'l Amr;
- iv. describe the concept of *Shūrā*, its meaning, mode and scope;
- v. Discuss *al-Adlu wa 'l-Ihsān* in *Qur'ān* 16:90;
- vi. Explain the Islamic perspectives on international relations;
- vii. Examine selected treaties, letters and covenants signed during the Prophetic era and subsequent Islamic governance of the *salaf*.
- viii. Expound al-Mawardi's life and political thought
- ix. Appraise al-Farābī's concept of ideal state and qualities of an ideal ruler
- x. Elaborate the theory of power state of Ibn Khaldun
- xi Expatiate upon the juridical theory of al-Ghazālī
- xii Discuss the political – theological thoughts of the Khawārij and the Shī 'ah

Working through this Course

To complete the course, you are required to read the study units and other related materials. You will also need to undertake practical exercises for which you need a pen, a notebook, and other materials that will be listed in this guide. The exercises are to aid you in understanding the concepts being presented. At the end of each unit, you will be required to submit written assignments for assessment purposes. At the end of the course, you will write a final examination.

Course Materials

- The major materials you will need for this course are:
- Course Guide.
- Study Units
- Assignment file.
- Relevant textbooks including the ones listed under each unit.

Study Units

There are 15 units (of four modules) in this course. They are listed below:

Module 1 Qur'ānic Teachings and Prophetic Model of Governance

Unit 1: Qur'ānic Teachings on Governance

Unit 2: The Prophetic Model of Governance in Madinah

Unit 3: The Caliphate and its Significance

Unit 4: Governance of the *Salaf* (Early Muslim Leaders)

Module 2: *Shūrā*, Ulu 'l-Amr and Principle of *al-'Adl wa 'l-Ihsān*

Unit 1: *Shūrā*: Meaning, Model and Scope

Unit 2: Qualities of Ulu'l-Amr (People in Position of Authority)

Unit 3: Detailed Study of *Al- 'Adl wa 'l-Ihsān* (Q.16:90)

Module 3:

Unit 1: Islamic Perspective on International Relations

Unit 2: Study of Selected Treaties During the Prophetic Era

Unit 3: Study of Selected Letters and Covenants

Module 4: Islamic Political Theorists

Unit 1: Al-Mawardi's Life and Political Thoughts

Unit 2: Al-Farābī : The Ideal State and Qualities of Ideal Ruler

Unit 3: The Power State of Ibn Khaldun

Unit 4: The Juridical Theory of al-Ghazālī

Unit 5: The political – theological thought of the *Khawārij* and the *Shī'ah*

Textbooks and References

Certain books have been recommended in the course. You may wish to purchase them for further reading. Students will be directed to visit some websites where information on the topics in the course could be retrieved. Assignment must be submitted to your tutor for formal assessment in accordance with the deadline.

Assessment File

There are two aspects of the assessment of this course; the tutor marked and the written examination. The marks you obtained in these two areas will make up your final marks. The work you submit to your tutor for assessment will count for 30% of your total score.

Course Overview and Presentation Schedule

The presentation schedule included in your course materials gives you the important dates for the completion of tutor-marked assignments and attending tutorials. Remember you are required to submit all your assignments by the due dates for submission of all assignments that will be communicated to you. You will also be told the date of completing the study units and dates for examinations. Below is an overview of the Course and schedule for the presentation of the assignments.

Unit	Title of Work	Weeks Activity	Assignments
Module 1: Qur'ānic Teachings and Prophetic Model of Governance			
Unit 1	Qur'anic Teachings on Governance	Week 1	
Unit 2	The Prophetic Model of Governance in Madinah	Week 2	
Unit 3	The Caliphate and its significance	Week 3	Assignment 1
Unit 4	Governance of the Salaf (Early Muslim Leaders)	Week 4	
Module 2: <i>Shūrā</i>, Ulu`l-Amr and Principle of <i>al-Adl wa`l-Ihsān</i>			
Unit 1	<i>Shūrā</i> : Meaning, Model and Scope	Week 5	
Unit 2	Qualities of <i>Ulu`l-Amr</i> (People in Position of Authority)	Week 6	Assignment 2
Unit 3	Detailed Study of <i>al-Adl wa`l-Ihsān</i> (Q. 16:90)	Week 7	
Module 3:			
Unit 1	Islamic Perspective on International Relations	Week 8	Assignment 3
Unit 2	Study of selected Treaties during the Prophetic Era	Week 9	
Unit 3	Study of selected Letters and Covenants	Week 10	

Module 4:			
Unit 1&2	Al-Māwardī and al- Fārābī's Political Thoughts	Week 11	Assignment 4
Unit 3&4	Political Thoughts of Ibn Khaldūn and al-Ghazālī	Week 12	
Unit 5	The political – theological thought of the <i>Khawārij</i> and the <i>Shī'ah</i>	Week 13	
Revision 1			
Examination 1			

Tutor-Marked Assignment

You will have to submit a specified number of the (TMAs). Every unit in this course has a tutor marked assignment. You will be assessed on four of them but the best three performances from the (TMAs) will be used for your 30% grading. When you have completed each assignment, send it together with a Tutor Marked Assignment form to your tutor. Make sure each assignment reaches your tutor on or before the deadline for submissions. If for any reason, you cannot complete your work on time, contact your tutor for a discussion on the possibility of an extension. Extensions will not be granted after the due date unless under exceptional circumstances.

Final Examination and Grading

The final examination will be a test of about three hours. All areas of the course will be examined. Find time to read the unit all over before your examination. The final examination will attract 70% of the total course grade. The examination will consist of questions, which reflect the kinds of self-assessment exercises and tutor marked assignment you have previously encountered. And all aspects of the course will be assessed. You should use the time between completing the last unit, and taking the examination to revise the entire course.

Course Marking Scheme

The following table lays out how the actual course marked allocation is broken down.

Assessment	Marks
Assignments (best Three Assignments out of Four marked)	=30%
Final Examination	=70%
Total	100%

How to Get the Most from this Course

In distance learning, the study units replace the university lecture. This is one of the great advantages of distance learning. You can read and work through specially designed study materials at your own pace, and at a time and place that suit you best. Think of it as reading the lecture instead of listening to the lecture. In the same way a lecture might give you some reading to do, the study units tell you where to read, and which are your text materials or set books. You are provided exercise to do at appropriate points, just as a lecturer might give you an in-class exercise. Each of the study units follows a common format. The first item is introduction to the subject matters of the units, and how a particular unit is integrated with the other units and the course as a whole. Next to this is a set of learning objectives. These objectives let you know what you should be able to do by the time you have completed the unit. These learning objectives are meant to guide your study. The moment a unit is finished, you must go back and check whether you have achieved the objectives. If this is made a habit, then you will significantly improve your chances of passing the course. The main body of the unit guides you through the required reading from other sources. This will usually be either from your set books or from Reading section. The following is practical strategy for working through the course. If you run into any trouble, telephone your tutor. Remember that your tutor's job is to help you. When you need assistance, do not hesitate to call and ask your tutor to provide it.

- Read this Course Guide thoroughly, it is your first assignment.
- Organize a Study Schedule. Design a 'Course Overview' to guide you through the Course. Note the time you are expected to spend on each unit and how the assignments relate to the units. Whatever method you choose to use, you should decide on and write in your own dates and Schedule of work for each unit.
- Once you have created your own Study Schedule, do everything to stay faithful to it. The major reason why students fail is that they get behind with their coursework. If you run into difficulties with your Schedule, please let your tutor know before it is too late to help.
- Turn to unit 1, and read the introduction and the objective for the unit.
- Assemble the study materials. You will need your set books and the unit you are studying at any point in time. As you work through the unit, you will know what sources to consult for further information.
- Keep in touch with your study centre. Up-to-date course information will be continuously available there.
- Well before the relevant due date (about 4 weeks before due dates), keep in mind that you will learn a lot by doing the assignments carefully. They have been designed to help you meet the objectives of the course and, therefore, will help you pass the examination. Submit all assignments not later than the due date.
- Review the objectives for each study unit to confirm that you have achieved them. If you feel unsure about any of the objectives, review the study materials or consult your tutor.
- When you are confident that you have achieved a unit's objectives, you can start on the next unit. Proceed unit by unit through the course and try to face your study so that you keep yourself busy on Schedule.

- When you have submitted assignment to your tutor for marking, do not wait for its return before starting on the next unit. Keep to your Schedule. When the assignment is returned, pay particular attention to your tutors' comments, both on the tutors marked assignment form and also the written comment on the ordinary assignments.
- After completing the last unit, review the course and prepare yourself for the final examination. Check that you have achieved the unit objectives (listed at the beginning of each unit) and the course objectives (listed in the course guide).

Facilitators/Tutors and Tutorials

Information relating to the tutorials will be provided at the appropriate time. Your tutor will mark and comment on your assignments. Keep a close watch on progress and on any difficulties you might encounter and provide assistance to you during the course. You must take your tutors marked assignment to the study centre well before the due date (at least two working days are required). They will be marked by your tutor and return to you as soon as possible.

Do not hesitate to contact your tutor if you need help. Contact your tutor if:

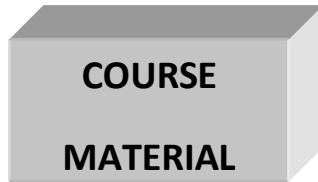
- You do not understand any part of the study units or the assigned readings
- You have difficulty with the exercises
- You have a question or problem with an assignment or with your tutor's comments on an assignment or with the grading of an assignment.

You should try your best to attend the tutorials. These is the only chance to have face-to-face contact with your tutor and ask questions which are answered instantly. You can raise any problem encountered in the course of your study. To gain the maximum benefit from course tutorials, prepare a question list before attending the tutorials. You will learn a lot from participating in discussion actively.

Summary

The course guide gives you an overview of what to expect in the course of the study. The course teaches you about the structure of political system in Islam; focusing on Qur'ānic and Prophetic teachings, *Shūrā* and international relations.

We wish you success in the course and hope that you will find it both interesting and useful.



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MODULE 1: QUR'ĀNIC TEACHINGS AND PROPHETIC MODEL OF GOVERNANCE

Unit 1: Qur'anic Teachings on Governance

Unit 2: The Prophetic Model of Governance in Madinah

Unit 3: Al-Khilafah and its Significance

Unit 4: Governance Of The *Salaf* (Early Muslim Leaders)

UNIT 1 QUR'ĀNIC TEACHINGS ON GOVERNANCE CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
 - 3.1 Concept of Governance
 - 3.1.2 Qur'ānic Teachings on Governance
- 4.0 Conclusion
- 5.0 Summary
- Q6.0 Tutor-Marked Assignment
- 7.0 References/Further Readings

1.0 Introduction

The position occupied by the Holy Qur'an in Islam cannot be overemphasized. It is a sacred book that encompasses all spheres of lives including governance and international relations. In short, Qur'an is an encyclopedic compendium that covers military, politics, economics matters etc. The Holy *Qur'ān* is replete with injunctions on governance. As an introduction, this unit shall focus its interaction with you on the Qur'ānic teachings on governance.

2.0 OBJECTIVES

By the end of this unit, you should be able to:

- discuss the Islamic concept of governance
- identify some Qur'anic verses that speak on governance.

3.0 MAIN CONTENT

3.1 CONCEPT OF GOVERNANCE

The concept of governance is the process of decision making by which decisions are implemented, how power is exercised and how citizens have their say. With a focus on government reformation and reinvention in policies and approaches towards better ruling, the notion of “governance”, “good governance”, “effective governance” or as identified by some researchers ‘humane governance’ and ‘participatory governance’ has become increasingly crucial in today’s government debate and practice. Even though the concept of governance is not new, it is as old as human civilization.

Conceptually, governance has brought a new dimension to the administration and policy studies and planning for countries globally. Typically, it is defined as being synonymous with ‘government’ (Weiss, 2005), although in many descriptions it has a broader notion than government. Governance involves the interaction between formal institutions publicly and privately and those of civil society. However, although there is no governance without government, governance cannot be judged solely on outcomes but must also consider the processes and relationships that produce them.

The Commission on Global Governance defines ‘governance’ as ‘the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and co-operative action may be taken’. It includes formal institutions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceive to be in their interest (Commission on Global Governance, 1995).

Broad definitions of governance are often discussed and have brought various meanings and perspectives, such as that given by the United Nations Development Programme (UNDP), which is an organization that promotes and advocates change and connecting countries to knowledge, experience and resources to help people build a better life. According to the UNDP, governance refers “to the exercise of political,

economic and administrative authority to manage a nation's affairs. It is the complex mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights and obligations, and mediate their differences” (Sakiko Fukada-Parr & Richard Ponzio, 2007).

3.1.2 Qur’anic Teachings on Governance

The concept of government in the Qur’ānic teachings is much more extensive than what has been suggested by conventional political science. Although government means the process of enforcing policies and making decisions by officialdom, but in Qur’ān, special tasks have been assigned to it which changes its nature.

Since in its Qur’ānic sense, in addition to political legitimacy and popularity, a government also requires endorsement by religion, no government without that qualification can be considered legitimate. Perhaps in Islamic concept of rule, the issue of efficiency is as important as basic qualifications of rulers. That is, to the same extent that special qualifications are needed for rulers without which they lose their religions and political legitimacy, inefficiency of the government will face it with legitimacy crisis.

On the other hand, as a result of the comparative pursuit of this study, it is discovered that as per the Holy Qur’ān, good governance is a well defined and adoptable concept. Islam presents a clear and firm concept of good governance and does not consider it indeterminate.

Based on the example discussed earlier with reference to the Holy Qur’ān, in Islamic model of good governance, the divinely approved leader is the centre and origin of good governance. In the Islamic model of good governance, the Divine leader is responsible for the smooth and effective institution of all necessary disciplines mainly including Islamic (Allah’s) laws and values; a system for recognizing/electing/selecting the Islamic leader; an interest free economic system; a system for public welfare; a system for defense; a system for fair and free justice; rule

of law and order; a system for transparent planning and delegation of authority; an unbiased system of accountability; a system of education and a system of taxation.

The following are some of the Qur'ānic verses that speak about governance:

“And let there be such a group among you, that they may call towards goodness and command what is just and forbid evil. And the very same attained to their goals”. (Ali-Imran (3):104).

“Whosoever of you sees an evil action, let him change it with his hand, and if he is not able to do so, then with his tongue; and if he is not able to do so, then with his heart-and that is the weakest of faith”.

"The Qur'ān (4:59) says: "O you who believe, obey God, and obey the Messenger and those of you who holds authority (ulul amr)."

"Their (i.e. Muslims') affairs are conducted by consultation among them" (42:38).

“They believe in God and the Last Day; they enjoin what is right, and forbid what is wrong; and they hasten (in emulation) in (all) good works: They are in the ranks of the righteous.”
(Aal-i Imran, 3:114).

The Holy Qur'ān remembers Dāwud (AS) for his justice and effective decision making in Chapter 38 verses 18 to 26 and also in Chapter 29 verses 15 to 45. Dāwud inherited Kingdom from Tālūt (AS) for marrying his daughter and practiced good governance as a king and not as a democratically elected leader; impartial and free of cost justice was ensured; no political parties existed during the reign of Dāwud (AS);

command and control over human and other various resources was exercised; thorough awareness of the human nature and nature of other resources was evident; Dāwud (AS) enjoyed unity of command and control as a king and Dāwud (AS) was an apostle of God (Allah).

This example in the Holy Qur'ān signifies that the leader of an Islamic state needs to be effective in decision making and impartial in providing justice. The explanation of this example further indicates that King Dāwud (AS) inherited the governance from his father-in-law, Tālūt (AS), and extended the facilities and social justice in the same society. This example makes it evident that the leadership and personality of the Divine's leader was the cause of all infrastructural advancements.

Self Assessment Exercise

Discuss the concept of Governance in Islam with relevant Qur'ānic verses.

4.0 Conclusion

A careful study of this unit shows some relevant Qur'ānic verses on Governance in Islam. It also shows that Qur'an is the main source of governance in Islam. Review of Qur'ānic verses on qualifications of rulers, will clearly show what responsibilities are shouldered by an Islamic government and in what fields it should be active.

5.0 Summary

In this unit, we have made you realize that governance is supported by the injunctions of Allah from the Holy Qur'ān. The Holy Qur'ān presents a clear and firm concept of good governance and does not consider it indeterminate.

6.0 Tutor-Marked Assignment

What are the main ideas for governance in Islam?

7.0 Reference/Further Readings

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UNIT 2 THE PROPHETIC MODEL OF GOVERNANCE IN MADINAH

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
 - 3.1 Prophetic Model of Governance
 - 3.2 Prophetic Model of Governance in Madinah
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Readings

1.0 INTRODUCTION

The constitution put in place by Prophet Muhammad (PBUH) when he migrated from Makkah to Madinah remains relevant up till today. As such, this unit shall expose you to the nature of the prophetic model of governance.

2.0 OBJECTIVE

By the end of this unit, you should be able to:

- to explain the prophetic model of governance in Madinah.

3.0 MAIN CONTENT

3.1 Prophetic Model of Governance

The executive authority of Allah's Rasool/Messenger (S.A.W) has been clearly established in the Qur'ān [3:32; 3:132; 4:59; 5:92; 8:1; 8:20; 8:46; 9:71; 24:52; 24:54; 24:56; 33:71; 47:33; 48:17; 49:14; 58:13; 64:12]. As a Chief Executive of the Islamic Community/State, the Messenger (S.A.W) was empowered by the Almighty with the ultimate executive authority to execute or enforce the Islamic Laws and run the administration of the Islamic state.

The obedience of the executive authority of the Last Messenger of Allah, like the earlier Messengers [4:64], was binding upon all the believers as was the obedience of

the other executive officers (*Ulu 'l-Amr*) of the state working under him [4:59]. The obedience of the Messenger (S.A.W) was tantamount to the obedience of the Almighty Allah, as it was the laws given by the Almighty which the Messenger (S.A.W) was supposed to implement [4:80].

In addition to the executive authority to implement the Islamic laws, the Messenger (S.A.W) also had the supreme judicial authority for the definitive interpretation and applications of the Islamic laws [4:65]. As a judicial authority, he had absolutely no need for any consultation with anyone because he was himself the direct recipient of the Divine Law, and no one could know better than himself about the letters and the spirit of the laws revealed to him by the Almighty.

Self Assessment Exercise

1. Explain the prophetic model of governance in general.

3.2 Prophetic Model of Governance in Madinah

The Prophet was among the last who migrated to Madinah, after he received permission from his Lord to make the move. On the fourteenth year of his prophethood, i.e. September 23rd, 622, Prophet Muhammad arrived at Quba', at the outskirt of Madinah. There, he constructed the first mosque. Upon his arrival in Madinah crowds flocked to him, greeting and embracing him thus the dangerous journey ended in a much safer environment and among many supporters unlike Makkah.

Prophet Muhammad wished that all who lived in Madinah should live in peace and harmony with each other regardless of their differences in belief. He made a treaty which offered security and assurance to those who agreed to adhere to it. It is extremely important to take a close look at this treaty. It was only centuries later that various European human rights, diplomatic, and peace treaties were written which were not even a close match to what the Prophet of Islam wrote centuries earlier to insure security and cooperation between various factions in Madinah.

The immediate result of the Prophet's migration to Medina was peace and unity between the communities of Aws and Khazraj. The Prophet, motivated by the general welfare of citizens of Medina, decided to offer his services to the remaining communities including the Jews. He had already laid down the basis for relationship between the Emigrants from Mecca (known as Muhajirin) and Medinites (known as the Ansar, the helpers).

The first written constitution of a State ever promulgated by a sovereign in human history emanated from the Prophet of Islam. It was enacted from the first year of Hijrah (622 CE). The treaty stipulated a city state in Medina, allowing wide autonomy to communities. Private justice was to be banished. The head of the State had the prerogative to decide who should participate in an expedition, the war and peace being indivisible. Social insurance was to be instituted.

When Muhammad arrived in Medina in 622, local tribes, mainly the Banu Aus and Banu Khazraj, had been feuding for several decades. Muhammad addressed this by establishing the Constitution of Medina: a document which regulated interactions between the different factions, to which the respective parties agreed. This was a different role for him, as he had remained only a religious figure during his time in Mecca. The result was the eventual formation of a united community in Medina, as well as the political supremacy of Muhammad.

