

## Islam and the State

Dr. Fazlur Rahman

---

*Editorial Note: This is an excellent research paper of the late Dr. Fazlur Rahman (d. 1987), a copy of which the author gave to Dr. Israr Ahmad during one of his visits to him a few years before his death in Chicago. The article was signed and corrected by Dr. Fazlur Rahman himself. Perhaps it has been already published somewhere else. But on account of paramount importance of the ideas expressed in it on the relationship between Islam and state and the critique of post-revolutionary Iranian Shi'ite political theory, we decided to publish this paper in the present issue of Qur'anic Horizons. A prolific and outstanding scholar of Islam, Dr. Fazlur Rahman influenced a whole generation of young Muslim intellectuals, students and probably more importantly, his Western colleagues in the field of Islamic Studies. Although considered controversial on certain issues, he was a scholar of encyclopedic breadth in the true tradition of classical Islamic scholarship. The entire article fully substantiates the orthodox Muslim point of view at the highest intellectual level. Pace many avant-garde Muslim intellectuals who advocate mere "Cultural Islam", this article makes a forceful and highly cogent case for the "Political Islam" in which state and governance is an integral dimension of Islam. Dr. Fazlur Rahman, as is probably known to the readers of this journal, taught as Professor of Islamic Studies at the University of Chicago (Illinois, USA) for more than a decade.*

---

**W**hen Muhammad (SAW) began his prophetic career in Mecca in 610 C.E., a central part of his mission was social reform in terms of strengthening the socio-economically weak and depressed classes - the have-nots in general, orphans, women, slaves, etc., in the prosperous mercantile Meccan society. Both he himself and his opponents knew that such social reform on this scale would require assumption of political power by him, and there is no doubt that the source of a good part of opposition to him came from this situation. In part, this opposition was rooted in the fierce inter-clan rivalry: the Prophet (SAW) being from the clan of Banu Hashim of the large tribe of Quraish, other clans feared that recognition of Muhammad (SAW) as the political head could involve the rule by Banu Hashim.<sup>1</sup> Short of recognizing him as the absolute religio-political head, they offered him an effective share in the decision-making city council of Mecca, an offer which he refused.<sup>2</sup> In his later years in Mecca (before emigrating to Madina), the upper-class Meccan merchants offered to accept his faith provided he got rid of his poor and weak followers. The Qur'an condemned such offers and warned him against them; he, of course, refused to accept them.<sup>3</sup>

After his arrival in Madina in September 622 C.E. (the year of the beginning of the Islamic - Hijra - lunar calendar) at the invitation of that town, Muhammad (SAW) assumed his position as its religio-political head. He was able to carry out his program of social reform (apart from

promulgating worship of the one and unique God, Allah (SWT) imposing the Zakat-tax upon the well-to-do to ameliorate the condition of the poor, to rescue the poor who were under chronic debt, to improve the defense effort and other social services, etc.,<sup>4</sup> allotting shares in inheritance to women, regulating marriage and divorce and others. He contracted peace agreements, conducted wars, legislated and decided cases as the supreme judge. In 630 C.E., Mecca fell to him without opposition; this was followed by constant flow of representative delegations from Arab tribes and when he died in June, 632 C.E., Muhammad (SAW) was the effective prophet-ruler of virtually the whole of the Arabian peninsula.

The outline presented here should make clear the relationship between “religion” and “state” under the Prophet (SAW). It is not the case that “religion” and “state” were sisters; nor can it be said that they “co-operated” with one another. The state is nothing at all by itself; it is a reflex of those moral and spiritual values and principles called Islam. The state is not an “extention” of religion, it is an instrument of Islam, a transparent instrument which vanishes when one tries to regard it per se. The Prophet (SAW) never claimed to be prophet *and ruler*; he never even claimed to be a ruler whose rule was under his prophethood; he only claimed to be a prophet; his rule was the way in which he performed his prophetic office. The adage is fairly well-known by now that “in Islam there is no separation between religion and state”; the actual case is much stronger: ideally, the state *per se* cannot exist in Islam where it is only a reflex or a transparent instrument of “religion.” Religion (Islam), therefore, is that which directly permeates and directs all spheres of human life. Islam is just as much to be found in the market-place, in the school, in the legislative chamber as in the mosque and the battlefield, for all these loci manifest and interpret Islamic values.