The Islamic model of governance was demonstrated by Prophet Muhammad himself, who, despite his role as a Prophet, judiciously combined the administration of the *Ummah* with the prophetic assignments. He saw the assignment of administration as a service to the community. He thus remarked, "a leader of a community is their servant." The servant-leader's role of the Prophet is confirmed by the Qur'an when Allah says: It was by Allah's mercy that you are kind to them; had you been harsh and hard hearted, they would have dispersed from around you. ...(3: 159).

That same Qur'an verse further spells out that overlooking the shortcoming of the subjects and due consultation with them should be adopted by the prophet in dealing

with them. The human means of calling people to prayers, the appointment of *muadhin* and the strategies for wars were some instances where the Prophet accepted communal consultation. This explains why *Shūrā* (consultation) becomes a pertinent feature of Islamic mode of governance. Through this, the prophet demonstrated the sense of accommodation and open-mindedness as a leader and guided against arrogance and self-centredness.

The Prophet was further instructed to dispense justice and equity without favour (see Qur'an 5:8 & 4:135). A clear manifestation of the rule of law and dispensation of justice without fear or favour could be appreciated from his reaction to the intercession of one of his respectable companions, Usama ibn Zaid, in respect of a woman from the tribe of Makhzumi who was found guilty of theft. The Prophet stood up and said: Verily what destroyed those who came before you was that when the noble among them stole, they granted them pardon; but when the weak stole, they amputated him. I swear by Him in whose hand is my soul, if it were to be Fatimah, daughter of Muhammad that steals, I would cut her hand (Al-Sayyid, 1981).

The following are the other indicators or determinants of good governance in Madinah:

Masjid (Mosque): The Prophet (peace and blessings be upon him) first established a *Masjid* for the worship of Allah. He himself worked in carrying the stones and building that small, humble but most powerful structure. This was the beginning, but soon other *Masajid* (mosques) were established in Madinah (Aliyu and Adeoye, 2008).

Madrasah (Islamic school and educational institution for the community): The first school under the supervision of the Prophet (peace and blessings be upon him) was the school of *Suffah*. Later many other schools were opened. According to Maulana Shibli Numani, there were nine schools opened in Madinah alone in the time of the Prophet (peace and blessings be upon him).

***Mu'ākhāh*:** He established brotherly relations between the *Muhājirūn* (Muslims who migrated from Makkah) and the *Anṣār* (residents of Madinah who helped the Prophet and his Companions). *Masjid* and *Madrasah* were not enough; what was also important was to have good relations between Muslims. They should have their brotherhood on the basis of faith, not on the basis of tribes as they used to have prior to Islam.

Intercommunity and Interfaith Relations: Prophet (peace and blessings be upon him) also established good relations with other communities living in Madinah. There was a large Jewish community as well as some other Arab tribes who had not accepted Islam. The Prophet (peace and blessings be upon him) prepared a *Mithaq* (a covenant) for relations between these communities (Aliyu and Adeoye, 2008).

Cleaning the City: Yathrib (previous name of Madinah) was a dirty city. When the *Sahabah* (Prophet's Companions) came from Makkah to Madinah, many of them got sick and did not like that city. The Prophet (peace and blessings be upon him) asked them to clean the city and remove its dirt and filth. `Aishah, may Allah be pleased with her, said: “We came to Madinah and it was the most polluted land of Allah. The water there was most stinking (Al-Bukhari, 1756).

Water System in the City: The Prophet (peace and blessings be upon him) asked the *Sahabah* to dig wells in different parts of the city. It is mentioned that more than 50 wells were opened in the city of Madinah and there was enough clean water for everyone.

Agriculture and Gardening: The Prophet (peace and blessings be upon him) encouraged the *Sahabah* to cultivate the land and make gardens. He told them that anyone who would cultivate any dead land, would own it. Many people started working and cultivating and soon there was enough food for everyone.

Poverty Eradication: In a short period of time it happened that there were no poor people in Madinah. Everyone had enough and the Prophet (peace and blessings be upon him) used to give gifts to coming delegations.

Safety, Security, Law and Order: Madinah became the safest city in the world. There were very few incidents of theft, rape, drunkenness or murder and they were immediately taken care of (Aliyu and Adeoye, 2008).

Self Assessment Exercise

1. Discuss the content of the constitution prepared by the Prophet while at Madinah.

4.0 CONCLUSION

It would be seen from the foregoing that Prophet Muhammad (S.A.W) laid the foundation for governance in Islam. The first written constitution of a State ever promulgated by a sovereign in human history emanated from the Prophet of Islam.

5.0 SUMMARY

In this unit, we have made you realize that Prophet Muhammad (S.A.W) is a model for governance in Islam as espoused by his leadership qualities in Madinah, especially with regards to the promulgation of Madinah constitution which served as a reference point in the contemporary period.

6.0 Tutor-Marked Assignment

What is the relevance of the Madinah constitution to the contemporary world?

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UNIT 3: THE INSTITUTION OF THE CALIPHATE

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Contents
 - 3.1 The term Caliphate defined
 - 3.2 Who is a *Khalīfah*?
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor Marked Assignment
- 7.0 References/Further Readings

1.0 INTRODUCTION.

This unit intends to show that the first institution to emerge in Islam is the Caliphate. It will be shown to you in the unit that the Caliphate is the most important institution under the Islamic political system. Other various issues that will be discussed in the unit to introduce you to the institution are the definition and the origin of the term Caliphate. How the institution developed and how it was managed by the *Khulafā' a`r- Rāshidūn* will also be discussed.

2.0 OBJECTIVES:

At the end of discussing the unit you will be able to

- Define the term Caliphate
- Describe the functions of a *Khalīfah*
- Explain how the first *Khalīfah* emerged in the Islamic State.
- List the four *Khulafā' a`r- Rāshidūn*.
- Explain some of the problems as well as the most important achievements of the four *Khulafā' a`r- Rāshidūn*
- Explain the origin of *Shūrā* in the Islamic political system.

3.0 MAIN CONTENT:

3.1 The term Caliphate defined.

The word caliphate is derived from the Arabic word *Khalafa* which means he *came after* or *he succeeded another that died*. In this regard, Caliphate refers to the Islamic State that developed after the death of the Prophet (PBUH). It was established to replace the prophecy in the defense of the faith and the administration of the Islamic State. As a political institution, the Caliphate is headed by a *Khalīfah* (Caliph) i.e. the one who succeeded the holy prophet.

3.2 Who is a Khalīfah?

Khalifa is the occupant of the highest seat in the institution of the Caliphate. The word '*Khalīfah*' is an Arabic word that means 'successor to the messenger of Allah.' The English form of *Khalīfah* is 'Caliph'. The term *Khalīfah* according to Glasse (2005:100) also means successor, substitute, lieutenant or viceroy. The word *Khalīfah* appears severally in holy Qur'ān as for example in 2.30 that reads: 'when your lord says to the Angels: *I am about to place a Vicegerent –Khalifa-on earth*'.

Qur'ān 7.69 also reads thus: '*And remember when he made you successors-Khulafa- to the people of Noah and increased you in stature extensively. So remember the favors of Allah that you might succeed*'.

Qur'ān 38.26 also reads;

'*We have made you a ruler-Khalīfah-on land, so judge between people with cases*'.

To be a *Khalīfah* therefore means to act as substitute to the holy Prophet (PBUH) with regards to the political leadership of the *Ummah* as well as the protection of the religion of Islam. When the Prophet (PBUH) was alive, he was the head of the religion, the head of State, commander of the army and legislator. He also exercised supreme authority in military matters in addition to leading the prayers in public worship.

Thus, the *Khalīfah* of the Prophet (PBUH) ought to perform all but one of the functions of the Prophet Muhammad (PBUH) listed above. A *Khalīfah* did not receive revelation neither was he an inspired prophet of Allah sent to mankind. He was not therefore sent by Allah to deliver message to mankind. Muhammad (PBUH) had already done so as the last Prophet (PBUH), who had delivered the final dispensation to mankind.

The institution of the Caliphate therefore combines both what is secular and religious. This explains why the *Khalīfah* can also be referred to as *Amir al-mu'minin*'

commander of the faithfuls', *Imam al-Ummah*, *Imam al-Muminin*, or leader of the Muslims.

It should be noted that the authority of the *Khalīfah* is provided by Allah in Qur'ān 24.56 that reads thus: '*So establish regular prayer and give Zakkat and obey the Messenger; that ye may receive mercy.*

Khalīfah as the head of the *Ummah* exercise authority in both spiritual and secular affairs. He may be elected directly or nominated by his predecessor but the nomination must be approved by the People. Abubakr the first *Khalīfah* was elected, but Umar was nominated. The *Khalīfah* holds office for life as long as he devotes his life time to the service of his people. He is bound in his behavior by the divine law and its principles. He rules by consultation with competent people as shown in Qur'ān 42.38 that reads thus:

'Those who respond to their Lord, and establish Regular Prayer; who conduct their affairs by mutual Consultation'.

The key word in the above verse is consultation, which is the ideal way in which an Islamic state should conduct its affairs. The principle of consultation was applied to its fullest extent by the Prophet (PBUH) in his private and public life, and was equally acted upon by the early *Khalifs* /*Khulafa* who succeeded him. Modern representative government is an attempt-- by no means to perfect—to apply this principle in State affairs.

But much as the *Khalīfah* is bound to run the affairs of the state by consultation, people are also expected to cooperate and show obedience and loyalty to him. In actual fact, people are bound to obey the ruler as long as he holds the principles of *Sharī'ah* as shown in Qur'ān 4.59 that reads:

O ye who believe! Obey Allah, and obey the messenger and those charged with authority among you. If ye differ in anything among yourselves, refer it to Allah and His messenger, if ye do believe in Allah and the last day: That is best, and most suitable for final determination.

The major point of emphasis of the above verse is respect to constituted authority. It needs to be noted also that it is not only important but equally necessary for the Muslim world to have a single *Khalīfah*. It has been recorded that Muhammad (PBUH) was reported to have said: '*When the oath of allegiance has been taken for two caliphs, kill the latter of the.*' Abu Bakr, the first of the four rightly guided *Khalifs*, was also reported to have said:

It is forbidden for Muslims to have two Amirs for this would cause differences in their affairs and concepts, their unity would be divided and disputes would break out amongst them. The Sunnah would then be abandoned, the bid'a (innovations) would spread and discord would grow, and that is no ones' interest';

'Umar ibn al-Khaṭṭāb, the 2nd of the four *Khulafā'al Rāshidūn* was also reported to have said: *'there is no way for two leaders together at any one time'.*

Ibn Khaldūn, the famous 14th century Muslim Scholar, economist and historian had also commented on the significance of a single *Khalīfah* for the Muslim World. According to him *'It is not possible to appoint two men to the position of Caliph at the same time.*

What is clear from the foregoing is that Islam expects Muslims to respect the authority of government for otherwise there can be no order or discipline. There is no doubt that all ultimate authority rests in Allah. Prophets of Allah derive their authority from him. As Islam makes no sharp distinction between sacred and secular affairs, they are also expected to be imbued with righteousness.

4.0 CONCLUSION

The emergence of the institution of the Caliphate is a major development in the history of the Islamic political system. The Caliphate represented the political unity of the Muslims and according to several sources; it was

the first major welfare State in the world. However, since 1924 when Mustapha Kamel Atatürk officially abolished the last Caliphate and founded the Republic of Turkey, the Caliphate as a political institutions of Muslims became no more. Earlier before the declaration of Kemal Atatürk, the Sokoto Caliphate was destroyed by the British colonial forces. The Kings of Morocco still call themselves with the title of *Amirul Muminun*, but they lay no claim to the Caliphate. In the former Sokoto Caliphate also the legacies left behind by its founders are still fresh in the minds of their descendants. The Sultan of Sokoto sees himself as *Amir-ul-Muminun* even though he is operating in what can be termed a 'secular State'.

It should be noted that much as all the Caliphs are respectable personalities, certain Caliphs have been identified by scholars as notable. The following are such notable Caliphs in Islamic history:

1. Abu Bakr: the first of the four rightly guided Caliphs.
2. Umar ibn al-Khattab: the second rightly guided Caliph. During his reign, the Islamic empire expanded to include Egypt, Jerusalem and Persia.
3. 'Uthman ibn Affan: the third rightly guided Caliph. The Glorious Qur'ān was compiled under his direction. He was killed by rebels.

4. Ali ibn AbiTalib: fourth and last of the rightly guided Caliphs, and considered the first Imam by Shiah Muslims.
5. Muawiyyah I: the first Caliph of the Ummayyad dynasty. He instituted dynastic rule by appointing his son Yazid as his successor, a trend that continued through subsequent Caliphates.
6. Abd al-Malikh ibn Marwan: fifth Caliph of Ummayyad dynasty, translated important records into Arabic, established an Islamic currency system, led additional wars against the Byzantines and ordered construction of the Dome of the Rock.
7. ‘Umar ibn Abd al-Aziz: An Ummayyad caliph who was considered by some (mainly Sunnis) to be the fifth rightly guided caliph.
8. Harun al-Rashid: Abbasid caliph during whose reign Bagdad became the world’s preeminent center of trade, learning and culture. Harun is the subject of many stories in the famous work 1001 Arabian Nights.
9. Al-Ma’amun: Son of Harun al-Rashid who established *Baytu’l-Hikmah*, Translation Academy where old recorded civilizations were translated to Arabic which became useful to the emergence of modern civilization.
10. Selim I the Brave: first Caliph of the Ottoman Empire with the conquest of Egypt and the Holy cities.
11. Suleiman the magnificent: Early Ottoman Sultan during whose reign the Ottoman Empire reached its zenith.
12. Salahu’d-Din al-Ayyūbī of the Fatimid Egypt who checkmated the advance of the Christians from Europe to come and stamp the Muslims.
13. Ibrahim b.Aghlab founder of the Aghlabid dynasty in Fez, Morocco 800-900 who sent 40,000 dinar to Bagdad which facilitated the funding of the *Bayt al-Hikmah*
14. Abu Mejid II: last Caliph of the Ottoman dynasty, the 10th Caliph in line from Abu Bakr. On August 23, 1944, Abd al-Mejid II died in Paris but was buried at Madinah, Saudi Arabia.
15. Muhammad Bello: The second Amir al-Mumin in the famous Sokoto Caliphate in the early 19th century.

5.0 SUMMARY

This unit made an attempt to define the term Caliphate, its origin and significance as explained in the Glorious Qur’ān. It has been argued that the death of the Prophet(PBUH) marked the beginning of the development of the institution. With the death of the Prophet(PBUH), his role as a leader of the Muslim community (not his unique Prophetic role) was assumed by a succession of four Khalifs and they were followed by the Umayyads and the Abbasids and then by several others but especially the Aglabids, the Fatimids, the Ottoman and the Sokoto Caliphates.

6.0 TUTOR MARKED ASSIGNMENT

Discuss the term Caliphate and its significance in running the Islamic State.

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UNIT 4 ISLAMIC GOVERNANCE OF THE SALAF (EARLY MUSLIM LEADERS)

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
- 3.1 Islamic Governance of the *Salaf*
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Readings

1.0 Introduction

The early Muslim leaders, most especially the *khulafa'Rashidun*, followed the footstep of the Prophet after him on good governance. As an introduction, this unit shall expose you to Islamic governance of the Salaf (early Muslim leaders).

2.0 Objectives

By the end of this unit, you should be able to discuss the Islamic governance of the Salaf (early Muslim leaders).

3.0 Main Content

3.1 Islamic Governance of the *Salaf*

The early Muslim leaders, most especially the *khulafa'Rashidun*, followed the footstep of the Prophet after him on good governance. On his assumption of duty as Caliph, Sayyidna Abubakr gave an inaugural speech, which demonstrated a true spirit of Islamic governance, saying:

O people, I have been appointed as your ruler although I am not the best of you. If I am right, obey me. If I am misguided set me right. Obey me as long as I obey Allah and His Messenger (SAW). If I disobey Allah and His

Messenger, you are free to disobey me... (Khan, undated).

The Abubakr-led government was remarkable for adequate consultation, while members of his Council of Advisors (*Shūrā*) were appointed based on piety and selfless services to Islam. He never gave position of authority to any members of his family. While addressing Yazid ibn Sufyan who was appointed as the governor of the conquered part of Syria, Abubakr gave him the following advice:

O Yazid! You have relations in Syria; do not try to give unlawful benefits to your kins. Of this I am afraid of my officers. The Holy Prophet said: if a Muslim officer appoints his kins on big posts which they do not deserve, he will be cursed for that by Allah and Allah will not accept any of his excuses or apology for that until he enters hell (Jamil, 1977).

The nomination of 'Umar took place after fair consultation with the *Shūrā* committee. In one of his speeches, Umar said:

Brothers in Islam! I am not your ruler who wants to enslave you. I am a servant of God and His people. I have been entrusted with the heavy responsibility of running the Caliphate administration. It is my duty to make you comfortable in every way and it will be an evil day for me if I wish you to wait on me every now and then. I want to educate you not through my precepts but by my practice (Jamil, 1977).

Caliph 'Umar was no doubt a paragon of virtues for political leaders. His simplicity was unequal in human history. Unlike the contemporary leaders who draw people's attention to themselves by the fleet of flashy cars with highly disturbing sirens, hardly could 'Umar be recognized as the head of an empire. He could not afford taking or consuming what he felt his subjects could not take. He was extra careful of how public funds were expended. He once said:

I have no more authority over the *Baitul-Mal* (public treasury) than a custodian has over the property of an orphan. If I would be well to do, I would not accept any honorarium; if not, I would draw a little to meet the ordinary necessities of life.

Brothers! I am your servant and you should control and question my actions. One of these is that the public money should neither be unnecessarily hoarded nor wasted. I must work for the welfare and prosperity of our people (Jamil, 1977).

As the chief executive of the Muslim empire, he appointed some judges and yet did not influence the functions of the judges. No immunity prevented him from appearing in the court of law as plaintiffs when occasions called for it. Once he had to attend the court of Qadi Zaid ibn Thabit as a defendant. When the Qadi saw the Caliph, he rose from his seat and requested that a special seat be offered to the Caliph. Umar resented this and warned him,

"unless you consider an ordinary man and 'Umar as equals, you are not fit for the post of qadi" (Adebayo, 2004).

The hand of impartial justice of 'Umar was extended to his son who was found guilty of taking alcohol and illicit sexual intercourse with a lady. He ordered his son to be flogged accordingly. The son died during the process, yet he insisted that the remaining stripes be administered on his corpse (Rahim, 1983). Caliph 'Umar equally performed creditably well in allowing freedom of expression in his administration. Maintaining distance to his subjects would not allow him to understand their problems.

He thus formed the habit of parading the streets to assess their condition. Every man was free to question his actions. Once a man shouted in a public meeting "O 'Umar! Fear God." The audience considered this as an insult on the personality of the Caliph and so attempted to discipline him. 'Umar who did not feel offended with this, rebuked them, saying "If such frankness is not exhibited by the people, they are good for nothing, and if we do not listen to them, we would be like them" (Jamil, 1977).

The administration of 'Uthman, the third caliph, focused on provision of social amenities for the populace. He was noted for provision of potable water, and construction of roads, bridges and canals. In addition to construction of mosques and schools, guest houses were established for travellers in the cities (Hasanuddin, 2009).

The above are few examples of the type of government enjoined by Islam and practised by the Prophet and his early companions. The crux of the matter in administration and governance is the Qur'anic command of enjoining good and forbidding evil. This was responsible for the Muslims' genuine commitment to the welfare of others and being responsive to their needs. *Iman* (faith), *taqwa* (consciousness of Allah), *'adl* (justice) and *hubb* (love for others) are the watchwords of the Prophet's companions in their administration.

Later in the history of Islam, the Islamic institutions being put in place were transmitted to the rest parts of the world and the impacts of Islamic governance were felt in virtually all aspects of human life. This notwithstanding, a sort of interplay of culture, or rather cross-fertilization of culture, occurred, as the Umayyads were grossly influenced by the Greco-Roman civilizations. This introduced secularism into the hitherto Islamic governance put in place. The deviation from this step made the Muslims to shift their confidence from the rulers to the increasing group of righteous scholars who took it upon themselves to maintain the spiritual and moral discipline which Islam stands for. Meanwhile, the process of materialism and secularism was further accelerated following the coming of Western colonialists to the Muslim world.

Self Assessment Exercise

Mention and Explain some early Muslim leaders.

4.0 Conclusion

It would be seen from the foregoing that early Muslim leaders, most especially the *khulafa'Rashidun*, followed the footstep of the Prophet with regards to good governance. This can serve as a reference point in the contemporary period.

5.0 Summary

In this unit, we have made you realize that the early Muslim leaders, most especially the *khulafa'Rashidun*, followed the footstep of the Prophet after him on good governance.

6.0 Tutor-Marked Assignment

Explain the Islamic governance of Caliph Abubakar Siddiq.

7.0 Reference/Further Readings

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MODULE 2: *SHŪRĀ*, ULU`L-AMR AND PRINCIPLE OF AL-`ADL WA `L-IHSĀN

Unit 1: *Shūrā*: Meaning, Model and Scope

Unit2: Qualities of Ulu'l-Amr (People in Position of Authority)

Unit 3: Detailed Study of Al- `Adl Wa `L-Ihsān (Q.16:90)

UNIT 1 *SHŪRĀ*: MEANING, MODEL AND SCOPE

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
 - 3.1 Meaning of *Shūrā*
 - 3.2 Model and Scope of *Shūrā*
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Readings

1.0 INTRODUCTION

Shūrā constitutes one of the four cardinal principles in the Islamic perspective on socio-political organization. The other three are justice, equality, and human dignity.

What makes *Shūrā* unique in the Islamic model is its consensus generating mechanism rather than majority or minority influence in Western democracy. Another unique aspect of *Shūrā* is its emphasis on cooperation rather than competition. This is the spirit of *Shūrā* in Islamic political thought. In this unit, our attention shall be focused on the meaning, model and scope of *Shūrā*.

2.0 OBJECTIVES

By the end of this unit, it is hoped that students would be able to:

- define the term *Shūrā* and make reference to some Qur'ānic verses which allude to the concept;
- make reference to the use of *Shūrā* method as demonstrated in Islamic political history.

3.0 MAIN CONTENT

3.1 Meaning of *Shūrā*

Shūrā is an Arabic word which literally means consultation and as a basic Islamic principle calls upon Muslims, usually under a system of proportional representation, to gather and, through debate, forward formed opinions to the Khalifah which they feel are for the betterment of the Ummah.

There is clear mention of *Shūrā* in the Holy Qur'an which, amongst other definitions, outlines it as a method by which consensus can be achieved thus preventing ideological deadlocks which ultimately lead toward sin and disunity.

Shūrā, as a principle, is rooted in the Qur'ān itself. The Qur'ān has presented *Shūrā* as a principle, and not as a system, of governance. The distinction is important to note, because the Qur'ān thereby has left it to successive generations of Muslims to continue to strive toward a more perfect realization of the *Shūrā* principle.

Shūrā consultation is predicated on equality among those consulting in order to arrive at a collective decision. This clear Qur'ānic depiction of the *Shūrā* as essentially a decision-making process among equals has to be distinguished from the notion that depicts *Shūrā* as merely an optional exercise in the seeking of non-binding counsel by the ruler, acting from a superior position, from those of his subjects with whom he may choose to consult. This rather disparate version of *Shūrā*, claimed by the rulers and conceded by the clergy has historically co-opted *real Shūrā*, thereby condemning Muslim and Arab political life to centuries of despotic rule. However, current Islamic scholarship is showing increasing inclination to restoring *Shūrā* to its full-fledged legitimacy in the Muslim public life.

One of the Qur'anic verses formulating the principle of consultation reads:

"their (i.e. Muslims') affairs are conducted by consultation among them" (42:38).

These words quite naturally suggest that all Muslims be involved in the process of consultation. For, if we restricted consultation to any particular class or group in the Muslim society, then consultation cannot be said to be among Muslims (*bayna hum*) as the Qur'anic words require, but will be among members of the particular class or group to which it is restricted. We are led to the same conclusion by the Islamic principles of justice, equality before the law and brotherhood among men, since these noble principles would be manifestly violated if we systematically excluded a section of the *Ummah* from the process of consultation.

The practice in the Muslim society of the time of the Prophet (pbuh) and the rightly guided caliphs also points in the same direction. During almost the entire ministry of the Prophet (pbuh) most of the Muslim resided in the same city in which the Prophet (pbuh) himself resided, either Makkah or Medina. They were in constant touch with each other and with the Prophet (PBUH).

In Medina, where Muslim numbers gradually increased to thousands, Muslims daily visited the mosque of the Prophet and between the prayers, if need arose, they talked about various matters that concerned them. They also made their views on these matters known to the Prophet (PBUH) who was easily available to them and who had been divinely instructed to take counsel with them (3:159). We can thus say that in an informal sort of way all members of the first Islamic society in history were directly involved in the process of consultation.

After the departure of the Prophet (PBUH) from this world, the affairs of the *Ummah* (Muslim community) continued to be conducted by a process of consultation involving all Muslims, although, now because of a tremendous increase in the number of Muslims, the method of consultation underwent some change, becoming out of necessity somewhat indirect: the Companions of the Prophet (PBUH) who, because of their association with the founder of Islam and their noble character, naturally enjoyed great prestige and trust in the *Ummah*, first consulted with the people and then consulted among themselves to reach decisions on public matters.

Self Assessment Exercise 1

Examine the Concept of *Shūrā* in Islam.

3.2 Model and Scope of *Shūrā*

Having considered above the question as to who should be involved in the process of consultation let us now address ourselves to the second question raised above, namely, what matters should be decided by consultation. Again, the only natural and sound way of understanding the Qur'anic words "their affairs are run by consultation among them" is that there must not be any restriction in principle on the matters to be decided by consultation among Muslims, in other words that Muslims should decide all matters by consultation. One restriction that comes to mind and is often mentioned is that matters already decided by the *Sharī'ah* should not be subject to consultation and that the results of *Shūrā* should not be in conflict with Islamic teachings. But a moment's reflection would show that this is not really a restriction in principle to consultation, for in a Muslim society it has already been freely decided that the teachings of Islam will be respected at all times.

By declaring *la ilāha illa Allah Muhammad rasūl Allah* (there is no deity but God alone and Muhammad is His messenger) members of a Muslim society have already held a sort of referendum and unanimously voted to live by Islam. Thus on matters decided by the *Sharī'ah* (Law and jurisprudence) a consultation has in a way already taken place and led to the conclusion that on those matters Islamic decisions are to be followed and, furthermore, that the results of *Shūrā* will in no way conflict with Islamic teachings.

Here, of course, there arises the question of interpreting Islamic teachings, for, although all Muslims agree that they should live by Islamic teachings, they may often understand some of these teachings in different ways. In some cases it may be possible for various groups or individuals in the society to follow their different interpretations of Islam, but in other cases it may be necessary that the society as a whole reaches a single decision. For example, there is nothing wrong or harmful if various Muslim

groups prayed according to their particular interpretations of the Prophetic Traditions. But clearly if the question arose whether in a particular international conflict, war or peace with compromise is the Islamic course of action then a Muslim society as a whole must reach a decision.

Thus in principle there is no restriction on what is subject to consultation. There, however, remains a practical difficulty, namely, the difficulty of consulting millions of people in all the numerous small or big matters that arise in the collective life of a people. This difficulty can be circumvented by deciding important matters through consultation with all (adult and mentally sound) members of the society (in the form of referendums, elections, etc.) while leaving other matters in the hands of competent persons who demonstrably enjoy the trust and confidence of the people.

If all matters are to be decided by *Shūrā*, the same must be true of the important matter of choosing a ruler or a governing body. Hadrat 'Umar, therefore, expressly stated in the historic meeting at Saqifa that the divine "command (in the choice of the caliph) is *Shūrā*."

When studying the life and example of the Holy Prophet it again becomes clear that consultation is an absolute must. The Holy Prophet never shied away from consulting his companions, and even the opponents of Islam, on a variety of issues. Hadhrat Aisha(ra) is reported to have said (Tafsir Al-Kabir. Pg. 2352, Ft.3629), "The Holy Prophet was most solicitous in consulting others in all matters of importance"

In essence, an individual who is a member of the process of *Shūrā* is a trustee and has an obligation to dispatch that trust with due diligence. During the battle of Badr the Holy Prophet sought the consultation of his companions regarding the strategic placement of the army. On taking the advice of Ibn Al-Mundhir and other companions the Holy Prophet decided to alter his strategy and set up camp at a different location. There are countless other examples of *Shūrā* during the life of the Holy Prophet some of which will be later highlighted.

This process serves as an integral feature within the institution of Khilafah. Highlighting this point, Hadhrat Omar went so far as to say, “There is no Khilafa without consultation”

There are countless examples of the non-binding effect of *Shūrā* in both the rule of the Holy Prophet and the Rightly Guided Khulufah. During the battle of Badr the Holy Prophet accepted the merciful advice of Hadhrat Abu Bakr regarding the treatment of the prisoners of war and rejected the advice of the other companions. In signing the treaty of Hudaibiya the Holy Prophet rejected the overwhelming consensus the companions present. After the death of the Holy Prophet the order to dispatch Hadhrat Osama bin Zaid as the leader of the Muslim army was issued by Hadhrat Abu Bakr against the opinion of the majority of the companions. One of the first orders of Hadhrat Omar as a Khalifa was to remove Hadhrat Khalid bin Waleed from his position of authority despite him being the favored choice of the companions.

It must be noted that whilst it is right and proper to say that the Khalifah is not bound by the collective opinions of Majlis-e-Mushawarah, in practice, it is very rare for a Khalifah to decide against the proposals of *Shūrā*. However, when a difference of opinion does arise one should understand the Divine nature of Khilafah and have trust in almighty Allah that His appointed and guided ruler is sound in judgment.

In another place in the Holy Qur'an (3:160) almighty Allah establishes that not only is it a duty to consult members of the Ummah but it is also permissible, and even preferable, to consult people who have transgressed in some way, “And it is by the great mercy of Allah that thou art kind towards them, and if thou hadst been rough and hard-hearted, they would surely have dispersed from around thee. So pardon them and ask forgiveness for them, and consult them in matters of administration; and when thou art resolved, then put thy trust in Allah. Surely, Allah loves those who put their trust in Him (Qur'an. Ch.42, Vs.39).”

Self Assessment Exercise 2

1. Mention and discuss the scope of *Shūrā*.
2. Discuss the model of *Shūrā* in Islamic history.

4.0 CONCLUSION

Shūrā is an integral part of not only Islamic Governance but also the social structures upon which society is built. In essence, the institution of *Shūrā* offers each and every individual, tribe, community, religion and nation a voice by which they can actively effect change within their wider communities. It provides a safe and proactive medium by which, through the process of give and take, new and unique issues can be assessed so as to ascertain what is best for the collective. The Institution of *Shūrā* is a blessing upon the Ummah. It is the solution to many difficulties faced by the Muslim Ummah and we must sincerely pray to almighty Allah that He continues to shower upon us the blessings of mutual consultation.

5.0 SUMMARY

A careful study of this unit reveals the nuances and dynamics of *Shūrā* as a basic concept in Islamic governance. The unit intimates us with the scope and model of *Shūrā* in Islamic history..

6.0 Tutor-Marked Assignment

Discuss the concept of *Shūrā* with adequate reference to the Qur'an?

7.0 Reference/Further Readings

- Adam, H. W. (nd) *Shūrā: Mutual Consultation*. United Kingdom.
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UNIT 3 QUALITIES OF ULU'L-AMR (PEOPLE IN POSITION OF AUTHORITY)

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
- 3.1 Who are the Ulu `l-Amr ?
- 3.2 Qualities of Ulul'l-Amr .
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Readings

1.0 INTRODUCTION

A leader must possess certain enviable qualities for him to be able to govern effectively. As an introduction, this unit shall expose you to the qualities required of people in position of authority.

2.0 OBJECTIVES

By the end of this unit, you should be able to

- mention some qualities of the 'Ulul-Amr.

3.0 Main Content

3.1 Who are the 'Ulul-Amr?

Almighty Allah has placed an entire network of people in this world into positions of authority. This category includes all positions or roles that involve having authority over others, and thus all positions in hierarchies other than the "bottom" ones.

The Holy Qur'an (4:59) says: "O you who believe, obey God, and obey the Messenger and those of you who holds authority (ulul amr)."

The Holy Qur'an explicitly mentions that it is Allah who entrusts the position of authority to whomsoever He wishes and as well dethrones whomsoever He pleases (3:26). This implies that the basis of governance in Islam is the firm belief in Allah as He who can enthrone. So the person in leadership is accountable to Him. In that wise, the contestants would not make assumption of the position of authority a do-or-die affair. The Prophetic tradition "Be a leader if you are so chosen by the people" indicates that Islam frowns at imposition of a leader on a community through any means - rigging of election and any other form of election malpractice.

Some tend to interpret *ulul amr* as the rulers. This interpretation is irrational as it is solely based on the twists of history. The majority of the Muslims have remained as a vassal of the monarchs and rulers, interpreting and reinterpreting Islam and the Qur'ān to strengthen their own kingdom.

An *hadith* narrated by Abu Dawud further gives a clear picture on the need to have a leader in any community; the Prophet was reported to have ordered the appointment of an *Amir* to a group of three who are travelling together. It is reported in another *hadith* narrated on the authority of Abdullah ibn Amr that the Prophet (SAW) said: "It is unlawful for any three persons to be in a desert and not appoint one of them as their *Amir*". So, if a dictionary meaning of the word 'governance' as an act of controlling and directing the affairs of a country, city and its people using political power is anything to go by, then Islam and governance cannot be separated. If it means to control, guide or determine the affairs of the people, then Islam and politics are synonymous.

Furthermore, if Islam arranges for appointment of an *Amir* in a temporary journey, then, one should not doubt that the religion should also have guidelines for the appointment of an *Amir*, as well as the responsibilities to be discharged by him and those he is to control and rule.

3.1.2 Qualities of Ulu'l-Amr

The history of Muslims is replete with the names of rulers whose injustice, debauchery and tyranny have tarnished the name of Islam. If God were to order us to obey such kings and rulers, an impossible situation would be created for Muslims. The wretched

followers would be condemned to the displeasure of God, no matter what they do. If they obey these rulers, they have disobeyed the Command of God: "Do not obey a sinner" (76:24). And if they disobey such rulers, they have again disobeyed the Command of God: "Obey the Muslim rulers" (if it would mean so). Therefore if we accept this interpretation, Muslims are condemned to eternal disgrace whether they obey or disobey their fallible (sinful) rulers.

The Holy Qur'an explains the meaning of authority (amr) in stage-wise. At first, it insists that the authority of giving decision is the sole prerogative of God: "The authority rests with none but God. He commands you not to surrender to anyone else than Him. This is right way" (12:40) and "Beware! Creation is His and authority is (also) His" (7:54)

The Qur'an further declares that all prophets are representatives of God on earth, and convey His commands to the mankind, and thus are entitled to be obeyed from those who accept them as such. The Qur'an says: "Whoso obeys the messenger, obeys God" (4:80), and "Each and every messenger who was sent by Us was sent for the sole purpose that he should be obeyed by God's sanction" (4:64).

The Qur'an further says: "Surely! We have revealed this Book to you with truth that you may judge mankind in the light which God has shown to you" (4:105), and "Nay, by your Lord, they will not be believers until they accept you as the judge in all their disputes and submit to your decision wholeheartedly with entire submission" (4:65).

From the above Qur'anic verses, it is clear that God, the Sole Authority invests all the prophets in general and the last Prophet in particular with absolute powers to reign over the faithful. Yet, it is impossible to affirm that the divine law could remain forceful only up to the time of the Prophet and after his passing away this important mission was to be left to the choice of the masses, so that they could select someone from among themselves and appoint him to spiritual sovereignty. But, God warns the believers against it: "Follow that which has been sent down to you from your Lord and do not follow the guardians (awliya) other than Him" (7:3).

In order to save mankind from making wrong decisions, God enjoins on the believers the obedience of ulul amr. The Qur'an says: "O you who believe, obey God, and obey the Messenger and those of you who holds authority" (4:59). The question is who is the ulul amr? This verse obliges the Muslims to obey two things: First, to obey God; second, to obey Messenger and those vested with authority (ulul amr). The arrangement of the words shows that the obedience of ulul amr is as much obligatory as is the obedience of the Messenger because Koran uses just one verb for both of them without repeating the verb again. Naturally, it means that ulul amr should be of the same importance as the Messenger; otherwise God would not have joined them together in this verse (waw of atf) under one verb.

It is also clear from the above verse that ulul amr are not restricted to Messengers otherwise God would only have said: "Obey God, and Obey Messenger only." But He added ulul amr (those who are given authority). This is one of the places where the concept of Imams and the necessity of obedience to them come from. According to Imam Muhammad al-Bakir, the Imams are the ulul amr.

Allah (SWT) is the Greatest, the holy Prophet (pbuh) is His Greatest Messenger for which Allah (SWT) Himself is the witness; thus two great authorities to be obeyed and followed.

Logically it seems that Ulul Amr, the third authority, hence should have the following characteristics:

- Ulul Amr must be appointed by Allah (SWT) Himself; we don't have any authority in this regard.
- Like the holy Prophet (pbuh) Ulul Amr must be steadfast on the straight path and similar to him in conduct as duly testified by Qur'an.
- They need to be well guided to guide the ummah; hence they need to be infallible.

It was narrated that Ma'qal ibn Yassar al-Muzani (may Allah be pleased with him) said during his final illness: "I heard the Messenger of Allah (peace and blessings of Allah be upon him) say: 'There is no person whom Allah has put in a position of

authority and he dies on the day he dies cheating those under his authority, but Allah will forbid Paradise for him.”” This was narrated by al-Bukhari and Muslim; this version was narrated by Muslim. According to one of the two versions narrated by al-Bukhari: “There is no Muslim whom Allah places in a position of authority over people and he is not sincere towards them, but he will not smell the fragrance of Paradise.”

This is a stern warning which includes everyone whom Allah has placed in a position of authority, whether great or small, starting from the individuals of a royal family. Everyone must be sincere towards those who are under their authority, and not cheat or deceive them.

So an employee must be sincere in his work and do it in the manner required by *Sharī‘ah*, without cheating or deceiving anyone, and without delaying work for people. He should realize that he will stand before Allah and that Allaah has only given him this job so that he can be sincere towards the Muslims.

Similarly a father must be sincere towards his children and not neglect their upbringing, rather he must do all that he can to save himself and his children from a Fire (Hell) whose fuel is men and stones, over which are appointed angels stern and severe (cf. al-Tahreem 66:6).

Ibn al-Qayyim (may Allah have mercy on him) said: “How many people have caused misery to their own children, the apples of their eyes, in this world and in the Hereafter, by neglecting them, not disciplining them, encouraging them to follow their whims and desires, thinking that they were honouring them when they were in fact humiliating them, that they were being merciful to them when in fact they were wronging them. They have not benefited from having a child, and they have made the child lose his share in this world and in the Hereafter. If you think about the corruption of children you will see that in most cases it is because of the parents.”(*Tuhfat al-Mawlood*, p. 146)

Self Assessment Exercise

Mention and explain the qualities of a good leader.

4.0 CONCLUSION

Some tend to interpret ulul amr as the rulers. This interpretation is irrational as it is solely based on the twists of history. Ulul Amr are those who deserve to be leading the believers to the knowledge of God. They have gained authority first and foremost and have knowledge that can lead others to ultimate reality.

5.0 SUMMARY

A careful study of this unit shows some qualities of Ulul-Amr. The unit intimates you with the meaning and qualities of Ulu `l-Amr as stipulated in the Holy Qur'an and exemplified by Prophet Muhammad (S.A.W).

6.0 Tutor-Marked Assignment

Who are the 'Ulul-Amr and what are their qualities?

7.0 Reference/Further Readings

Qaradawi, Y. (1998) *State in Islam*. Cairo: El-Falah.

- Asad, M. (2001) *The Principles of State and Government in Islam*. Islamic Book Trust. Pg.43.
- Mawdudi, A. (1988) "Political Theory of Islam" (ed.) in *Islam: Its Meaning and Message*. London: The Islamic Foundation.
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UNIT 3 : DETAILED STUDY OF AL- ‘ADL WA `L-IHSĀN (Q.16:90)

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
 - 3.1 *Al- ‘Adl wa `l-Ihsān* (Justice and Goodness)(Q.16:90)
 - 3.2 Conceptual Model of Good Governance in the Holy Qur’ān
 - 3.2.1 Relevance of *al- ‘Adl wa `l-Ihsān* to good governance
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Readings

1.0 INTRODUCTION

In this unit, we are going to elucidate the Qur’anic concept of ‘*Adl* and *Ihsān* (Justice and Goodness) and discuss its relevance to good governance.