In terms of our present forum we shall have to say that political action is a part of, a manifestation of and a necessary instrument of Islam and the values it stands for in the public sector of life. Leaving the Prophet's (SAW) life time, we would now like to know what the Qur'an, the Word of God revealed to Muhammad (SAW) during the approximately twenty-three years of his mission, had to say to Muslims for the future conduct of affairs since the Prophet's (SAW) revelatory experience was by definition irrepeatable. As the basic instrument of the implementation of the divine message, the Qur'an had established the Muslim community which it called the “brotherhood of the Faithful.” This community was asked by the Qur'an to regulate its internal conduct on the basis of active mutual goodwill (*tawasi*)<sup>5</sup>, and cooperation (*ta'awun*).<sup>6</sup> Being brothers, they all stood as equals before God and before the law. Exploitation, political, social or economic, was forbidden. In his Farewell Pilgrimage Address, the

Prophet (SAW) talked of “all men being children of Adam and Adam being from dust... there being no superiority of an Arab over a non-Arab or of a white or brown man over a red or a black man.” In any case, distinctions based on origin and physical provenance had been decisively repudiated by the Qur’an itself.<sup>7</sup>

The task of this community was formulated as “believing in God, establishing prayers, effecting Zakat, commanding good and prohibiting evil,”<sup>8</sup> to establish a viable ethical socio-political order by “reforming the earth and rooting out corruption from the earth.”<sup>9</sup> For the achievement of this global task, the community was provided with the necessary tool called *jihad*.<sup>10</sup> *Jihad* means total and unrelenting effort “in the cause of Allah (SWT)”, i.e., the task with which it was charged and which we have briefly described just now.

In order to “reform the earth”, however, the members of the community have to be properly formed as individuals. Without this kind of individual stuff, it is inconceivable to bring into being the kind of community capable of bearing this task. Such an individual is to be formed on the basis of what the Qur’an calls “*taqwa*.” *Taqwa* is that attitude or, rather, quality of mind whereby a person becomes capable of discerning between right and wrong and makes the necessary effort to do so. It assumes that man’s task is to discern and to act with the full awareness that the law whereby he is finally judged is not of his making and is, in this sense, external to him. *Taqwa* could be translated as “conscience,” provided conscience is not conceived of subjectively but fully recognizes the objectivity or “externality” of this law of judgement. In other words, a nation of effective transcendence is central to *taqwa*. It is the exit point from moral subjectivity into objectivity, from individuality into society: “There is no private talk of three people but that God is the fourth, nor of five but that God is the sixth, nor of any lesser or greater number but that God is present there” (Al-Mujadilah 58:7).

Without individuals with the kind of sense of responsibility that *taqwa* brings, there is no hope of building a worthwhile community. Muhammad (SAW) was able to train a good nucleus of people with this moral equipment, whom the late Professor H.A.R. Gibb describes as “the leaven which was to leaven the whole lump.”<sup>11</sup> What thwarted and distorted the development of Islamic polity on proper lines was ironically the astonishingly rapid political success of the Muslim Arabs in terms of swift conquests which put them in charge of a large empire within a matter of a few years, also swelling the numbers of the community by literally millions of people. First, it was inconceivable that the kind of effective moral training required by the Qur’an and actually imparted by the Prophet (SAW) to his inner circle during a period of more than two decades could have

been successfully achieved with regard to the large and almost sudden influx of new converts. Secondly, with the erection of a big empire almost overnight, the newly formed Muslim intellectual class (the ulema) had to face the immense task of working out and perfecting a system of Islamic law for the administration of this empire. These early legists were not only brilliant men but models of devotion and piety and, for their time, they performed their task extraordinarily well. But as it happens, law is not the same thing as morality! And, although Islamic law developed a peculiar nature (whereby it sought to preserve within itself certain key moral elements which rendered much of it unenforceable through a court of justice but suitable only for the bar of conscience), still law by definition deals with overt behavior. Because of this development, inner moral training of the kind envisaged by the Qur'an necessarily suffered recession. A century or so later, when the impulse of inner spiritual development reasserted itself, it did so with a vengeance in the form of Sufism. Sufism chalked out its own course independently of, and sometimes in conscious and even willful opposition to, the law for some time until the process of deliberate integration began seriously about the tenth century C.E.