2.0 OBJECTIVES

By the end of this unit, it is expected that you will be able to:

- Give account of Islamic injunction on ‘*adl* and *ihsān*;
- Discuss the relevance of ‘*adl* and *ihsān* to good governance.

3.0 MAIN CONTENT

3.1 The Concept of al-‘Adl wa’l-Ihsān (Q.16:90)

Justice and Goodness , ‘*adl* and *ihsān*, precisely represent all virtues. Justice is one of God's attributes in the three monotheistic religions. In Islam, it is listed as one of the ninety-nine most beautiful names of God.

A number of references in the *Qur’ān* urge Muslims to adhere to Justice.

“Verily, Allah (SWT) enjoins *al- ‘adl* (i.e., justice like worshipping none but Allah alone-Islamic Monotheism) and *al-Ihsān* (i.e., to be good in performing your duties to

Allah, totally for Allah's sake and in accordance with the *Sunnah* of the Prophet (SAW) in a perfect manner), and giving (help) to kith and kin (i.e., all that Allah has ordered you to give them, e.g. wealth, visiting, looking after them, or any other kind of help, etc.) and forbids *al-Fahshā'* (i.e. all evil deeds, e.g., illegal sexual acts, disobedience to parents, polytheism, to tell lies, to give false witness, to kill a life without right etc), and *al-Munkar* (i.e., all kinds of abomination). He admonishes you, that you may take heed" (Qur'an 16:90).

Justice is a basic objective of Islam and a moral virtue, and the standard of justice envisaged by the Qur'ān.

In the Islamic worldview, justice denotes placing things in their rightful position. It also means giving others equal treatment. In Islam, justice is also a moral virtue and an attribute of human personality, as it is in the Western tradition. Justice is close to equality in the sense that it creates a state of equilibrium in the distribution of rights and duties, but they are not identical. Sometimes, justice is achieved through inequality, like in unequal distribution of wealth. The Prophet of Islam declared: "There are seven categories of people whom God will shelter under His shade on the Day when there will be no shade except His. [One is] the just leader." (*Saheeh Muslim*)

God spoke to His Messenger in this manner:

"O My slaves, I have forbidden injustice for Myself and forbade it also for you. So avoid being unjust to one another." (*Saheeh Muslim*). Thus, justice represents moral rectitude and fairness, since it means things should be where they belong.

On the other hand, *al-Ihsān* is an attribute of being good, such as imbibing act of kindness, state of being kind, being marked by good and charitable behaviour, pleasant disposition, and concern for others. It is known as a virtue, and recognized as a value in Islam.

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Self Assessment Exercise 1

Elucidate the concept of *al- 'Adl wa`l-Ihsān*.

3.2 Conceptual Model of Good Governance in the Holy Qur'ān

In the Holy *Qur'ān*, good governance is a well defined and adoptable concept. The Holy Qur'an perceives that Islam presents a clear and firm concept of good governance and does not consider it indeterminate. In Islamic model of good governance, the divinely approved leader is the centre and origin of good governance. In the Islamic model of good governance, the Divine leader is responsible for the smooth and effective institutionalization of all necessary disciplines mainly including Islamic (Allah's) laws and values; a system for recognizing/electing/selecting the Muslim leader; an interest free economic system; a system for public welfare; a system for defense; a system for fair justice, freedom, rule of law and order; a system for transparent planning and delegation of authority; an unbiased system of accountability; a system of education and a system of taxation.

3.2.1 Relevance of *al-‘Adl wa’l-Ihsān* to Good Governance

The religion of Islam demands people to be good to believers and to prevent them from being bad. We see this clearly in the following verse: “They believe in God and the Last Day; they enjoin what is right, and forbid what is wrong; and they hasten (in emulation) in (all) good works: They are in the ranks of the righteous.” (Āli ‘Imrān, 3:114).

Religion is the leading one of the most important factors that can control and prevent immorality and crime witnessed in the society. Presenting crime not only as a crime but also as a sin serves as a double preventive factors for discouraging it.

The religion of Islam clearly disapproves harmful habits which damage social life deeply and cause individual and social problems, and orders people to follow the rules it has brought on this subject: “O ye who believe! Intoxicants and gambling, (dedication of) stones, and (divination by) arrows, are an abomination, - of Satan's handwork: eschew such (abomination), that ye may prosper. Satan's plan is (but) to excite enmity and hatred between you, with intoxicants and gambling, and hinder you from the remembrance of God, and from prayer: will ye not then abstain?” (*al-Māidah*, 5:90-91).

“O mankind! Reverence your Guardian-Lord, who created you from a single Person, created, of like nature, His mate, and from them twain scattered (like seeds) countless men and women; - Fear God, through whom ye demand your mutual (rights), and (reverence) the wombs (That bore you): for God ever watches over you.” (an-Nisa, 4:1)

The System of the Universe was established with justice. Therefore, people should base their individual and social relations on justice. Justice should rule the human society as it rules the universe. As for building an exemplary society, the Qur’ān places the principle of “God commands justice...” (an-Nahl, 16:90) on the base of life.

This all-inclusive notion of the ummah comes through clearly in the directive that the fourth Khalifa, Ali bn Abi Tālib gave to Malik bn al-Ashtar Al Nakha'i, upon dispatching him as governor to Egypt at a time when Egypt was more Christian than Muslim. Ali wrote:

Know, O Malik, that I am sending you to a country which has been subjected before you to both just and unjust rulers, and so the people will judge you in the same way that you now stand in judgment of your predecessors. Therefore, let good works be your true assets. Discipline yourself, and covet not that which is not rightfully yours. Train your heart to feel compassion for the people, to love them and be kind to them. Do not behave like ferocious beasts toward them, snatching away their sustenance, for the people are of two categories: they are your brothers in religion and/or your fellow human beings".

Chapter 18, verses 83 to 101 of the Holy Qur’ān remind of the good governance practiced by Zulqarnayn (AS) to save his nation and reportedly upcoming generations from the terror and evils of a fanatic nation termed Yājūj and Mājūj. The Holy Qur’an highlighted three aspects in the governing practices of Zulqarnayn (AS) and that governance was run following the principles of Unity of Command and Unity of Direction; pro-people policies and strategies were implemented; an effective defense strategy for saving land and masses was developed; a challenge seeking approach for

benefiting the nation was adopted; the nation/masses were bound to obey Zulqarnayn (AS); there existed no political parties in the nation of Zulqarnayn (AS) and King Zulqarnayn (AS) was an apostle of God (Allah).

The Holy Qur'ān finds no obstacle in declaring the kingdom of a single man, that is, Zulqarnayn (AS) an example of good governance in the past. The Holy Qur'ān declares the defensive solution contributed by Zulqarnayn (AS) and his army an excellent example of caring for the masses. The masses were not required to be disintegrated into political parties. Rather, they were required to obey Zulqarnayn (AS) due to his honest and sincere leadership.

In Chapter 2, verses 40 and onwards, the Holy Qur'ān discusses the story of Musa (AS). The Holy Qur'ān reiterated its discussion relevant to Musa (AS) multiple times in its different chapters. Musa (AS) is attributed for his excellent planning for the salvation and emancipation of his nation known as Bani Israel from the slavery of the king of Egypt (Pharoh) and later, establishing a social setup ensuring all necessary disciplines. The hallmarks interpreted from this most discussed example of good governance guide that God (Allah) awards salvation to the deprived and oppressed nation only through His apostle; Musa (AS) maintained exemplary confidentiality of the strategic plans meant to ensure salvation of his nation; there existed no political party in the nation of Musa (AS) and all masses were obliged to obey and cooperate with their leader; after achieving salvation, an unbiased system of justice was implemented in the society; Musa (AS) practiced delegation of authority to his brother in his absence to ensure unity of command, direction and control; a system of taxation was enforced in the society; a system of accountability was implemented; trade and agriculture were encouraged and freedom of expression was common.

Musa (AS) is observed all the time pro-people and service oriented. Musa (AS), being a leader, even arranged food and services for all the masses through his miracles. Musa (AS) tried very hard to implement the system of justice for purifying his society from all elements that were weak in their faith and commitment with the right. Musa (AS) implemented an extremely impartial and unbiased system of taxation and

accountability as he (AS) sentenced his real cousin Qaroon for not paying due taxes to death. The entire good governance of Musa (AS) was due to the personality of the leader instead of institutions and their infrastructures.

The same Chapter 2 of the Holy Qur'ān shares the good governance of Tālūt (AS) who liberated Bani Isrā'īl from the Poor Governance and oppression of Jālūt in verses 246 to 252. The attributes of good governance of Tālūt (AS) report that Tālūt (AS) was not elected by the masses. Rather, he was selected by God (Allah) on the request of the masses of Bani Israel; Tālūt (AS) had no experience of governance as he was an ordinary farmer- young in age, strong in physique and intelligent in mind; Tālūt (AS) tested his army before initiating the freedom war against Jālūt (the oppressor), because the infra-structure of Jālūt's governance and army was huge, dominating and highly strong; after winning the battle against Jālūt, Tālūt (AS) laid the foundation of governance based on obedience to God by ensuring care for the masses, justice, astute defense and support for business and agriculture; Tālūt (AS) acted as a king practicing unity of command and direction and Tālūt (AS) delegated power and responsibility to his subordinates.

In this example, the prominent features of this good governor, Tālūt (AS), mainly include his election which was done by God (Allah) Himself by notifying his choice through his apostle Shamueel (AS). This example signifies that the masses of Bani Isrā'īl did not elect. Rather, they requested for a leader for them who could liberate them from the oppression of Jālūt (AS). This example of good governance guides that capabilities of Tālūt (AS) was not limited to effective planning for a battle, as later, he established a society in which the masses enjoyed freedom and social justice. The other significant aspect is that Tālūt's (AS) personality and leadership skills remained dominant on the strong infrastructure of the Jālūt's army and governance. This strengthens the perception of this study that the personality of the leader plays a vital role for ensuring good governance as it can dominate the institutional infrastructure.

The Holy Qur'ān remembers Dāwud (AS) for his justice and effective decision making in Chapter 38 verses 18 to 26 and also in Chapter 29 verses 15 to 45. Dāwud inherited Kingdom from Tālūt (AS) for marrying his daughter and practiced good

governance as a king and not as a democratically elected leader; impartial and free of cost justice was ensured; no political parties existed during the reign of Dāwud (AS); command and control over human and other various resources was exercised; thorough awareness of the human nature and nature of other resources was evident; Dāwud (AS) enjoyed unity of command and control as a king and Dāwud (AS) was an apostle of God (Allah).

This example in the Holy Qur'an signifies that the leader of an Islamic state needs to be effective in decision making and impartial in providing justice. The explanation of this example further indicates that King Dāwud (AS) inherited the governance from his father-in-law, Tālūt (AS), and extended the facilities and social justice in the same society. This example makes it evident that the leadership and personality of the Divine's leader was the cause of all infrastructural advancements.

The Holy Qur'an reminds of Sulayman (AS) for his effective planning and resource utilization in Chapter 38, and Chapter 29, verses 31 to 40. Sulayman (AS) was a unified king in his personality, skills and capabilities as he could talk to all species and animals; Sulayman (AS) was not just the commander of his armies and state, he was a commander on winds as well; Sulayman (AS) inherited the glorious, unique kingdom from his father Dāwud (AS) and continued practising as a unique commander for life time; the nation of Solomon (AS) had no political parties in his reign; exemplary constructions were accomplished as per the direction of Sulayman (AS); expansion of kingdom without bloodshed occurred; good international relations were maintained; the masses enjoyed freedom of expression; safety and rights of the masses and impartial justice were ensured; effective utilization of resources was evident and King Solomon (AS) was an apostle of God (Allah).

Sulayman (AS) was the son of King Dāwud (AS). His span of command and control were extended in scope and degree in comparison with that of his father. He (AS) utilized birds, animals, giants, humans, air and the then machine resources for ensuring great service to his masses. King Sulayman (AS) concentrated on the expansion of his state not by coercion or wars. Rather, he penetrated his preaching to

the leaders of other countries through effective international relationships and brought them under his obedience.

As example of the same is embracing his teachings by Queen Bilqīs (AS) who surrendered her country to Sulayman (AS) as a result. Another hallmark of the good governance of King Sulayman (AS) was the fact that there existed no grouping or political parties in his reign and all the masses enthusiastically remained committed with the cause of their King. King Sulayman (AS) ensured good governance despite not being any democratic leader through his personality, leadership skills, communication, administration and international relations. It was indeed King Sulayman's (AS) personality with which he established and improved the infrastructure of his army and systems. The Holy Qur'ān makes it evident again that it is the personality of the leader that dominates the infrastructures of the institutions not forces.

Chapter 47 is meant to discuss the last prophet Muhammad (PBUH). The Holy Qur'ān in various other chapters addresses Muhammad (PBUH) and this study found the entire Holy *Qur'ān* intended to guide and support the good governance of and by Prophet Muhammad (SAW). He (PBUH) established a social setup in the city of Medina after his migration from Makkah. The various parameters of the prophet (PBUH) on good governance include impartial and free of cost justice; central command and control; delegation of authority among subordinates as and when required; a social welfare state; a system of taxation; an effective system of defense; participation of all stakeholders in all significant matters; social security; promotion of education; social security for minorities; discipline and rule of law in society; elimination of poverty; effective international relations; no political parties; freedom of expression for people from all walks of life; masses were bound to obey the Prophet Muhammad (PBUH); interest-free economic system was developed and Muhammad (PBUH) ruled as an apostle of God (Allah).

The Holy *Qur'ān* has not introduced Muhammad (PBUH) as a king or governor limited to a state. Rather, the Holy Qur'ān has recognized Muhammad (PBUH) as a

Divine leader (chosen by God) for the entire mankind for all time periods to come before the Day of Judgment. Muhammad (PBUH) is the first governor general of a state who was invited by the masses of the city of Madina to migrate to that city for governing them. The masses of Madina did so as per the will of God (Allah). Muhammad (PBUH) laid the foundation of good governance that was further expanded and strengthened by his (PBUH) successors. The Holy Qur'ān and Islamic history are evident of the fact that Muhammad (PBUH) remained dominant on all infrastructures and doctrines in his personality. He (PBUH) ensured good governance in Medina through his leadership and personality traits. All infrastructures and systems were established and optimized due to his personal intervention and predilections which resulted in an unmatched implementation of good governance.

Nevertheless, today's world perceives that democracy is a prerequisite of good governance. In all the examples of good governance that the Holy Qur'ān has contributed for the entire mankind, good governance has been exercised in systems of kingdoms by a single person and not by institutions or their infrastructures. However, Islamic teachings do not restrict the opinion of masses which is clear by the fact that Muhammad (PBUH) migrated to Medina on the invitation of its masses. This study, therefore, interprets that as per Islamic teachings, good governance can be ensured in any mode of government and democracy is not a prerequisite of good governance. It is further true that Islam has cited all examples of good governance in systems of kingdom. The Holy Qur'ān has acknowledged good governance of kings or apostles based on their leadership and personality traits with which they dominated the then institutional infrastructures. This evidence guided that leadership skills and personality are the primary determinants of good governance while other aspects are also important.

Islam clarifies it that it is God (Allah) who selects and awards governance to any human (Al-Qur'ān, 3, 26). In the examples quoted by Islam in the Holy Qur'ān, a good governor maintained a centralized control being a unique commander while masses were bound to obey and cooperate with him as long as the commander was committed with the cause of Allah. The delegation of authority is reported in the Holy

Qur'ān in the absence of the supreme leader. Divine leaders were service oriented and pro-people within the set of rules dictated by Allah. In short, in all the mentioned examples of good governance in the Holy Qur'ān, the Divine leader is considered central and responsible for establishing all the required systems and maintaining their effectiveness for the betterment of masses and mankind.

Self Assessment Exercise 2

Discuss the Islamic principle of *al- 'Adl wa'l-Ihsān* and its relevance to good governance.

4.0 CONCLUSION

The principle of *al- 'Adl wa'l-Ihsān* applies to all people who enjoins justice and goodness in their conduct of affairs, be they God-chosen leaders, monarchs or democratically elected. The religion of Islam demands people to be good to believers and to prevent them from being bad.

5.0 SUMMARY

A careful study of this unit has brought to the fore the concept of *al- 'Adl wa'l-Ihsān* as supported by the relevant Qur'ānic verses.

6.0 TUTOR-MARKED ASSIGNMENT

Explain the concept of *al- 'Adl wa'l-Ihsān* as an Islamic political system principle. Support your points with examples from the Quran.

7.0 REFERENCE/FURTHER READINGS

- Mawdudi, A. (1988) "Political Theory of Islam" (ed.) in *Islam: Its Meaning and Message*. London: The Islamic Foundation.

MODULE 3: ISLAMIC PERSPECTIVE ON INTERNATIONAL RELATIONS

Unit 1: Islamic Perspective on International Relations

Unit 2: Study of Selected Treaties During The Prophetic Era

Unit 3: Study of Selected Letters and Covenants

UNIT 1 ISLAMIC PERSPECTIVE ON INTERNATIONAL RELATIONS

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
- 3.1 Islamic Perspective on International Relations
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Readings

1.0 Introduction

Islam considers the fact that a nation cannot operate in isolation, hence it lays down some regulations guiding the interaction between nations. A practical demonstration of this was equally made by the Prophet during his life. This was equally followed and developed by the Rightly-Guided caliphs after him. This unit shall therefore discuss the diplomatic relations, bilateral and multilateral of the Muslims and other nations.

2.0 Objectives

By the end of this unit, it is expected that you will be able to:

- examine the relationship of the Muslim world with other nations;
- discuss how this relationship was facilitated during the time of the Prophet and the Rightly Guided caliphs.

3.0 Main Content

3.1 Islamic Perspective on International Relations

Islam is not only international but universal in its message and approach, and the Muslim community has performed its universal role from the very beginning. The first

calls made by the Prophet of Islam (PBUH) were addressed to humanity rather than to any particular group of people. We never find that the Qur'an or the Prophet (PBUH), in his recorded sayings, speak exclusively to the Arabs, the Iranians, or other ethnic or linguistic entities. People are addressed either as "O mankind" or "O children of Adam."

Practical details of this interaction were demonstrated by the Prophet of Islam (PBUH) through his normative practice, the Sunnah, or the model example. Based on the Qur'an and Sunnah, Muslim scholars and jurists of the second century (AH) developed an independent legal-historical discipline known as *siyar*.

Initially a branch of the biography of the Prophet, with emphasis on the wars and other missions and expeditions in which he took part, *siyar* soon became focused on delineating a set of rules for regulating international conduct. This exercise of second century Muslim jurists yielded many works seeking to codify the part of the *Sharī'ah* that sought to regulate the interaction of Muslims with their non-Muslim contemporaries.

The science of *siyar* as developed by Muslim jurists of the second century addressed not only the issues related to states and communities, but also the rights of the individual, for example, the individual Muslim living in a non-Muslim environment, and the individual non-Muslim living in a Muslim environment. We may recall that modern international law has only started taking notice of individuals and communities during the last quarter century. However, in the writings of Shaibani and his contemporary jurists, we find that they had recognized, from the earliest times, individuals and communities as subjects of international law. They dealt with the rights and privileges not only of individual citizens of the enemy state, but also of Muslim citizens visiting the enemy territory.

The science of *siyar* developed by the Muslim jurists in the second century and expanded by subsequent scholars also raised some issues that may not appear to be very pertinent now. However, they were very much relevant in those days. This

happens to every living and vibrant law. In every legal tradition it is observed that, with the passage of time, some of its contents have become either obsolete or irrelevant to changing requirements.

As the needs of the times change, an internal mechanism of the legal system works to exclude outdated issues from the law's mainstream. This happened in respect of some issues in early Muslim international law. For example, questions related to the distribution of the spoils of war find a significant mention in almost all earlier writings of Muslim scholars, mostly because, in the early centuries, particularly the first two or three centuries, the Muslims did not have regular paid armies. Muslim armies consisted mostly of the volunteers who joined the war either to defend their country or to participate in a *jihad* and thereby obtain the Divine favour promised time and again in the Qur'an. In this situation, it was very important for Muslim jurists to consider the question of how the spoils of war were to be distributed to the warriors and to the participants in the *jihad*. However, when the Muslim governments had regular armies maintained in different regions, the issue lost much of its significance.