Let us resume the story of Islam and politics. When the Qur'an established the Community of Believers and required them to work through mutual cooperation, it also gave a basic procedural principle to regulate the process of decision-making. This is the principle of *shura* or "mutual consultation": "Their (the faithful's) affairs shall be decided by their mutual consultation" (Al-Shura 42:38). The Qur'an did not create this principle; it was the democratic principle of decision-making among the Arab tribes which the Qur'an confirmed. When deciding upon momentous questions like war and peace, migration, settling such major internal and external disputes as would affect a tribe as a whole, the tribal chief could not proceed by himself but convened a council of elders which had the final say on such matters. The Qur'an considers it of such importance that although, in his own life-time, the Prophet (SAW) exercised absolute authority, it asks him "You must consult them in (the decision) of affairs" (Ale-Imran 3:159). The basic change that the Qur'an effected was to turn *shura* from a tribal institution into a community institution, since it replaced blood-ties with the bonds of faith.

The first test of *shura* came immediately after the death of Muhammad (SAW) over the question of succession: although he was looking for an appropriate opportunity to settle this fateful matter before his death, in view of the delicate balance of forces in the community - particularly as between the Meccans who had settled in Madina after the emigration and the original Madinese population who had given him and his Meccan followers a haven - he had no opportunity to decide. After a

protracted debate in the Hall of Banu Sa'ida, the Meccan elder statesman and an old faithful companion of Muhammad (SAW), Abu Bakr (RAA), was elected the first Caliph (successor), despite a certain amount of covert dissent from 'Ali (RAA), the Prophet's (SAW) cousin and son-in-law and his kinsman supporters who thought that rule should remain in the Prophet's (SAW) household (he left no male issue). This group and their later followers became the Shi'a.

This test was successful; but this is the first and last time in Islamic history that the community as a whole, i.e., its decision-making representative elements, met and saved the community from disintegration which the frailties and vagaries of history may well have perpetrated. *Shura* continued to function informally for some time during the time of the first four Caliphs until the Umayyad rule. With the introduction of dynastic rule under the Umayyads, *shura* was naturally replaced by those cliques that supported the regime. It was, in fact, never developed into an institution. If it could have been so developed, the history of Islam, both political and religious, would have been radically different, with important consequences for the non-Muslim world as well. What happened instead was that a concept was evolved called "Ahl al-Hall Wa'l-'Aqd" or "People of Loosening and Binding." These were people of public influence and confidence who were co-opted by the ruling authority for consultative purposes with regard to formulation of internal and external policies. These men could be from the military cadres, learned men (ulema) or other influential personalities, including, of course, ministers charged with various responsibilities.

This was undoubtedly better than purely despotic rule. Despotic absolutism in any case could not develop in Islam because, as we shall see presently, the ruler was always regarded in Islam as being under the sacred law, the Shari'a, and not above it. There were, therefore, concrete limits to his exercise of power, limits which he could not violate flagrantly or frequently except on pain of losing power entirely through rebellion. Nevertheless, this situation was a far cry from the Qur'anic ideal which demanded rule through *shura*. In the view of the Qur'an, *shura* does not mean that a single person (the ruler) seek advice from a certain number of people he deems fit for the purpose of consultation, and then he may or may not accept their advice. Obviously, the Qur'an is thinking first of all in terms of the community's affairs or business (*amrhubum* = their affairs), not in terms of the business of a single person or an elite. Rule is, thus the community's joint affair. Secondly, and this is equally important, the words of the Qur'an are "shall be decided by their mutual consultation (*shura bainahum*)." This evidently repudiates a situation where one person (the ruler) "consults" others - others whom he himself has appointed and who do not represent the community by being appointed or elected by them.

The interpretation of the Qur'anic verse on *shura* given here is not only that required by the words of the Qur'an, but is further corroborated by what we know of the process of tribal decision-making referred to above. There is no doubt, therefore, that the medieval practice of Islam constituted a grave departure from and an utter distortion of the Qur'anic teaching.

But although the principle of democracy as embodied in the Qur'anic *shura* fell derelict, Sunni Islam, at least in theory, never gave up the twin principles of the election of the Caliph and the positive acceptance of his rule by the people through the oath of obeisance (*bai'ya*). There was no agreement on the number of the electoral college, "the people of loosening and binding," nor on the mode of election, but the principle of election was never let go. What further retarded the progress of the political process was, of course, the weakening of the Caliphal institution at the center and the rise of Emirs and Sultans in neighbouring or outlying regions. These were very often self-made political adventurers, outstanding in their daring and intelligence and full of cynical wisdom who, from the tenth century C.E. onwards, were de facto rulers of different regions of the Muslim world and who, while they reduced the political efficacy of the Caliph to zero, nevertheless preserved and used his spiritual authority for legitimizing their own rule. With the emergence of this semi-autocratic class of conqueror-rulers, there could be hardly any talk of rule-by-*shura*.

There is no question that the Sultans were effective rulers, they kept law and order and dispensed justice. But their ideals of rule and justice were progressively permeated by ancient Iranian notions. From there came the notion of the "God-supported king" (*farr-i izādi*); from there came the doctrine that "one day of political chaos and lawlessness is worse than thirty years of tyrannical rule"<sup>12</sup> which even the Islamic orthodoxy absorbed with gusto due to the frightening early experiences of the civil wars and rebellions of the Khariji-idealist fanatics who stubbornly held that the political authority must be upset if it committed one single major mistake. From this evolved the idea that "effective seizure of rule even by force was legitimate."<sup>13</sup> And, finally, the ancient Iranian view of justice was not the Qur'anic one; it could not, of course, speak of participation by the community in rule, let alone of "reforming the earth." That view, called "The Great Circle of Justice" was primarily concerned with maintaining equilibrium among social classes - the military, the peasants, the artisans and the clergy; it laid particular stress on the well-being of the peasants who produced food for the rest of the society.

With all this, however, the Sunni constitutional theorists insisted that the ruler must rule in accordance with the canons of the Shari'a and a ruler who gravely violated the Shari'a might be deposed. The fourteenth century Indian strong-man ruler, 'Ala' al-Din Khilji wanted to tax severely

his subjects, particularly Hindus whom he suspected of rebellious attitudes. His Shaikh al-Islam (the head of religious affairs) did not allow this on the ground that overtaxation was improper according to the Shari'a, upon which the Sultan complained that whenever he wanted to build his rule on strong foundations, he was told that this was against the Shari'a! And when the early sixteenth century Ottoman Sultan Selim I wished to order his Christian subjects to convert to Islam by force (in order to make his realm more homogeneous, *a la* Charlemagne's treatment of the German tribes), his Shaikh al-Islam prohibited him from doing so on the ground that Christians and Jews were protected people (*dhimmis*) and, therefore, could not be forced to accept Islam.

Particularly in opposition to each other, it seems, did the Shi'a and the Sunnis push their respective positions further and further towards their respective logical conclusions. Thus, while the Shi'a pushed, through their idealism, their infallible Imam literally out of this world and started awaiting his "return" (a position, of which we shall see below the reaction in Khomeini's peculiar concept of rule), the Sunnis retorted by stressing more and more the consensus of the community (*ijma'*) - even though no machinery could be ever brought into being for that consensus to materialize - and insisting that the ruler is responsible for discharging his duties or his "trust (*amana*)" to the community which can wrest its rights from him by force if he will not listen to advice and warnings.<sup>14</sup>

We hinted earlier to the development of Islamic law at the hands of certain brilliant personalities during the first two and a half centuries of Islam. Now, Islamic law developed at the hands of these private individuals because without the development of *shura* into an institution of the people, the state could not legislate and people did not trust the heads of governments or their administrations to legislate. By the tenth-eleventh century C.E., this private evolution of law came more or less to a stop because the fiction gained ground that the "gate of new legal thought (*ijtihad*)" was no longer open. Since, however, societies keep on moving, under later Muslim rulers - the Ottomans in Turkey, the Safavids in Iran and the Moghuls in India - governments promulgated their own laws. This governmental legislative activity was particularly systematically pursued by the Ottomans. Although their law cannot be said to be secular law because sanctions for it were found within the body of the principles of the Shari'a law, nevertheless it paved the way in Turkey at least for the emergence of secular law. The ulema stopped new thinking on law, *shura* did not exist and, therefore, the only way open to the governments was to promulgate law on their own, something which was impossible even for a ruler like the Abbasid Harun al-Rashid in the earlier centuries. We shall see the effects of this legal dualism shortly when we come to modern times and see the

controversy over Islam and democracy and as to who has the right of legislation in an Islamic state.