Certain features of Muslim international law distinguish it from the concepts of international laws in other traditions. First of all, Muslim international law is part and parcel of a comprehensive jurisprudential system. It is a comprehensive legal scheme, which is balanced, all-pervasive, and integrative, and which takes care of all possible legal situations in the life of the Muslim community and Muslim individuals. This scheme is anchored in human consideration, ethical values and spiritual foundations. The Islamic law of nations has never been an amoral legal system. It has always drawn its legitimacy from moral principles and its validity from religious foundations embodied in the Qur'an.

Self Assessment Exercise 1

Examine the Islamic perspective on international relation.

4.0 Conclusion

International and diplomatic realms are incorporated in the very comprehensiveness of Islam and analogues to the concept of international relations exist in Islamic history.

5.0 Summary

A careful study of this unit shows the perspective of Islam on international relations. Islam is not only international but universal in its message and approach, and the Muslim community has performed its universal role from the very beginning. The prophet's compacts with the Medinans (623-624) as well as with the Jews and Christians of the Arabian Peninsula e.g. in Najran and Aqabah) are regarded as evidence of early Islamic diplomatic practices.

6.0 Tutor-Marked Assignment

1. What are the principle guiding international relations in Islam?
2. Describe how the Prophet related with other nations during his time.

7.0 Reference/Further Readings

- Al-Sarakhsi (n.d) *Sharh al-Siyar al-Kabir*. Vol. I. Hyderabad Deccan: Da'irat al-Ma'arif.
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UNIT 2 STUDY OF SELECTED TREATIES DURING THE PROPHETIC ERA

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
- 3.1 Selected Treaties during the Prophetic Era
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Readings

1.0 Introduction

Many treaties were signed by the Prophet during his life time. A consideration of some these treaties shall be made, while a critical appraisal of them would be made for students to appreciate how issues were handled during the prophetic era.

2.0 Objective

By the end of this unit, it is expected that you will be able to:

- describe the contents of some treaties during the prophetic era.

3.0 Main Content

3.1 Selected Treaties during the Prophetic Era

The Peace-Treaty of Hdaybiyya 6 A.H

In the 6th year after the Prophet's migration, accompanied by Muslims, he decided to go for pilgrimage to Makkah. The infidels prevented the Muslims from entering the city of Makkah. After lengthy negotiations, both parties signed a peace treaty for the term of ten years. The following articles were decided upon for inclusion in the treaty:

1. The Muslims shall go back this year without performing *Umrah*. In the coming year, they may visit Mecca staying therein for three days bearing no arms except the arms of the traveler with swords remaining in their sheaths.

2. Those Muslims of Medina who took refuge in Mecca shall not be returned, however Muhammad will return every Meccan person arriving in Medina if the master of such person wishes so.
3. He will not deport anyone from the Meccan society along with himself and will not prevent the believers [in Islam] who wish to remain in Mecca.
4. Those who wish to join Muhammad's alliance will be able to do so. Those who wish for the solidarity and the alliance of the Quraish will be able to join them.
5. Ten years of truce have been signed between the two states. The allies of the treaty signing parties are included within this truce. This truce necessitates that each of the parties provide safe passage through their lands for the people of the other party, and when one of the parties is at war with a third party, the other party is obliged to remain neutral.

The implications of this peace treaty were very far-reaching. Firstly, until the signing of this treaty, the Muslims were mostly busy in defending themselves against the Makkaans (their external enemies) and the Jews (their internal enemies).

Secondly, only after the signing of this treaty, did the Muslims feel safe and secure enough to travel to regions and countries outside Madinah. The peace-treaty gave Muslims the opportunity to start an organized campaign to propagate Islam among surrounding tribes and countries.

Thirdly, from the 6th year of the Prophet's migration to the 9th year, so much propagation and missionary work had occurred that almost the entire Arabian Peninsula came into the fold of Islam—without the force of sword! As a result, the 9th year is known as '*Amul Wufūd*—the Year of Delegations: because many delegations of Arab tribes were coming to Medina to declare their acceptance of Islam.

The Madinah Treaty

The Treaty between Muslims, non-Muslim Arabs and Jews of Madinah was put in writing and ratified by all parties. It has been preserved by the historians. The document referred Prophet Muhammad (PBUH) as the Prophet and Messenger of God but it was understood that the Jews did not have to recognize him as such for their own religious reasons.

The most important provisions of the Madinah treaty were the following:

1. The Jews of Bani 'Awf are one community with the believers. The Jews will profess their religion and the Muslims theirs.
2. The Jews shall be responsible for their expenditure, and the Muslims for theirs.
3. If attacked by a third party, each shall come to the assistance of the other.
4. Each party shall hold counsel with the other. Mutual relation shall be founded on righteousness; sin is totally excluded.
5. Neither shall commit sins to the prejudice of the other.
6. The wronged party shall be aided.
7. The Jews shall contribute to the cost of war so long as they are fighting alongside the believers.
8. Madinah shall remain sacred and inviolable for all who join this treaty.
9. Should any disagreement arise between the signatories to this treaty, then God, the All-High and His Messenger shall settle the dispute.
10. The signatories to this treaty shall boycott Quraysh commercially; they shall also abstain from extending any support to them.
11. Each shall contribute to defending Madinah, in case of a foreign attack, in its respective area.
12. This treaty shall not hinder either party from seeking lawful revenge.

Madinah and its suburbs, after the ratification of this treaty, turned into a coalition state, with Madinah proper as capital and Prophet Muhammad as ‘president’; authorities lay mainly in the hand of the Muslims, and consequently it was a real capital of Islam. To expand the zone of peace and security, the Prophet Muhammad started to enter into similar treaties with other tribes living around ‘his state’.

Unfortunately many of the Jews did not spare any effort to annoy Muslims even after this treaty. As they disbelieved in Jesus in the past, now they disbelieved in Muhammad – and had no intention to live in total peace with the Muslims (Al-Ghazali, Fiqh Al-Seerah)

Treaty with Banu Damrah

The Prophet went to Banu Damrah with 60 muhajirs, companions who had migrated to Medina, in the month of Safar in the second year after his arrival in Medina. He debated what the neighbor relations should be with their leader and dictated the following text:

“In the name of Allah, the Most Compassionate, the Most Merciful:

The letter of Prophet Muhammad (PBUH) written to Banu Damrah: their assets and lives shall be safe. They shall be aided when they are cruelly attacked. They shall also help the Prophet. This treaty shall remain in full force until there still remains a drop in the sea enough to wet a feather. Their conditions during battling in the name of Allah are exempt from this. They shall answer the call of the Prophet when he asks for their help. They shall have the guarantee of Allah and His messenger. Aid shall be given for those who abide their liabilities and who are afraid of the violation of this treaty.”

This treaty which was between the Prophet and Banu Damra holds provisions such as helping each other, maintaining good neighbor relations, allying in case of a potential attack, etc. It also gives responsibility to both sides. Due to the fact that the Banu Damrah tribe was not Muslim at that time, no provision was stipulated regarding

cooperation or support for jihad (battling in the name of Allah and within the precisely defined limits of Islamic law).

Treaty Signed with the Banu Ghifar

The Prophet concluded a treaty with the Banu Ghifar tribe in the same year he made a treaty with the Banu Damra tribe. This treaty more or less bears resemblance to the treaty made with the Banu Damra:

“Banu Ghifar shall be deemed as a person who possesses the same rights and same liabilities as the Muslims. Moreover, the Prophet guarantees the protection of Allah and the protection of His Prophet over them and their possessions. If the Prophet calls for their help, they are obliged to honor his invitation, and they have a duty to help him. War for religion is to be held exempt from this record. This treaty will be valid until there still remains a drop in sea enough to wet a feather. This writing will not be used in the case of a murder.”

As such, the Prophet made an agreement with the Banu Ghifar to help and support each other and establish good neighbour relations.

The Treaty Signed with the Juhaynad Tribe

In the second year of the Hijrah in the lunar month of Rabi’ al-Awwal, the Prophet headed to Buwat where the Juhaynads were living. The Prophet signed a treaty similar to that of the ones with Banu Damra and Banu Ghifar:

“To Banu Zur and Banu Rab from the Juhaynad Tribe: They and their possessions will be under protection. They will receive help against those who battle and tyrannize against them. The wars waged in the name of religion and their members will be held exempt from this record. Those nomadic members who fulfill their obligations and who are by no means in violation of anything have all the rights granted to natives. Allah is the helper.”

This treaty signed by the Prophet with the Juhaynad tribe formed a non-aggression pact between the two parties wherein aiding each other in all sorts of attack was concluded as an obligation.

Self Assessment Exercise 1

Identify some of the treaties signed by Prophet Muhammad.

4.0 Conclusion

Prophet Muhammad is documented as having engaged as a diplomat during his propagation of Islam and leadership over the growing Muslim Ummah (community). Prophet Muhammad entered into agreements and pledges such as "Pledge of al-`Aqaba", the peace Treaty of Hudaibiyyah, the Madinah Treaty, treaties with Banu Damrah, Banu Ghifar and Juhaynad tribe.

5.0 Summary

A careful study of this unit shows some treaties signed during the era of Prophet Muhammad (PBUH). The significance of these treaties was also explored. The implications of these peace treaties were very far-reaching.

6.0 Tutor-Marked Assignment

Critically examine the content of the treaty of Hudaibiyyah.

7.0 Reference/Further Readings

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UNIT 3 STUDY OF SELECTED LETTERS AND COVENANTS

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
 - 3.1 Selected Letters and Covenants
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Readings

1.0 Introduction

Many letters and covenants were written during and after the prophetic eras. A consideration of some these letters and covenants shall be made, while a critical appraisal of them would be made for students to appreciate how issues were handled during the prophetic era.

2.0 Objective

By the end of this unit, it is expected that you will be able to:

- describe the contents of some treaties during the prophetic era.

3.0 Main Content

3.1 Selected Letters and Covenants

Letter to Heraclius

In 628 Prophet Muhammad (PBUH) sent a letter to Heraclius inviting him to Islam. The Byzantine emperor received it while on a pilgrimage in Jerusalem and called upon a person who belonged to Muhammad's tribe Quraysh. According to Sunni tradition, Abu Sufyan ibn Harb came forward and a discussion between them took place. At the end of the discussion the emperor said:

If what you said should be true, he will very soon occupy the earth under my feet, and if I knew that I would reach him definitely, I would

go immediately to meet Him; and were I with him, then I would certainly wash his feet (Sahih al-Bukhari, 4:52:191).

Letter to Muqawqis

Purported letter sent by Prophet Muhammad to Muqawqis, preserved in the Topkapi Museum, Istanbul reads:

In the Name of Allah, the Most Beneficent, the Most Merciful.

From Muhammad slave of Allah and His Messenger to Muqawqis, vicegerent of Egypt.

Peace be upon him who follows true guidance. Thereafter, I invite you to accept Islam. Therefore, if you want security, accept Islam. If you accept Islam, Allah, the Sublime, shall reward you doubly. But if you refuse to do so, you will bear the burden of the transgression of all the Copts.

"Say (O Muhammad): 'O people of the scripture! Come to a word common to you and us that we worship none but Allah and that we associate nothing in worship with Him, and that none of us shall take others as Lords beside Allah.' Then, if they turn away, say: 'Bear witness that we are Muslims' (those who have surrendered to Allah)." (3:64)

The Muqawqis responded by sending gifts to Muhammad, including two female slaves, Maria al-Qibtiyya and Sirin. Maria became the concubine of Muhammad, with some sources reporting that she was later freed and married. The Muqawqis is reported in Islamic tradition as having presided over the contents of the parchment and storing it in an ivory casket, although he did not convert to Islam (al-Mubarakpuri, 2002).

Letter to Khosrau

The letter written by Prophet Muhammad (PBUH) addressing the Khosrau of Persia was carried by Abdullah ibn Hudhafah as-Sahmi who, through the governor of Bahrain, delivered it to the Khosrau. The account as transmitted by Muslim historians reads:

In the name of Allah, the beneficent, the Merciful.

From Muhammad, the Messenger of God, to Kisra, the great King of Persia.

Peace be upon him who follows the guidance, believes in Allah and His Prophet, bears witness that there is no God but Allah and that I am the Prophet of Allah for the entire

humanity so that every man alive is warned of the awe of God. Embrace Islam that you may find peace; otherwise on you shall rest the sin of the Magis.

On receipt, the Khosrau reportedly tore up the letter in outrage. This reaction of enmity contrasts with the responses of the other leaders, and was supposedly due to Muhammad having placed his own name before that of the Khosrau.

A Deputation to Abyssinia (Ethiopia)

Negus, king of Abyssinia (Ethiopia), his name was Ashama bin Al-Abjar, received the Prophet's message, despatched by Amr bin Omaiyah Ad-Damari, which At-Tabari referred to, either late in the sixth year or early in the seventh year A.H. One of its sentences read:

"I have despatched my cousin, Ja'far (may Allâh be pleased with him) with a group of Muslims, to you. Do be generous towards them and give up haughtiness."

A Letter to Chosroes, Emperor of Persia

"In the Name of Allâh, the Most Beneficent, the Most Merciful. From Muhammad, the Messenger of Allâh to Chosroes, king of Persia. Peace be upon him who follows true guidance, believes in Allâh and His Messenger and testifies that there is no god but Allâh Alone with no associate, and that Muhammad is His slave and Messenger. I invite you to accept the religion of Allâh. I am the Messenger of Allâh sent to all people in order that I may infuse fear of Allâh in every living person, and that the charge may be proved against those who reject the Truth. Accept Islam as your religion so that you may live in security, otherwise, you will be responsible for all the sins of the Magians."

‘Abdullah bin Hudhafa As-Sahmi was chosen to carry the letter. This envoy carried it to the king of Bahrain but we do not know as yet if the latter dispatched to Chosroes by one of his men or chose ‘Abdullah himself.

The proud monarch was enraged by the style of the letter as the name of the Prophet had been put above his own name. He tore the letter into shreds and forthwith dictated a command to his viceroy in Yemen to send a couple of troopers to arrest the Prophet and bring him to his presence. The governor, Bazan by name, immediately sent two men to Madinah for the purpose. As soon as the men reached Madinah, the Prophet

was informed by a Divine Revelation that Pervez, the emperor of Persia, had been murdered by his son. The Prophet disclosed to them the news and they were stunned. He added asking them to tell their new monarch that Islam would prevail everywhere and outstrip the sovereignty of Chosroes himself. They hurried back to Bazan and communicated to him what they heard. Meanwhile, Sherweh, the new monarch sent a letter to Bazan confirming the news and bidding him to stop any procedures as regards the Prophet till further notice. Bazan, together with the Persians in Yemen, went into the folds of Islam, and gladly signified his adhesion to the Prophet (Fath Al-Bari 8/127,128).

The Envoy to Caesar, King of Rome

Al-Bukhari gave a long narration of the contents of the letter sent by the Prophet to Hercules, king of the Byzantines:

"In the Name of Allâh, the Most Beneficent, the Most Merciful. From Muhammad, the slave of Allâh and His Messenger to Hercules, king of the Byzantines. Blessed are those who follow true guidance. I invite you to embrace Islam so that you may live in security. If you come within the fold of Islam, Allâh will give you double reward, but in case you turn your back upon it, then the burden of the sins of all your people shall fall on your shoulders.

"Say (O Muhammad [PBUH]): ‘O people of the Scripture (Jews and Christians), come to a word that is just between us and you, that we worship none but Allâh, and that we associate no partners with Him, and that none of us shall take others as lords besides Allâh.’ Then, if they turn away, say: ‘Bear witness that we are Muslims.’ " [The Noble Qur'an 3:64] [Sahih Al-Bukhari 1/4,5]

The Muslim envoy, Dihyah bin Khalifah Al-Kalbi, was ordered to hand the letter over to king of Busra, who would in turn, send it to Caesar. Incidentally, Abu Sufyan bin Harb, who by that time had not embraced Islam, was summoned to the court and Hercules asked him many questions about Muhammad and the religion which he preached. The testimony which this avowed enemy of the Prophet gave regarding the personal excellence of the Prophet's character and the good that Islam was doing the human race, left Hercules wonder-struck.

Al-Bukhâri, on the authority of Ibn Abbas, narrated that Hercules sent for Abu Sufyan and his companions, who happened to be trading in Ash-Sham, Jerusalem. That was during the truce that had been concluded between the polytheists of Quraish and the Messenger of Allâh [pbuh].

Hercules, seated amongst his chiefs of staff, asked, "Who amongst you is the nearest relative to the man who claims to be a Prophet?" "I (Abu Sufyan) replied: 'I am the nearest relative to him from amongst the group.' So they made me sit in front of him and made my companions sit behind me. Then he called upon his translator and said (to him). 'Tell them (i.e. Abu Sufyan's companions) that I am going to ask him (i.e. Abu Sufyan) regarding that man who claims to be a Prophet. So if he tells a lie, they should contradict him (instantly)'. By Allâh had I not been afraid that my companions would consider me a liar, I would have told lies", Abu Sufyan later said.

Abu Sufyan's testimony went as follows: "Muhammad descends from a noble family. No one of his family happened to assume kingship. His followers are those deemed weak with numbers ever growing. He neither tells lies nor betrays others, we fight him and he fights us but with alternate victory. He bids people to worship Allâh Alone with no associate, and abandon our fathers' beliefs. He orders us to observe prayer, honesty, abstinence and maintain strong family ties."

"Hercules, on hearing this testimony, turned to his translator bidding him to communicate to us his following impression which reveals full conviction in the truthfulness of Muhammad's Prophethood: 'I fully realize that Prophets come from noble families; he does not affect any previous example of Prophethood.

A Letter to Mundhir bin Sawa, Governor of Bahrain

The Prophet, dispatched 'Al-'Ala' bin Al-Hadrami to the governor of Bahrain, carrying a letter inviting him to embrace Islam. In reply, Al-Mundhir bin Sawa wrote the following letter:

"Allâh's Messenger! I received your injunctions. Prior to this, I read your letter, which you wrote to the people of Bahrain extending to them an invitation to Islam. Islam appealed to some of them and they entered the fold of Islam, while others did not find

it appealing. In my country, there live Magians and Jews, and therefore you may inform me of the treatment to be extended to them."

The Prophet wrote the following letter in reply to his:

"In the Name of Allâh, the Most Beneficent, the Most Merciful.

From Muhammad, Messenger of Allâh to Mundhir bin Sawa. Peace be on you! I praise Allâh with no associate, and I bear witness that Muhammad is His slave and Messenger.

Thereafter, I remind you of Allâh, the Mighty, the Glorious. Whoever accepts admonition, does it for his own good. Whoever follows my messengers and acts in accordance with their guidance, he, in fact, accepts my advice.

My messengers have highly praised your behaviour. You shall continue in your present office. Give the new Muslims full chance to preach their religion. I accept your recommendation regarding the people of Bahrain, and I pardon the offences of the offenders; therefore, you may also forgive them.

Of the people of Bahrain whoever wants to go on in their Jewish or Magian faith, should be made to pay *Jizya* (poll-tax)." [Za'd Al-Ma'ad 3/61,62]

A Letter to Haudha bin 'Ali, Governor of Yamama

"In the Name of Allâh, the Most Beneficent, the Most Merciful.

From Muhammad, Messenger of Allâh to Haudha bin 'Ali. Peace be upon him who follows true guidance. Be informed that my religion shall prevail everywhere. You should accept Islam, and whatever under your command shall remain yours."

The envoy chosen was Sulait bin 'Amr Al-'Amiri, who after communicating his message, carried back the following reply to the Prophet , "The Faith, to which you invite me, is very good. I am a famous orator and poet, the Arabs highly respect me and I am of account among them. If you include me in your government, I am prepared to follow you."

The governor then bestowed a reward on Sulait and presented him with clothes made of Hajr fabric. Of course, he put all those presents in the trust of the Prophet The Prophet did not accept Haudha's demand. He usually turned down such peremptory tone, and would say that the whole matter was in the Hand of Allâh, Who gave His

land to whoever He desired. Gabriel later came with the Revelation that Haudha had died. The Prophet, in the context of his comment on this news, said: "Yamama is bound to give rise to a liar who will arrogate Prophethood to himself but he will subsequently be killed." In reply to a question relating to the identity of the killer, the Prophet said "It is one of you, followers of Islam." [Za'd Al-Ma'ad 3/63].