Before we come to that, however, we should note the emergence of a major trend in Islamic political thought after the destruction of the Islamic Caliphate at Baghdad by the Mongols in 1257 C.E. The two most important political thinkers in Islam since that event are the Arab Ibn Taimiya (d. 1328 C.E.) and the Indian Shah Waliullah of Delhi (d. 1763 C.E.). Since Muslims had no central government any longer, in the thought of both of them, the Shari'a and the Muslim community gain prominence rather than any particular government. Ibn Taimiya states that it is not necessary for the Muslims to have one global government under a Caliph; it is essential, however, that various Muslim governments cooperate closely with each other. But he puts special emphasis on the Muslim community and the implementation of its constitution, the Shari'a of Islam. Shah Waliullah's emphases are slightly different; nevertheless, his central point of stress is also the Shari'a and the community although he does emphasize the necessity of an international world political order for Muslims, to which the national or regional Muslim states will be subordinate. It is this stress on both the community and the Shari'a which rendered these two thinkers so influential with many Muslim Modernist reformers in recent times. This is because this emphasis on the community was naturally helpful to the reformers who wanted to introduce democratic forms of government in Muslim societies.

The process of Muslim Modernist thought began around the middle of the nineteenth century. The pioneers in this direction were Jamal al-Din al-Afghani (d. 1897) and the Turkish thinker Namik Kemal (d. 1886). Namik Kemal in particular wrote a series of articles on *Shura*<sup>15</sup> which he, and the other Modernists, correctly interpreted as meaning an adequately representative form of government embodying the will of the people and ensuring the people's effective participation in deciding their affairs. His efforts played a major role in the actual induction of constitutional democracy in Ottoman Turkey; similarly, Jamal al-Din al-Afghani contributed materially, directly and indirectly, to the institution of constitutionalism in Iran and Egypt. Turkey, however, went secular, after the model of the West in 1924 under Ataturk, thus removing Islam and the Shari'a as the basis of the state. No other Muslim country has followed suit; on the contrary, during the past few decades Islamic Fundamentalism has been vastly strengthened everywhere in the Muslim world, including Turkey, and has resulted in a spectacular revolution in Iran. Indeed, this Fundamentalism has, at least temporarily, drowned Islamic Modernism itself. Before taking account of this phenomenon, we would do well to



briefly outline the controversy over Islam and democracy and the achievement of Islamic Modernism in this field.

First of all, it should be noted that Islamic Modernism is not equivalent to secularism, even though so many Western social scientists - particularly political scientists - partly through ignorance but, I suspect, largely through wishful thinking, identify the two. They assume that all modernization is secularization which is palpably untrue in the case of Islam. A Muslim Modernist is every bit Islamic. Indeed, it was the Muslim Modernist who consciously reformulated the idea that Islam is applicable to the *whole gamut of life* and is not confined to certain religious rites, family law and certain penal provisions of the Qur'an as the ulema had come in practice to accept and had become quasi-secular. What is true is that Muslim Modernism represents Islamic liberalism: it has accepted certain key liberal social values from the modern West and has interpreted the Qur'an to confirm those values and not just to "legitimize" them as a social scientist is so fond of putting the matter. For in this process of re-understanding the Qur'an and the legacy of the Prophet (SAW), it is not just the intellect of the Muslim but even more so his faith that is centrally involved. In the face of this situation, I cannot understand what "legitimization" means. The Muslim Modernist certainly does not accept the entirety of Western social values of which he rejects certain very important ones. While he espouses the cause of the emancipation of women, for example, he is not blind to the havoc that is being produced in the West by its new sex ethics, not least in terms of the dilapidation of the family institution.

In the case of the introduction of democracy also, the Modernist was convinced that democracy subserves the requirements of the Qur'an much better than medieval forms of Islamic rule - be it caliphate or sultanate - which he regards at best as working solutions for those days and at worst as deviations from and distortions of Islam, which kept the Muslim community backward. He is right. For earliest we have brought evidence from the Qur'an to show that it puts the burden of the Islamic task on the shoulders of the community and not a single individual or a class of individuals, no matter what pretensions any class or self-styled elite may have. Further, the Qur'an requires that the community (or its representatives) must decide matters by mutual consultation. The adoption of democracy, therefore, is not "legitimation" but a genuine rediscovery.