A Letter to Harith bin Abi Shamir Al-Ghassani, King of Damascus

"In the Name of Allâh, the Most Beneficent, the Most Merciful.

From Muhammad, Messenger of Allâh to Al-Harith bin Abi Shamir.

Peace be upon him who follows true guidance, believes in it and regards it as true. I invite you to believe in Allâh Alone with no associate, thenceafter your kingdom will remain yours."

Shuja' bin Wahab had the honour of taking the letter to Harith, who upon hearing the letter read in his audience, was madly infuriated and uttered: "Who dares to dispossess me of my country, I'll fight him (the Prophet)," and arrogantly rejected the Prophet's invitation to the fold of Islam. [Za'd Al-Ma'ad 3/62; Muhadarat Tareekh Al-Umam Al-Islamiyah 1/146].

A Letter to the King of ‘Oman, Jaifer, and his Brother ‘Abd Al-Jalandi

"In the Name of Allâh, the Most Beneficent, the Most Merciful.

From Muhammad bin ‘Abdullah to Jaifer and ‘Abd Al-Jalandi.

Peace be upon him who follows true guidance; thereafter I invite both of you to the Call of Islam. Embrace Islam. Allâh has sent me as a Prophet to all His creatures in order that I may instil fear of Allâh in the hearts of His disobedient creatures so that there may be left no excuse for those who deny Allâh. If you two accept Islam, you will remain in command of your country; but if you refuse my Call, you’ve got to remember that all your possessions are perishable. My horsemen will appropriate your land, and my Prophethood will assume preponderance over your kingship."

‘Amr bin Al-’As, was chosen to carry the letter.

Covenant with Christians

Prophet Muhammad interacted with Christians while in Makkah, received a delegation while in Madinah and sent a force to fight the Byzantines at the Battle of Mu'tah.

In 630 C.E, Prophet Muhammad received a Christian delegation from Najran in Madinah. Debate with Christians ensued some days. Finally the Christians asked Prophet Muhammad for peace and he accepted. Prophet Muhammad extended the hand of friendship towards them, a treaty was signed and both parties left on friendly terms. Another Christian delegation this time from Iraq by Jesujab II was heading to Madinah but Prophet Muhammad died before it arrived.

Self Assessment Exercise 1

- Identify some of the letters written by Prophet Muhammad.

4.0 Conclusion

Many letters and covenants written during the prophetic era were evidence of early diplomatic practice by Prophet Muhammad. Notable letters include the letters to Heraclius, Muqawaqus, Khosrau, Chosroes, Mundhir bin Sawa, Handha bn Ali etc.

5.0 Summary

In this unit, we have made you realize many letters and covenants written during the prophetic era. Prophet Muhammad reportedly used a silver seal on letters sent to other notable leaders who were requested to convert to Islam.

6.0 Tutor-Marked Assignment

Enumerate the diplomatic letters sent by the Prophet and assess their significance.

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MODULE 4: ISLAMIC POLITICAL THEORISTS

Unit 1: Al-Mawardi: Life and Political Thoughts

Unit 2: Al-Farabi:

Unit 3: Ibn. Khaldun

Unit 4: Al-Ghazzali

Unit 4: The Kharijites and Shiites' Thoughts

UNIT 1: AL-MAWARDI'S LIFE AND POLITICAL THOUGHTS

CONTENTS

1.0 Introduction

2.0 Objectives

3.0 Main Contents

3.1 Mawardi's thoughts on qualifications and election of the ruler.

3.2 Designation, privileges and functions of the Muslim ruler

3.2 Some reasons which can lead to the deposition of the ruler in an Islamic state.

4.0 Conclusions

5.0 Summary

6.0 Tutor Marked Assignment

7.0 References

1.0 INTRODUCTION

Abu al-Hasan al-Mawardi was born in Basrah in the year 974 AD. He got all his education in Basrah, then a centre of learning; he specially prepared himself for the judicial profession and obtained an appointment in the state service. As a judge he served at various places and was finally posted to Baghdad. In 1037 the Caliph, al-Qā'im, summoned four jurists representing the four schools of Islamic Law to write a legal epitome. Mawardi was chosen to represent the Shafi'ī school, and he wrote *Kitāb al-Iqnā* which was accepted as the best of the four, and in appreciation of his merit, the Caliph appointed him as the *Aqdā 'l-quḍāt* (the Best of the Judges).

Although he was a staunch Sunnite and Shafi'ite jurist he had the good fortune of being equally favoured by both the Buyids and the Abbasids; but the shi'ite Buyids

favoured him out of diplomacy, because he was often helpful in settling their every day quarrels within the palace.

He was held in great esteem by the Buyid Sultans who deputed him to negotiate between them and their opponents, and were pleased with his mediation and affirmed his settlements..

He was acclaimed as one of the ablest men of his age. He was not only as a distinguished judge but also as a distinguished author. He wrote mostly on law and politics; of his works the one on which his fame chiefly rests is *al-Ahkām al-Sultāniyyah* (the Ordinances of Government), and it the one that interests us most in this Unit.

2.0 OBJECTIVES

At the end of this unit you should be able to:

- Enumerate Al-Mawardi's qualifications and election of a ruler
- Discuss the designation, privileges and functions of the Muslim ruler.
- Outline Mawardi's views on some reasons which can lead to the deposition of the ruler in an Islamic state.

3.0 MAIN CONTENTS

3.1 HIS POLITICAL THEORY

Al-Mawardi holds that the institution of the caliph or Imamate is a necessary requirement of the Sharī'ah and not of reason. The Imamate is established to replace prophecy in the defence of the faith and the administration of the world. With an entire disregard of the facts of history during the four preceding centuries he maintains that the office of Caliph or Imam is elective, and he lays down qualifications for the candidates and electors.

(1) Qualification

The Imamate is instituted by means of election by electors who are qualified. The candidates also must possess certain qualifications such as:

- (i) *Adalah* – justice: since his primary function is the administration of justice according to Qur'an 38: 26.
- (ii) *Ilm* – knowledge of traditions to enable him to make independent decisions and pass judgment on points of law.
- (iii) Must be physically and mentally fit to discharge his duties as a ruler.
- (iv) Must possess courage and determination to protect the territory of Islam and wage holy war against his enemies.
- (v) Must be a descendent of Quraysh.

The electors must possess '*adalah*' and be conversant with the qualifications of the Caliph.

The descendent from Quraysh apparently seems to be in contradiction with the fundamental principle of equality in Islam; but those who are acquainted with political conditions obtaining in Arabia of those days will agree that the Quraysh were the only tribe to whom obedience and allegiance could be conceded by all other tribes in Arabia on account of their dynastic influence, political position and the large number of talented persons they produced both before and after the advent of Islam. On the other hand, the statement credited to Caliph 'Umar that:

‘if Abu ‘Ubaydah b. al-Jarrah or Salim the liberated slave of Hudhayfah were alive, I would have nominated either of them (to be Caliph after me)’ shows that descent from Quraysh was not an essential condition for the candidature of the Caliphate.⁸

(2) Election of the Caliph

Mawardi tries to make the theory of election fit in with that he knew to be the actual fact, namely that almost every Caliph had nominated his successor. He said that the Imam may be appointed in one of two ways: by election or by designation; that is, he may be elected by an electoral college or he may be nominated by a ruling Imam. In the first case some scholars said that the Imam must be elected by all the members of the electoral college in all the cities; others oppose this view and say that Abu Bakr was elected only by the citizens of Medina. As to the number of electors required to

make an election valid, Mawardi states that authorities are not agreed as to the number; he however cites the election of Abu Bakr which was concluded by five persons; ‘Umar appointed an electoral college of six persons. Other authorities were of the opinion that a contract of marriage may be drawn up by one person in the presence of two witnesses. Others have even held that an election might be announced by a single voice. Thus Mawardi concludes that one person is enough to elect the Imam. In other words, each Caliph may appoint his own successor or the amir may appoint an Imam and yet the elective character of the institution may be preserved. This extreme opinion has been advocated by Mawardi to advance another important opinion on the case of two candidates equally qualified for the Imamate, for which he says that the electoral college may nominate anyone of the two as Imam without assigning any reason for the choice.

The election of a less qualified person in the presence of a more qualified person is perfectly legal, provided the former fulfills all the conditions of the Imamate. It was this principle under which most of the ‘worthless’ Caliphs took refuge. It was also directed against the Shi’ites who claim that the inferior person cannot have precedence over a superior one. They coined this theory to assert that since ‘Ali and his descendants on the Fatimid line were superior to the rest of mankind, anyone who assumes candidate for the Imamate, he becomes automatically elected and no election is required. Other jurists seem to oppose this and assert that election must be held even if there is only one candidate, otherwise the Imam cannot acquire the necessary legal status. This insistence on election is obviously directed against the Shi’ite theory of divine appointment.

Mawardi says that the existence of two Imams contemporaneously is illegal. Al-Ash-‘arī, a leading theologian of his time, opposes this view saying that the existence of two Imams at a time is possible if their territories are far flung and widely separated by an ocean which hinders easy communication between the two. This view of Al-Ash-‘arī is obviously meant to support the claim of the Umayyad of Spain and the Fatimid of Egypt whom Mawardi aims to rule out in holding to his own view.

(3) Succession

Mawardi holds that the ruling Imam can nominate a successor. There appears to be complete consensus on this point among the jurists. This is based on Abu Bakr's nomination of 'Umar; similarly when 'Umar appointed a limited council to elect a successor, it was on the order of a reigning Imam. The Imam can nominate any suitable person as his successor provided he does not happen to be his father or son; in the latter case, the consensus of *ahl al hall wa al-'aqd* (the people who matter in the administration) shall be necessary.

The nomination of a person as heir-apparent becomes effective only when he declares his consent to it. The Imam can appoint an electoral college as well as the persons who may contest for the Imamate. This opinion is based on the election of 'Uthman by means of the shura appointed by 'Umar. The Imam can nominate two or more heirs apparent to succeed him one after another. This is based on the Prophet's action in the expedition of Muthah when he appointed Zayd b. Harithah as the commander of the Muslim forces and said that if he fell in fighting he was to be succeeded by Ja'far b. Abu Talib who was also to be succeeded by Abdallah b. Rawah; if Ibn Rawah fell, then the Muslims could choose anyone from among themselves.

Self Assessment Exercise

Examine the views of al-Mawardi on the qualifications, election and succession of a ruler.

(4) Designation

The Imam may be addressed as *khalifah Allah*, but majority of the jurists say that this title is forbidden for no human being can represent God on earth since man is mortal and imperfect; thus the Imam may be titled *khalifah* or *khalifat Rasul Allah*. Abu Bakr was alleged to have said when he was addressed *khalifat Allah*, 'Do not address me as *khalifat Allah*, but as *khalifat rasul Allah*'. The former was a bolder claim made only by the Abbasids who claimed divine right of kings. This is another attitude where Mawardi allows himself to be influenced by political reality.

(5) Privileges

When a person has been duly elected, he enjoys the following privileges:

- (a) The mention of his name in the *khutbah* and on the coinage.

- (b) The wearing of the *burdah* – the Prophet’s mantle-on important occasions.
- (c) The custody of such holy relics as the staff, seal, shoe, tooth and hair that are said to have been the Prophet’s.
- (d) Obedience by the Muslim community.

(6) Duties and Functions

The Caliph having been duly elected and accepted by the community be swearing the *bay’ah* – the oath of allegiance – shall be responsible for:

- (a) The safeguard and defence of the faith based on its principles and on the consensus of the first Muslims – *salaf al-ummah*. This condition presupposes the quality of *‘ilm* was expert knowledge of the tenets and traditions of Islam, and the ability to defend them against heretics.
- (b) The dispensation of justice and disposal of all litigations in accordance with the Sharī‘ah. The Imam should curb the strong from riding over the weak and encourage the weak to take their due in face of the strong.
- (c) The maintenance of law and order in the country to make it possible for people to lead a peaceful life.
- (d) The safeguard of fundamental rights and the enforcement of the criminal code of the *Qur’ān*.
- (e) The defence of the frontiers against foreign invasions to guarantee the security of life, limb and property of the Muslims, and non-Muslim alike in the Islamic state.
- (f) The organization of Jihad against those who oppose Islam or refuse to enter the protection of the Islamic state as a non-Muslim subjects.
- (g) The collection of *kharaj* and *zakat* taxes in accordance with the laws of the Sharī‘ah without resorting to extortions by pressure.
- (h) The just distribution of booties from jihad and of *sadaqat* the giving of alms and charity.
- (i) The appointment of honest and sincere men to the principal offices of the state for effective administration and to safeguard the finances of the state.

- (j) The Imam is to extend his personal supervision to public affairs and to apply himself to the government of the nation.

He should not entrust his responsibility to others
and engross himself in luxury or religious
devotion.

Mawardi's enumeration of these duties was very effective and opportune since it came out as a stern warning to the Buyids who had overpowered the Caliphs in Baghdad and who professed a heretical faith.

Self Assessment Exercise

Discuss the Mawardi's views on the designation, privileges and functions of the Muslim ruler.

(7) Deposition of the Imam

Mawardi holds that once a person is elected as Imam he cannot be removed from that office until there has occurred some definite change in him. The Imam can be deposed or lose his title and authority on account of one of the following reasons:

- (1) If there occurs a change in his moral status; the moral change is of two kinds:
 - (a) the one connected with his body, that is, if he becomes a slave to his inordinate desires and flouts the prohibitions of the Sharī'ah.
 - (b) the one connected with his faith, that is, if he holds opinion contrary to the principles of religion or holds such twisted opinion as amounts to an abrogation of the accepted principles.
- (2) If there occurs a change in his person; this change consists of:
 - (a) loss of physical senses; that is, if he loses his mental faculty and his sight.
 - (b) loss of bodily organs, that is, if he loses two hands or feet;
 - (c) loss of personal ability to supervise and direct: that is, if

(i) he is overpowered by one of his counselors or assistants who appropriates all authority to himself, but does not openly defy the Imam, except if his conduct and rule is opposed to the principles of religion and justice; in the latter case, the Imam shall have to seek the help of a person who can outst the usurper and restore supreme authority to him.

(ii) If he falls prisoner into the hands of an enemy, it shall be the duty of the entire Muslim people to endeavour to emancipate him, and as long as there is any hope of his deliverance he will continue as Imam, and another person may be elected to officiate in his absence. But if all hope is lost, he shall be deemed to have relinquished his office and a new election shall take place.

But if the Imam is captured by a Muslim rebel army and the rebels have not appointed another Imam of their own, the captured Imam shall continue to command the loyalty of the people and an acting Imam shall be appointed. But if the rebels have appointed an Imam of their own, then the captured Imam shall forfeit his claim to the imamate.

Self Assessment Exercise

Mention the views of Mawardi on some reasons that can lead to the deposition of the ruler in an Islamic state.

4.0 CONCLUSION

This unit discusses the conduct of state as presented by al-Mawardi in his *al-Ahkām a's-Sultaniyyah*. It highlights the rules and application of the principles to the entire business of government, state affairs and diplomacy. The purpose of writing *al-Ahkām a's-Sultaniyyah* was in order that rulers may be informed of the opinions of different schools of laws on the entire business of government and may know what the people owe to them so that they may demand its fulfillment, and what they owe to them so that they may try to fulfill it, out of love for justice in their enactments and decisions, and for the sake of equity in their imposts and rewards.

5.0 SUMMARY

Al-Mawardi was a jurist and so he builds on the opinions of his forebears, he gives wider scope to these opinions. His *al-Ahkām a's-Sultaniyyah* is one of the first scientific treatises on political science and state administration in Muslim history. It evolves a comprehensive theory of the state, which has also left an enduring influence on the course of Muslim political thought up to our own day. A close examination of his work reveals that he was a shrewd statesman and diplomat and that most of his opinions were dictated by the exigencies of his time and the special circumstances of his life.

6.0 TUTOR MARKED ASSIGNMENT

- Enumerate Al-Mawardi's qualifications and election of a ruler
- Discuss the designation, privileges and functions of the Muslim ruler.
- Outline Mawardi's views on some reasons which can lead to the deposition of the ruler in an Islamic state.

7.0 REFERENCES AND FURTHER READINGS

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UNIT 2: AL-FARABI : THE IDEAL STATE AND QUALITIES OF IDEAL RULER

CONTENTS

1.0 Introduction

2.0 Objectives

3.0 Main Contents

3.1 al-Farābī's theory of state

3.2 Concept and Qualities of the Imam of an ideal State.

4.0 Conclusion

5.0 Summary

6.0 Tutor Marked Assignment

7.0 References/ Further Reading

1.0 INTRODUCTION

Abu Nasr Muhammad b. Tarkhām al-Fārābī (d.950 C.E.) a Turk by birth, his father being a general; the basis of his early education was religious and linguistic. He studied jurisprudence, Hadith and the, exegesis of e Qur'ān. He later studied mathematics and philosophy. On coming to Baghdad, the then centre of learning, he learnt logic and surpassed those of his in this art; and he came to be called and referred the 'second teacher' taking Plato as the first one.

He remained for about twenty years in Baghdad and moved to the brilliant court of Sayf al-Dawlah' flourished with the most distinguished poets, philosophers, philologists and other scholars. The Fārābī's fame became widespread in the East in the 10th and 11th centuries and they eventually reached where some Andalusian scholars became his disciples. Some of his writings were also translated into Hebrew and Latin, and had their influence on Jewish and Christian scholasticism. Of his works the one which concerns our topic is *Kitāb ārā'ahl al- Madīnah al-Fadīlah* – The Book on the views of the people of the excellent city: while *Kitāb al-Siyāsah al-Madaniyyah* – The Book on the Civic Administration – may also be of interest.

2.0 OBJECTIVES

At the end of this Unit you should be able to

- Give a short biography of Muhammad al-Farabi.
- Discuss al-Farābī's theory of state.
- Expatiate on al-Farābī's concept and qualities of the Imam of an ideal State.

3.0 MAIN CONTENTS

3.1 Al-Farābī's theories of State

The City State: Here al-Fārābī discusses what institutes a state: He says that the city state and the family state are places that contain inhabitants, no matter whether their dwellings are constructed of wood, mud, wool or hair. The house or family is limited to only four relationships: husband and wife, master and slave, father and son, and property and proprietor. He who makes them unite in co-operation and aims at providing for them an abode with best

- facilities and maintenance, is called the master of the family.
- He is in the house while the administrator of the city is the city.

Necessity of Society

Men are naturally so constituted that they need many things for their best achievements; everyone doing his best for obtaining a particular kind of object. Thus by uniting their individual efforts for different objects they organise different societies. The greater the society the better are the facilities it achieves for its individuals. Men work for the welfare of the society the long run serve the state. The people living in are called a nation (ummah). One nation can distinguished from another by natural character, temperament, habits and language.

Human societies are either perfect or imperfect. The perfect society may be great or small; the small is the society of the people of a city while the great one is the one consisting of several nations uniting themselves in one unit helping. one another. The imperfect society is that of the people of a village, a locality, a lane, or a house, the last being the smallest.

The city in which the members of the society cooperate to achieve happiness is in reality the ideal city state – *al-madinah al-fadilah* – the society the ideal society and the nation the ideal nation.

Self Assessment Exercise

Provide an overview of al-Farābī's theory of State.

3.2 Al-Farābī's concept and qualities of the Chief or the Imam of an ideal State

The chief is either one of the first rank who is not servient to anyone or he is of the second rank, dominating some and being dominated by some others. Such ranks developed in relation to the;; that is, cultivation, trade, medical in respect of all kinds of human beings.

The first chief in general is he who needs no help a anyone. Sciences and arts are his property in actuality, and he needs no guidance from any person any respect. So, the first chief of the ideal city is who is chief in all- respects. His profession must excel all the rest in attaining perfection and intending by all actions of the ideal state to achieve the highest happiness. He is a man accomplished in all virtues -.and therefore he is intellect and intelligible in actuality. The Imām or chief of the ideal state is also the chief of the ideal nation; he therefore must possess the wing twelve qualities as his second nature:

- (1) Sound health and perfect organs performing their functions with ease and facility and in harmony with all faculties.
- (2) Intelligence and sagacity, so as to be able to grasp the intention of a speaker in his particular situation and circumstance.
- (3) Good memory so as to retain in his mind all that he understands, sees, hears and perceives.
- (4) Prudence and talent, to understand a problem from the perspective in which it. has been presented to him.

- (5) Eloquence so that his tongue may assist him in expressing in a perfect manner all that is in his mind.
- (6) Devotion to education and learning and submission to receive knowledge with ease without feeling any annoyance.
- (7) No greed for food, drink and sex, avoidance of play; and dislike of pleasures caused by these.
- (8) Friendliness towards truth and truthful persons and condemnation of falsehood and those who are inclined to falsehood.
- (9) Bigness of heart, loving, nobility and natural magnanimity without any trace of meanness.
- (10) Indifference to dirham and *dīnār* and other forms of wealth.
- (11) Devotion by nature to justice and just people, abhórence of injustice and oppression and unjust and oppressive people; offering half of one's possessions and those of one's family if needs be to help the oppressed and urging others to do the same; helping everything good and beautiful.
- (12) Strong resolution, courage and promptitude without any sign of fear or psychological weakness.⁴

If a person possessed of all these qualities happens to live in ideal state he is the chief. It is, however, impossible to have all these qualities in one man. People are scarcely equipped with all of them. If no one having these qualities is found in the state, then a group of people possessing all the qualities among them shall 'rule the state. Fārābī also concedes that the ruler may possess six or even five of these qualities.

The Second Imam

The second Imam or Chief who succeeds to the first one must also fulfill the following six conditions:

- (1) He must be a philosopher.

- (2) He must be learned and abreast with the laws, customs, rites and rituals adopted by his predecessor to be able to discharge the function of the ideal state with all perfection.
- (3) He must be able to decide points of law which have not arisen before, guided by the example set by the first imam.
- (4) He must possess farsightedness—an insight to frame rules and regulations in accordance with the conditions and circumstances he finds himself in, and capable of ‘keeping up the reforms he introduces.
- (5) He must also be well experienced and eloquent in giving directions to urge the people to follow him in accordance with the Shari’ah.
- (6) He must master the principal and subordinate arts of war.

If all the conditions described for the second are not found in one man and are ‘available in persons—one wise and the other possessing both qualities—then both will be chiefs of the state; if however these conditions are scattered in a group of people agreeable to work together then these members will be the ideal chiefs of the state. But if wisdom does ‘not form a part of the State while other conditions are fulfilled entirely, the city ‘will be best without a chief, ‘but it will be exposed to destruction. The state without a ‘philosopher to whom it may be entrusted will perish in no time.

Self Assessment Exercise

Explain al-Farābī’s concept and qualities of the Imam of an ideal State.

4.0 CONCLUSION

Al-Farabi thus far established that the meaning of Imam, philosophers and law giver is one and the same. He also asserts the dominant position of the Sharī‘a as the sole guarantor of the two-fold happiness and perfection without giving a detail account of its teachings and regulations. He equates the first philosopher – ruler to the Prophet and the successors as the Imams or Caliphs. The prophetic qualifications of the first ruler is based on prophesy and in his opinion, the philosopher – prophet is alone

qualified to help man as a citizen to reach his true human destiny, where his moral and intellectual perfection permit him to perceive God, under the guidance of the divinely revealed Shari'ah. Those ruled by the first ruler are the excellent, best and happy citizens.

5.0 SUMMARY

This unit highlights the life and works of al-Farabi. It gives an overview of his theory of State; defines the head of an ideal state, and itemizes his qualities and some of his functions.

6.0 TUTOR MARKED ASSIGNMENT

Examine al-Farabi's contribution to the Islamic political thought.

7.0 REFERENCES / FURTHER READING

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UNIT 3: THE POWER STATE OF IBN KHALDUN

CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Contents
- 4.0 Conclusions
- 5.0 Summary
- 6.0 Tutor Marked Assignments
- 7.0 References /Further Readings

1.0 INTRODUCTION

(1) His Life and Works

Ibn Khaldun was born in Tunis in the year 1332. His early education followed the customary line — Qur'an, Hadith, *Tafsīr* and *Fiqh*. He was deeply rooted in the traditional beliefs and convictions of Islam.

His family moved from Hadramawt in South Arabia to Seville in Andalusia and when the state of the *Muwahhids* began to weaken and the Spaniards gained power, Ibn Khaldun's family had to move first to Granada and later to Sebtā in Morocco where the Hafsid dynasty was reigning. Ibn Khaldun's father joined the service of the Hafsids and lived in their protection until our hero Ibn Khaldun was born in Tunis which at that time was full of crowds of learned men who came to it from Andalusia.

At about twenty Ibn Khaldun joined the court of Banu Hafs as secretary to Sultan Abu Ishaq, the ruler of Tunis; thus, he was started upon a government career. When internal dissensions grew in the capital of the Hafsid state, he left in December 1362 for Tlemcen and then to Andalusia where he settled with the King of Granada Abu Abdallah b. Muhammad b. al-Ahmar. In 1364, he led a mission to Pedro the King of Castilla for the purpose of ratifying a peace treaty between Castilla and the Muslims. He returned later to the service of the Hafsids who had regained control of their power, as the prime minister. Intrigues followed him everywhere. During a

dynasty dissension Ibn Khaldun supported a losing side and ended in prison on a term of twenty one months; but he was released soon afterwards upon change of power. Tired of ups and downs of the political intrigues and power, he escaped in 1382 to Egypt under the pretence of going on pilgrimage to Mecca.

In Egypt he also experienced the ups and downs of power struggle, five times he was promoted to the chair of the Malikite jurisprudence, and five times he was deposed as a result of intrigues and jolts. He died in the year 1406.⁵

Ibn Khaldūn's active career as judge of the Mālikī school and as a statesman in the service of several Muslim rulers of North African principalities, gave him the necessary, experience and background to the theory which he later propounded.

2.0 OBJECTIVES

At the end of this Unit you should be able to

- Pinpoint the political activities which influenced Ibn Khaldun in the political theories propounded by him.
- Define the three kinds of politics mentioned in the theories of Ibn Khaldun
- Expatiate upon Ibn Khaldun's concept of Power State.
- Identify religious influence in Ibn Khaldun's political theories.

3.0 MAIN CONTENTS

3.1 His Theories

3.1. 1. The force of the 'Aṣabiyyah

Ibn Khaldūn considers that certain natural factors along with social factors are closely connected with the rise of nations. When people congregate in one place, they find it necessary to co-operate for the sake of living, for the purpose of acquiring things of benefit to them, for their mutual aid, and for warding off things injurious to them. For this reason, man is a political being by nature. Close association generates a feeling of solidarity which is man's readiness to support whoever is related to him against any injustice or oppression. Ibn Khaldun calls this solidarity '*asabiyyah*. If this group or tribal solidarity is one of the bases of power, it is also one of the motive of

victory, and victory is the basis of leadership while leadership is mainly for people who can stir a feeling of tribal or group solidarity. It is also the basis of sovereignty, because people's affairs cannot be settled unless they have a *wāzi* ' - a ruler – who renders justice to the oppressed, gives the people their rights and restrains them from one another. But this ruler cannot achieve this position without a strong group or tribal support, that is, the *'asabiyyah*.

Ibn Khaldun believes that just as the tribal feeling for the establishment of sovereignty, it is same for religion; for, a religious movement achieve its aim and get widespread support the clannishness upon which the Prophet can rely, although he is supported by miracles and super-natural phenomena which are beyond human power. A religious movement helps in the consolidation of a state in addition to the power derived from the clannishness; for religion by its nature does away with egotism, rivalry and covetousness and unites the efforts and directs them towards one aim; thus, the nation becomes stronger and stronger. Here Ibn Kahaldun cites the Lamtuna and the Almoravids in the Maghrib whose religious zeal made their *'asabiyyah* irresistible in spite of the numerical superiority of their opponents, and tells how the decline of this zeal led to their destruction at the hands of those whom they had previously subdued.

Ibn Khaldun does not believe that the divine law is a *sine qua non* for the formation of a society or as a pre-requisite for the ruler of a state, for the number of people with revealed scriptures is far less than the number of those who do not believe in a divine law or revealed scriptures and yet these 'pagans' have founded well-established, flourishing states in pre-Islamic as well as post-Islamic periods. It is a restrainer rather successful state. He does not believe also in the theoretical proposition of the Muslim jurists regarding the establishment of sovereignty by the *bay'ah* or other constitutional means as propounded by al-Mawardi and al-Farabi. He is practical and even though he allowed himself to be influenced more by his desire for historical data and facts than theory of the state. He states that a state of sovereignty is established by conquest of cities by primitive people welded together by *'asabiyyah*. In fact, all the state time of Ibn Khaldun were established by conquest. The *bay'ah* was won only after a sovereign had established his power; and he later came to think of what form of government he had to project.

3.1.2. Kinds of Government

Ibn Khaldūn distinguished three kinds of state according to their government and purpose:

(a) *Siyāsah dīniyyah*—government based on the divinely revealed law, the *Sharī'ah*, which is the ideal Islamic theocracy; (b) *Siyāsah 'aqliyyah*—government based on a law established by human reason, and (c) *Siyāsah madaniyyah*—the government of the ideal state of the philosophers.

It has been mentioned earlier that association is necessary for men, and that men in their association need a restraining authority and governor to whom they entrust themselves. His authority over them, Ibn Khaldūn opines, is based, at one time, on the law sent down by God demanding their obedience in their belief in reward and punishment; and at another time, it is based on rational government, that is, a law devised by human reason, demanding their obedience to it in the expectation of a reward from the ruler. The advantage of the first comes to pass in this world and the next because the law-giver knows what is best for them in the end, and because he looks after the salvation of the worshippers (*'ibād*) in the hereafter. But the advantage of the second accrues in this world only. By the third category of government, *siyāsah madaniyyah*, the philosophers mean what is incumbent upon everyone of the citizens of the community in his own nature, so that they have no need of governor at all. Their intention is not a *Siyāsah* by which the citizens in association are to pursue the public good, for this is not the same as the other *Siyāsah*; theirs is rare and unlikely to come into being and they discuss it only hypothetically.

The Prophet is primarily a law-giver; the Caliph, his vicegerent and successor, is the ruler under the *sharī'ah* which bound together the *ummah*. It ruled supreme as the law of Muslim theocracy in the time of the first four Caliphs. The decline of religion coincided with the transformation of the *khilāfah* of that time into the '*mulk*' of *Mu'āwiyah* and the Umayyads. This was also the time of the transition from bedouin life to a more civilised one and the expansion of Islam into a vast empire; this is also a change from *Siyāsah dīniyyah* to *Siyāsah 'aqliyyah* supported by '*aṣabiyyah* in seizing power.

Self Assessment Exercise

Define the three kinds of politics mentioned in the theories of Ibn Khaldun.

3.1.2 The Power State

The power state is not only an end in itself with a life of its own, governed by law of causality—a natural and necessary human institution—it is also the political and social unit which alone makes human civilisation possible. In other words, it is the usual form of political organisation necessitated by man's natural needs as a gregarious rational being. Power is thus the basis of the state and the necessary instrument of the restraining authority without which man cannot exist.

Once a state has been established it follows the natural and necessary law of growth, maturity and decline, spread over five stages. The first phase is that of establishment during which time the ruler establishes his rule with the backing of '*aşabiyyah*', the solidarity based on the familial ties and religion. The ruler succeeds in monopolising power and becomes an absolute master, and in order to do this effectively he destroys those who share power with him, first by using some of them against others, and then by using paid mercenaries who are loyal to him as a person and not to a kinship solidarity or a religious cause.

The second stage is that of consolidation during which he establishes a dynasty; solidarity is replaced by paid army and organised administrative bureaucracy that carry out his wishes. The impersonal organisation of the army and the bureaucracy take care of the protection of the state and the development of the various institutions of a civilised culture. The ruler, having eliminated those who make up this '*aşabiyyah*' and of his kinsmen who claim an equal share in the rule with him, finally consolidates the rule in his own family to whom alone he reserves the authority which he builds up and thus a dynasty is created.

The third phase is that of luxury: during this period, the ruler concentrates on the organisation of the finances of the state and on increasing his income; he spends lavishly on public works and on beautifying the cities in imitation of famous civilised states; economic prosperity follows. He enriches his followers who, in turn, start living a life of luxury; crafts, fine arts and the sciences are encouraged by, and flourish

under the care and patronage of, the new ruling class; this is the peak of the glory of the dynasty.

The fourth phase is one of contentment during which the ruler and the ruled become complacent, enjoying pleasures of life, ignorant of how their predecessors struggled to achieve; they now depend on and recount the past glory of their ancestors and the seeds of decline have started to germinate.

The fifth and final phase is that in which extravagance leads to disintegration and collapse. During this period the ruler, in an attempt to maintain the luxurious life of the state, increases taxes which in turn discourages economic activity and leads to a decline in the revenue of the state, and this makes it impossible for the ruler to support his new followers. The forces of *'aṣabiyyah* having been destroyed, the communal pride and loyalty of the kinsmen become wantonly needed. The habits of comforts and luxury generate physical weakness and moral vice. The elites of the state forget the rough and courageous manners of the primitive life; they become powerless before an outside invasion. Excessive taxes and the fear of invasion weaken the hopes of the ruled. Despair becomes so widespread that it halts economic activity. The state begins to disintegrate: beginning with the outlying regions, princes, generals and the dissatisfied kinsmen of the ruler become independent. The rest of the state is then divided and subdivided into small provinces. In the capital, the mercenary troops and the civil bureaucracy begins intriguing to wrest the actual power from the ruler, leaving him but the insignia and name. Finally, power is snatched from the ruling dynasty by a new dynasty aided by a new *'aṣabiyyah*.

This process goes on in a cycle, that is, every state goes through the five stages of conquest, building up the dynasty, attainment of the peak, decline and fall.

All these take three generations. Ibn Khaldūn consider..., the period of forty years as the life span of a generation. The relation between the life span of a ruling dynasty and that of a state is not very clear. In certain places Ibn Khaldūn seems to think that they are one and the same thing. If this is the case, and since the power of a dynasty lasts only for three generations after it has been founded, this age of the state will then be on an average of 120 years; but, Ibn Khaldūn also states that within a

large nation made up of many peoples, various peoples (and hence dynasties) may follow each other in ruling the same state so long as the new rulers possess sufficient solidarity.

Self Assessment Exercise

Expatiate upon Ibn Khaldun's concept of Power State.

3.1.3 Ibn Khaldun's Religious Influence

Some scholars wonder if the religious belief and practice of Ibn Khaldūn has any influence on him. He appears to contradict the Muslim theological view by holding to the doctrine of causality and natural law in history. However, it should be admitted that Ibn Khaldūn remained a sincerely convinced Muslim. Further more, Gibb and Rosenthal opine that Ibn Khaldūn did not deviates in his theory from the general Muslim theological views; on the contrary they hold that all his theories culminate in upholding the place of the *Sharī'ah* as the main basis of any rule. According to Gibb, Ibn Khaldūn considers the caliphate as the only state being based on the true practice of the *Sharī'ah* which furthers both the temporal and spiritual interests of the subjects. His connotation of the term 'caliphate' is however general and not restricted to the historical caliphate. He considers that the gradual transformation of the historical Arab caliphate into an ordinary kinship was due to the force of '*asabiyyah*' amongst the Umayyad family. Rosenthal believes that even though Ibn Khaldūn developed his theory along strictly logical lines, a glance at the sequence of his discussions and the chapters in the passages concerned shows that they lead to and culminate in the caliphate. His Muslim background clearly asserts itself in all his theory.

Rosenthal insists that Ibn Khaldun holds firmly to the doctrine of the *sharī'ah*, and that by religion he has in view the religion of Islam exclusively. 'For him', he writes,

'Islam in the form of the *khilāfah* is the choicest fruit of a God-guided and God-centred human association, the ideal, the best way to the fulfilment of man's destiny, to

the attainment of happiness in this world and in the next'.¹⁸

To Ibn Khaldūn religion is an important factor in the set-up of the state even though it does not alone give its content to the state, not even to the Islamic state. The law of the state is derived from religion and extends to the well-being of the citizens, primarily in this world within the body of the state. Human needs and human effort have found the state as a necessity and it exists for man. The help of God lightened his work, the divine ordinance directed him to the best way, the word of God urged him on and supported his impulse towards conquest and power.

Self Assessment Exercises

Identify religious influence in Ibn Khaldun's political theories.

4.0 CONCLUSIONS

Ibn Khaldūn, no less ready to acknowledge the theoretical authority of the *Sharī'ah* turned his attention to the state as it actually was, and showed why it had to be so. He made practical application of his knowledge of the history of many North African dynasties; he rejected the theory of the philosopher-king and accepted the theory of the caliphate with some modifications. The caliphate to him was kingship guided by law of God. He rejected the caliphate or the imāmate as one of the pillars of faith, which is the Shi'ite doctrine, and in his arguments against the rational necessity of the caliphate, he disagrees with the classical doctrine expounded by the jurists such as al-Māwardī. However, he, like the other Muslim jurists, was concerned with the problem of reconciling the ideal demands of the *sharī'ah* with the facts of history.

5.0 SUMMARY

This Unit opens with a short biography of Ibn Khaldun depicting thosen aspects of his careers and life experiences that influenced his political thoughts. It elucidates Ibn Khaldun's kinds of state, theory of '*aṣabiyyah* and concept of power state. An assessment of the extent to which Islam influenced his theories is presented in the subsection that brought the Unit to a close.

6.0 TUTOR MARKED ASSIGNMENT

Write notes on the following as contained in the political theories of Ibn Khadun

- (i) Role of Al- ‘aşabiyyah in politics
- (ii) The Power State theory
- (iii) Place of religion in politics

7.0 REFERENCES / FURTHER READING

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UNIT 4: THE JURIDICAL THEORY OF AL-GHAZALI

CONTENTS

1.0 Introduction

2.0 Objectivea

3.0 Main Contents

3.1 The Need for Imamate

3.2 Qualifications and virtues of Imam of an Islamic state

3.3 Methods of electing the Caliph

4.0 Conclusion

5.0 Summary

6.0 Tutor Marked Assignment

7.0 References / Further Reading

1.0 INTRODUCTION

Abu Hāmid Muhammad b. Muhammad al-Ghazālī (Al-Ghazālī died in 1111 A.D. at Tūs.) has sometimes been acclaimed in both East and West as the greatest Muslim after Muhammad and he is by no means unworthy of that dignity. His greatness rests above all on two things, namely:

(a) He was the leader in Islam's supreme encounter with Greek philosophy, an encounter from which Islamic theology emerged victorious and enriched and from which Arabic—Neoplatonism received a blow from which it did not recover. And for this service al-Ghazālī received from the generality of the orthodox community the appellation of Hujjat al-Islam—the Proof of Islam.

(b) He brought orthodoxy and mysticism into closer contact; the orthodox theologians still went their own way, and so did the mystics; but the theologians became more ready to accept the mystics as respectable while the mystics were more careful to remain within the bounds of orthodoxy.

Al-Ghazālī produced many valuable works on various topics, especially on scholastic theology, philosophy, mysticism and ethics. Of these works, two are of special interest to our present study; and these are Kitāb al-Iqtisad fī al-I'tiqād (Right Proportion in

Belief) and the *Ihyā 'Ulūm al-Dīn* (the Revival of the Sciences of Religion). The former deals more with our study even though the latter is the greatest of his works.

2.0 OBJECTIVES

At the end of this Unit you should be able to

- State why some Muslims regard al-Ghazālī the greatest Muslim after the Prophet.
- Explain al-Ghazālī's view on the need for Imamate.
- Outline the qualifications and virtues of Imam of an Islamic state sketched out by al-Ghazālī.
- Analyze the three methods of electing the caliph from al-Ghazālī's viewpoint.

3.0 MAIN CONTENTS

3.1 The need for the Imāmate

Al-Ghazālī makes it clear that the imāmate is not required by /reason but mainly by the divine law— *shar'*—just as al-Māwardī had stated earlier. He thus denies the philosophers the right to examine the imāmate in the light of Greek philosophy. He says further that the imāmate is necessary because it is of advantage and keeps away damage in this world, and that it is an indispensable institution of Muslim life demanded by the *Ijma'* of the community after the death of the Prophet . He considers the good order of religion dependent on the good order of the world which, in turn, depends on an Imām who is obeyed. He argues against those who deny the *Sharī'ah* character of the caliph and then against those who deny its obligation altogether. In the former, he is certainly referring to the Mu'tazilites who asserted that the obligatory character of the caliphate was based on reason and not on *Sharī'ah*. In the latter he is referring to the Kharijites who hold that the existence of the Imām or Caliph is not a matter of religious obligation for at any particular time the community can fulfill all the religious obligations imposed by Islam and can have an entirely legitimate form of civil administration without an Imām being in existence.