The opposition which the Modernist faced in his democratic reform from the Islamic conservatives was of two kinds. The first and most formidable argument against democracy - and, as we shall see, this question is far from settled - has been that since the masses are ignorant and immature and lack proper discernment between right and wrong,

governance of an Islamic state cannot be left to them. Nor will they be able to choose representatives fit to legislate and rule. Legislation, in particular, is a delicate issue because judging a certain proposed law in the light of the Qur'an requires an expertise which neither the masses nor their representatives will possess. Hence, legislation must be entrusted to the ulema who are experts in Islamic teachings. The second objection, which has progressively become less important, is that the presence of non-Muslim minorities, sometimes large ones, will complicate the governance of an Islamic state. This objection has been more or less settled now because the Modernist argued that certain encumbrances to which non-Muslims as minorities were subject in the past (for example, the *Jizya* or poll-tax), need not exist now for whereas in the past non-Muslims were not expected to fight wars for Islam and had to pay this tax instead, all the citizens of a modern state are equal in all respects and there is no reason to suspect the loyalty of minorities if they are treated equally with Muslims. This has been accepted even by most religious conservatives.

As to the argument from the masses' ignorance, Namik Kemal replied to it by saying that in Turkey one could find people with enough wisdom to understand questions of peace and war, of taxation and education who could run the government, thus implying that no technical knowledge of theology was necessary to govern a society. This answer appears correct to the present writer. If the Qur'an - which calls itself "guidance for people" - had been such a difficult technical matter, it would not have addressed mankind in general. The essential aim of the Qur'an - which is hardly a book of law - is to create proper conscience in man, to maximize moral energy and utilize that energy through appropriate channels. It can be effectively argued that the more you turn the Qur'an into a technical work, the more your conscience is dulled - witness, for example, the unconscionable and uncontrolled spree of human killings unleashed by the clerical government of Iran on all sorts of groups among its citizens in the name of Islam. And this is called by Khomeini "the divine rule" or "rule by the clergy."

And if the mass of the Muslim community is in one sense ignorant of Islam, whose fault is it? The blame must be laid at the door of the Muslim governments and the Islamic religious leadership, particularly the latter for their grave neglect of educating the Muslims at large. Let us repeat that the Qur'an recognizes no elites, no specially privileged classes but recognizes only the community of believers. The Qur'an specifically states that certain people from every group or part of the community should learn the faith with understanding and insight and then teach others so that the whole community develops an adequate understanding of Islam. This is because, as said before, the bearers of the responsibility of the Qur'an are

the Muslims at large, the community, and if this community is ignorant of the tasks of the Qur'an and unable to distinguish between right and wrong, then one must frankly admit that the Muslim community is not in existence. Then the first task that devolves upon those who claim to be repositories of Islamic learning and wisdom is that they try to enlighten the Muslims at large by teaching and preaching and raise their standards of understanding and motivation, rather than claim for themselves the right of absolute leadership and obedience. For, it is absolutely certain that, so far as the Qur'an is concerned, there is no way that any single person or a self-styled clan of elites, can arrogate to himself or themselves the rights and duties vested in the community, unless one wishes to change Islam into something quite different.

The extent to which deviation from Qur'anic standards has occurred is perhaps nowhere so palpably and sensationally illustrated as in Khomeini's Iran. It is true that Shi'a political theory, probably under the influence of ancient Iranian concepts of the Divine Ruler, had formulated the doctrine of the infallible Absent Imam. It should be noted, first, that this doctrine was formulated only after the occultation of the last and twelfth Imam: for at least beginning with the sixth Imam, Ja'far al-Sadiq, all Shi'i Imams had eschewed pursuit of political power and had regarded their function as purely religious and educational and no Imam in actual history had ever claimed infallibility. During the absence of the Imam, which, according to Khomeini, "may well last another hundred thousand years",<sup>16</sup> the office of the Deputy Imam was envisaged. But all the personalities upon whom this title was bestowed in history, were purely religious personalities and none of them had any direct political role. Khomeini's teaching, therefore, is a grave heresy even from the point of view of historical Shi'ism. His justification for the ulema'a rule is that these being the "inheritors of the Prophet," must possess that inheritance *in toto*, including political power. Since his doctrine of rule of by clerics has little basis in the Qur'an, he relies on a few Hadiths or traditions of the Prophet (SAW). By now, it is well-known, not only among the Western scholars of Islam but among many educated Muslim circles as well, that both Shi'i and Sunni Hadith is suspect and that all political Hadith on both sides is forced. But even apart from this, classical Islamic authorities had laid it down as a principle that in case where a Hadith blatantly contradicts the Qur'an, the former must be rejected or interpreted in conformity with the Qur'an.