In his final argument for the need of the caliphate, he contends that without the existence of the caliphate, no judgement of the *qāḍī*, no contract and no testament would be valid for the power of all *qāḍī* and government officials are derived from the Caliph.

In his theory of evolution in the *Ihyāʾ*, al-Ghazālī maintains that man was created in a way that left him in constant need of others. And it is in that nature of things that there should be co-operation with a very large number of persons each of whom should indulge in certain trade and industry. The association of groups leads to a community with new arts and industries; and as the need for survival and protection of the community, introduces new measurements to distribute and settle lands under dispute, and the development of the arts of warfare and arms, so the need for organising the life of the community introduces law and government to keep every member within his proper bounds. Thus the law and the course of government and state affairs introduce men of special qualities who are able to take the responsibility of heading the state that is the sovereign. Al-Ghazālī appears in this argument to have fallen in line with the assertion of the Muʿtazilites who held that the establishment of the caliphate or imāmate is dictated by reason and the needs of the community.

Self Assessment Exercise

What are the reasons given by al-Ghazālī for the need for Imamate?

3.2 Qualifications and Virtues of the Imam

Al-Ghazali gives a long list similar to those qualifications stipulated by al-Māwardī, though with slight modifications, perhaps to suit the general political situation of his time and in particular the case of al-Mustazhir the legitimacy of the caliphate of whom (and the Abbasid generally) he tried to establish against the opposition of the Fatimid rival.

Ability to wage Jihād is conditioned by the possession of powers and courage; this condition becomes necessary for al-Ghazālī being confronted with reality of the situation with regards to a young Caliph and a powerful Saljuq master, a situation which explains away the absence of such virtue in al-Mustazhir. He therefore points to the force and power of the Saljuqs as adequate enough for the prowess and courage required of the Caliph.

In the same way, he disposes the condition of kifāyah—competent discharge of the duties of government and administration. The requirements of the law are fulfilled as long as the Caliph is supported by experts and a conscientious vizier.

He treats the requirement for ‘ilm (knowledge) the same way. In support of the Caliph who lacks the power of *ijtihād* which is the prime constituent element of *ilm* al-Ghazālī asserts that ‘*Ilm* does not mean theological authority for which the ‘*ulamā*’ are experts. Then he wonders why the Caliph cannot be expected to rely on the advice and experts of the ‘*ulamā*’ in matters of ‘*ilm*, in the same way he relies on the strongest power—the Saljuqs—in matters of effective power, and on the wisdom of his vizier in matters of statecraft.

Al-Ghazālī adds fear of God, a pious way of life and refraining from dubious practices as moral quality required of the Imām. Then he considers not only decent from Quraysh but, also Abbasid line as necessary qualification for an Imām)

Self Assessment Exercise

Outline the qualifications and virtues of Imam of an Islamic state sketched out by al-Ghazālī.

3.3 Election of the Caliph

Al-Ghazālī stipulates three ways of electing the Caliph, namely, by designation of the Prophet, by designation of the ruling Caliph and by designation of the holder of actual power, that is, the Sultan. The third alternative, which al-Ghazālī does not fail to say applies in his day, tantamounts to recognition in law of an existing practice. He must have drawn this logical conclusion from the existence of a weak, powerless Caliph and a strong, powerful Sultan in effective control of government and administration. He acknowledges in *al-Mustazhir*, the complete absence of the conditions necessary for a fully functioning Caliph and that the caliphate in his day was really a sham. Also in the *Ihyā*’, vol. II, when he says that the ‘Abbasid Caliph is the lawful occupant of the office of the Caliph by contract and as such bears the responsibility which goes with it; but the function of government is carried out by Sultans who owe him allegiance. This means that government is in the hands of those who are backed by military force, and as long as the authority of the Caliph is recognised, government is lawful.

Al-Ghazālī does not consider designation alone sufficient for appointment of a Caliph, but it must be supported with the *bay‘ah* which must be performed by the great men and the people who matter (*ahl al-hall wa-l ‘aqd*—people who have the power of loosening and binding knots).

Self Assessment Exercise

Analyse the three ways of electing the caliph in the submission of al-Ghazālī

4.0 CONCLUSION

Al-Ghazālī was a Shāfi'ite jurist, a theologian, a philosopher and a mystic; his utterances and theories with respect to each of his various phases must be understood against the background of contemporary political and religious controversies and struggles. His personality and his quick reaction to spiritual trends and political movements and situations have, as correctly pointed by Rosenthal, left their unmistakable mark on his works and utterances. Ibn Rushd (Averroes) was not considering this when he accused al-Ghazālī of inconsistency when he says,

‘al-Ghazālī was all things to all men, a philosopher with the philosophers, an Ash'arite with the Ash'arites and a sūfī with the sufis’.

Al-Ghazālī is not alone in changing his mind or his allegiance to suit changing situations. Those before him as well as those after him did so. In *al-Iqtisād fī al-ʿItiqād*—an expositor of the nature and purpose of the caliphate, he is an Orthodox and classical as that of al-Māwardī. In his other work titled *al-Mustaẓhirī*, he is tempered with political realism and preparedness to make concessions to expediency. In his *Ihyāʾ ʿUlūm al-Dīn*, he bows to the actual power of the Saljūq Sultanate in his attempt to preserve the institution of the caliphate as the symbol of the unity of the Muslim Community.

5.0 SUMMARY

This unit is introduced by a brief focus on why al-Ghazālī is acclaimed in both East and West as the greatest Muslim after Muhammad a dignity which he is by no means unworthy of. The first two sections of the main contents of the units treat al-Ghazālī's argument for the need for Imamate and the qualities and virtues of the Imam. The last section of the Unit presents an expatiation of al-Ghazālī's viewpoint on the method of electing the Caliph.

6.0 TUTOR MARKED ASSIGNMENT

1. Give a critical account of al-Ghazālī's viewpoints on the sovereign of a Muslim State.
2. Al-Ghazālī appeared to be a different person at different time and under different circumstances. Elaborate this accusation.

7.0 REFERENCES/FURTHER READING

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Unit 2. The *Khawārij*

CONTENTS

1.0: Introduction

2.0: Objectives

3.0: Main Contents

3.1 The Main Political cum – Theological Doctrine of the Kharijites

3.2 The main political cum theological views of the Shiites.

4.0: Conclusion

5.0: Summary

6.0: Tutor Marked Assignment

7.0: References/Further Readings

1. 0. INTRODUCTION

In this Unit we shall trace the origin of a political cum theological movement known as the Kharijite and a highlight of the doctrines propounded by the political cum religious movement which has serious theological implications on the course of developments in early Islam.

We shall also deal with the theologico - political doctrines of the Shī‘ah, i.e. the allies of ‘Alī ibn Abī Tālib and believers that his Imamate, Caliphate or Muslim leadership is testamentary and supporting his descendants and working towards establishing a state in their name by regarding them the rightful Caliph and formulating principles and doctrines peculiar to them.

2.0 OBJECTIVES

At the end of this Unit you should be able to

- highlight the political cum theological doctrines of the Kharijites.
- discuss the Ithna'ashariyyah, Sab-'iyyah and Zaydiyyah Shiite sub-sects and their politico-theological principles.

3.0: MAIN CONTENTS

3.1 The Main Political cum – Theological Doctrine of the Kharijites

The Kharijites developed certain theological doctrines, under the leadership of Abdullah b. Wahab al-Rasibi. They considered Ali and his descendants as fallible as any other human being. To them, anybody who committed a sin should be brought to book according to *Qur'ānic* teachings.

They thought Ali had such qualities, called charisma or supernatural powers; and that was why they followed him in the first instance. But when he went off the track and did not live up to expectation, they abandoned him. For, they could not get a fulfillment of such high quality they anticipated from a charismatic leader.

Muhammad's community was considered to have got that charisma and was regarded charismatic, a member of which was entitled to Salvation and Paradise.

Anyone who committed a great sin, the Kharijites argued would go to hell in the hereafter and should therefore be expelled from Muslim community in this world otherwise he would pollute the community and thereby prevent the law-abiding members from getting Salvation.

Their ambition to have a puritanical society made the Kharijites condemned the Shiites in their impression that both Ali and his sons were infallible leaders.

The Kharijites also opposed the prerogative leadership conferred on the Quraysh i.e. that rulers should come from the Quraysh. The Kharijites condemned this. According to them, any Muslim could be the head of an Islamic state provided that he was morally and religiously irreproachable. This standard of righteousness made the Kharijites to hold to the slogan..."La hukmah illa lillah" (Govenance belong to Allah alone).

Summary of their main political cum theological doctrines

1. The Kharijites opposed the Shiites who believed that the head of state was infallible. According to the Kharijites, anyone could make a mistake and once a leader does this, he should be deposed.
2. The head of state should not come from Quraysh tribe alone. Any Muslim, whether coloured or white could rule provided he was morally and religiously irreproachable.
3. None of the leaders of the Kharijites was from the Quraysh and each of them rather than being referred to as Caliph was called Amir-al-*Mūmin* in – the Commander of the Faithful.
4. Abu-Bakr and Umar were recognized as caliphs. Uthman was also recognized up to the first six years of his reign and Ali was recognized as a caliph up to the battle of Siffin.

5. According to them, any Muslim who commits a grave sin was an apostate. According to the Azraqite faction, such a Muslim, his wife and his children should be fought.
6. All non-Kharijite Muslims were, in the view of the Kharijites, apostates. They upheld that the conscience of the Kharijite was the only pure conscience and they regarded pure conscience as indispensable complement to purity of the body with which the act of worship could be valid.

Self Assessment Exercise

Outline the main political cum theological doctrines of the Kharijites

3.2 The Main Political cum Theological Views of the Shī‘ah

The political-theological creeds general to all *Shī‘ah* groups are in connection with five issues; viz.

- (i) the Imamate (ii) Relationship between Ali, the Sahabah and the rest of Muslims.
- (iii) *‘Ismah* of the Imams (iv) *Taqiyyah* and (v) *Raj ‘ah* or Mahdism.

(i) Imamah (Imamate): To them, as belief in God is an Article of Faith, so also is the belief that Imamah (the temporal and spiritual leadership of the Muslim Ummah) after Prophet Muhammad is hereditary in the House-hold of Ali. This, they argue is because Ali as a nephew to the Prophet Muhammad (S) and husband of Fatimah his daughter, must have inherited the rights to rule the Ummah and interpret the Shariah from the Prophet. Their children too should have been bequeathed such divine rights by their parents. Such powers could only be found in the descendants of Fatima and Ali⁴.

The *Shī‘ah* even hold that the Prophet appointed ‘Alī as his vicegerent in his Sermon delivered before thousands of his disciples at Ghadīru ‘l-Khum on the outskirts of Madina in 10 A.H. (632 C.E.) when he said: *fa man kuntu mawlāhu, fa ‘Aliyyun mawlāhu*, meaning “hence whoever recognizes me as his Master, for him ‘Alī (too) is Master,” With that statement the appointment (naṣṣ) of ‘Alī as his vicegerent was completed and never revoked. In fact, later incidents mentioned by Shī‘ī authors show that the Prophet confirmed and acted on the assumption that ‘Alī was the heir apparent of the spiritual kingdom.⁵ The salvation of man is in the love and devotion to the Imam. This is known as *‘walāyah*.’⁶

Self Assessment Exercise

Explain the Imamate Creed of the *Shī‘ah*

(ii) Relationship between Ali, the *Ṣahābah* and the rest of Muslims.

The moderate Shiites are of the view that all the adversaries and opponents of Ali are sinners and will be perpetual in the hell fire like the infidels unless their repentance is established and they die on love and devotion to Ali.

As for the Muhājirs, the Ansārs, and the Righteous Caliphs before him, since Ali acknowledged them, related well with them and did not raise sword against them or invite anybody to do so, they cannot condemn them.

Since ‘Alī accepted their leadership and observed Salāt behind them, he has to be emulated and none can go beyond reports about his attitude to them.

Since it was established that ‘Alī did not curse the Sahabis the moderate Shiites will also treat them in likewise manner. To the moderate Shiah also, the rank of Prophethood was higher than the rank of the Imam.⁷

But there are Shiites who called the Chosen Sahabis infidels; and call the Caliphs before him usurpers of his right. They claim that when the Prophet was aware his death was imminent, he sent Abu Bakr and ‘Umar away in Usamah ibn Zayd’s expedition, in order to clear the city of all possible opposition and paving the way of securing bay‘ah (pledge of allegiance) for him from the remaining people. Usamah;s troops however dilly dallied for days against the wish of the Prophet and the aim was not achieved.⁸

In their attempts to defend their doctrines, some Shiites formulated dangerous ideas, raising doubts about the authenticity of the Qur ‘ān and Hadīth in the hands of the generality of Muslims; and claiming that only their scholars are in custody of the authentic ones.

Self Assessment Exercise

Explain the Shiite creeds relating to the relationship between Ali, the *Ṣahābah* and the rest of Muslims

(iii) *‘Ismah* (Infallibility of the Imams):

The Shī‘ah believe that the Imam was infallible (ma‘ṣūm); he can never commit minor nor major sins because he is the link between God and humanity like the Prophets and Apostles of God. He receives revelations though of an invisible nature.¹⁰

It however seems the early Imam did not conceive the ‘Ismah doctrine and that the extremist Shī‘ah developed the idea later; a situation which led the Imam to be going into hiding and obscurity as a result of which people were denied access to evaluate their actions.

Meanwhile, the Shī'ah claims the Imams do things through divine inspiration and Commandment. They see the Imam as the lawgiver and law enforcer who cannot be censored. He is the proof of God (Hujjatullah) and sign of God (Ayatullah).

(iv) *Taqiyyah*:

The Shī'ah believe in the expediency of *Taqiyyah*, (i.e.dissimulation or concealment of proper religious identity and theological feeling by a Shī'ī) when dwelling in a non-Shī'ah State or under threat of injury to his life or property. This also means pretension, deceit and saying something contrary to what one harbours in mind. The Shī'ah theologians find basis for this belief. They quote Q.3:28 & Q.16:106 to buttress the doctrine. They regard 'Ali's silence on the Caliphate of Abu Bakr and 'Umar, his prayer behind them and association with them as acts of *Taqiyyah*.

Self Assessment Exercise

Explain the Ismah and Taqiyah doctrines of the Shi 'ah.

(v) *Raj'ah* or Mahdism.

The Shī'ah believe their Imam is deathless; has miraculously remained alive since his **ghaybah** (absence), and is an Expected Messiah who will return to fill the earth with justice, equity and prosperity.¹⁵ Perhaps the first to innovate this doctrine was Abdullah b. Sabai, when he claimed that 'Ali was not killed; he was a Mahdi, an Expected Messiah who is coming back to the world to avenge his enemies. This idea then passed from his group (the Saba'iyyah) to the Kīsāniyyah who made Muhammad ibn al-Hanafiyyah their Mahdī; despite the fact that he has died, Abban ibn 'Uthmān the then Governor of Madina said the funeral prayer on him; and was buried at Baqī' near the Prophet's Mosque in Madina ¹⁶

The Ithnā 'Asharīs (Twelvers) believe in **ghaybah**, that is, the disappearance of the Imam from the world; not so the Ismā'īlīs. They believe there can be no **ghaybah** in this world. The Imam cannot completely disappear, even if to the profane eyes of the people he is invisible (**mastūr**), hidden from the sight of those whose vision does not possess the penetration of the true adept. If the Imam were to disappear from the world even for a moment, "verily, the earth would perish with all their in." ¹⁷ This Mahdism is sometimes termed 'Raj'ah Doctrine,' meaning the returning of the Imam. Some Shī'ah have however interpreted it to mean return of States and not return of deceased Imams.¹⁸

Self Assessment Exercise

Discuss *Raj'ah* or Mahdism as a doctrine of the various shiah denominations.

3. 3. Ithnā 'Ashariyyah (The Twelvers)

******Meanwhile the *Shī'ah* are divided into several schools of theological thoughts and the principal case for the division was the succession after 'Alī Zaynu 'l-Ābidīn, the fourth Imam

The majority of the *Shī'ah* followed Muhammad al-Bāqir and after him Ja'far al-Šādiq. After the death of Ja'far, another split took place, the majority followed Musā al-Kāzim and six Imams after him, thus making twelve Imams in all hence, the name *Ithnā 'Ashariyyah* ("Twelvers"). The *Ithnā 'Ashariyyah* school, sometimes called the *Ja'fariyyah*, deriving from the name of the sixth Imam, Ja'far, spread widely in Persia especially during the Safawid rulers era (908-1148 A.H. when every ruler claimed to be descendant of Musa Kāzim, the seventh Imam.

And its spirit permeates a large number of articles in the Iranian Constitution till today.

Shah Ismā'īl, on ascending the thrown in 909 A.H. ordered the inclusion of the names of their Imams in Friday sermons and *ash-hadu anna Aliyyan waliyyullah* in the *Adhān* (call to *Ṣalāt*-prayer); and the *Ithnā 'Ashariyyah* doctrine has so widely dominated the Iranian society and governance that it has become the Official religious school in Iran' and the constitution stipulates that the Shah was ruling on behalf of the Expected Mahdi.²¹ That was the status quo until the Iranian revolution of 198 ? The *Ithnā 'Ashariyyah* also constitute the majority of the *Shī'ah* and are also to be found in Iraq and in smaller groups in India.

Self Assessment Exercise

Examine the *Ithna 'ashariyyah/ Jafariyyah* as having majority of the *shī 'ah* followership.

4.0: CONCLUSION

The Kharijites were a group of supporters of Ali who broke away as a result of his agreement to a peace talk at the Battle of Siffin. They further broke into sub-sects. The Kharijites condemned the Shiites in their impression that both Ali and his sons were infallible leaders.

The Kharijites opposed the prerogative leadership conferred on the Quraysh. According to them, any morally and irreproachable Muslim could be the head of an Islamic state. The Kharijites used the title Amir for their leader; and adopted "*La hukmah illa lillah*" as their slogan.

The *Shī'ah* are a politico-religious sect in Islam who believed among other things that leadership of the Muslims should be from Ali and his descendants. They are divided into several schools of theological thought and the principal case for the division was the succession after 'Alī Zaynu 'l-Ābidīn, the fourth Imam . The three prominent

groups among them are the Ithna 'ashariyyah /Ja'fariyyah, the Ismailiyyah, and the Zaydiyyah who all played and are still playing significant roles in the politics and history of the Muslim world.

5.0: SUMMARY

The Kharijites were early Muslim theological groups who opposed the Shiites in their infallible Imam doctrine as well as the Sunnis who conferred prerogative leadership on the Quraysh alone. They recognized the caliphate of Abubakr and Umar; and those of Uthman and Ali to a large extent.

A summary of the fundamental politico-theological doctrines of the *Shi'ah* could be given as follows:

(i) Imamate is a pillar of Islam. It is not a matter for public consideration. Thus it was an incumbent duty of Prophet Muhammad to appoint an infallible Imam for the Ummah.

(ii) The Prophet (S) designated Ali as his *Wasiyy*. He was thus Imam by Testamentary Statement and not by election. The Imamate should be hereditary among his descendants.

6.0: TUTOR MARKED ASSIGNMENT

1. Outline the main politico-theological doctrines of the Kharijites.
2. Discuss the fundamental political cum theological views of the Shiites.

7.0: REFERENCES/FURTHER READINGS

- (1) W. M. Watt (1962). *Islamic Survey, Series 1, Islamic Philosophy and Theology*. Edimburgh, University Press.
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- (3) Sharif, M. M. (1963). *A History of Muslim Philosophy*, Otto Harrassowitz, Wiesbaden, Germany 1963, vol. 1.
- (4) Jalī, Ahmad Muhammad, *Dirāsah ʿani `l-Firq wa Tārīkh al-Muslimīn* (A Study of Muslim Sects and Muslim History), King Faisal Establishment, Riyadh 1408 /1988
- (5) Hasan Sayyid Mutawalli (1402/1983). *Mudhakkiratu `t-Tawhid*; vols 1-5, Cairo, Al-Azhar Colleges Press. Vol. 3.