Now, Khomeini's position of "rule by the clergy" is in patent contradiction with the Qur'an and even in grave violence of traditional Shi'i religio-political thought. It is truly astonishing how Khomeini, with this kind of a narrow (and distorted!) basis, has been entertaining hopes of "exporting" the Iranian Revolution to Sunni Muslim countries. What he has

essentially done is to arouse the Shi'a ulema to political action and, indeed, to violence, in re-action to the late Shah's oppressive and suppressive policies: "The seats of religious learning should become alert and should equip themselves with organizations and the necessary power to be able to control matters."<sup>17</sup> Again, "The ulema enjoy the same trust as the Prophet's (SAW) in matters of executing laws, military command, governing the society, defending the country, judging cases and dispensing justice."<sup>18</sup> And, finally, here is Khomeini's philosophy of dealing with the political opposition: "Therefore, Islam has killed many people in the interests of social weal and has destroyed many people in order to safeguard the large interests of society. It has annihilated whole groups because they sowed corruption and were injurious to society."<sup>19</sup> Khomeini gives no examples of such incidents. Certainly, his own massacre of so many groups inside Iran that has lasted for three years now contrasts oddly with the general declaration of amnesty by the Prophet Muhammad (SAW) when he entered triumphantly in 630 C.E. his own hometown of Mecca which, for two decades, persecuted him, tortured his followers and fought several battles against him. When some of his followers wanted to avenge themselves against some of their enemies, the Qur'an intervened, saying, "Let the enmity of a people not determine you upon an unjust course of action; be fair, for justice is nearest to piety...." (Al-Ma'idah 5:8).

This critique of Khomeini's concept of the Islamic state and of others who reject democratic participation of the community in the governance of the state in favour of some kind of elitism, whether religious or other (as, for example, General Ziaul Haq of Pakistan has expressed himself on several occasions) is only intended to show how difficult it is to understand and appreciate the Qur'an on its own terms and without the coloration of centuries of tradition, vested interests, wishful thinking, etc. There is little doubt that the Qur'an wants a certain socio-political order established on earth, that for this it wants to prepare a community whose nature and constitution we have described in this paper and that political action is, therefore, of the essence of Islam and unthinkable without its being subservient to the Islamic ideals. This is called, *jihad* or "total effort in the cause of Allah." This *jihad* can be peaceful, but, if necessary, fighting is not to be shunned: Islam is far from being a religion of violence; its aim is to establish a just and peaceful social order on earth; therefore, it cannot raise violence to the order of a moral principle in and of itself. Yet, if such an order cannot be set up without resort to some violence, it will not shirk violence. It should be pointed out that when, in the 19<sup>th</sup> and 20<sup>th</sup> centuries, the greater part of Muslim lands fell under Western colonial domination, the anti-colonial liberation movements in many of these countries

effectively invoked the principle of *Jihad* to regain independence; the Algerians losing ten percent of their population in their war of independence.

### Endnotes

1. Ibn Ishaq: *Sirat Rasal Allah*, Vol. 1, Cairo, 1963, p. 208.
2. Ibid, p. 189.
3. Qur'an, 18:28; 6:52.
4. Qur'an, 9:60.
5. Qur'an, 90:17; 103:3.
6. Qur'an, 5:2.
7. Qur'an, 49:11-13, particularly verse 13.
8. Qur'an, 3:104, 110, 114; 22:41.
9. Qur'an, 26:152; 27:48; 2:11, 193, 251, etc.
10. Qur'an, 22:39-40, 2:193.
11. *Mohammedism*, Oxford University Press, 1964, p. 30.
12. For one version of this, see my *Islam* (University of Chicago Press, 1979), p. 239; also my *Islamic Methodology in History*, Islamic Research Institute, Pakistan, 1965, the entire analysis of political Hadith in Chapters 2 and 3.
13. Second reference in the preceding note.
14. My *Islam*, p. 259.
15. I have translated some of these into English and hope to complete the translation at the nearest possible opportunity.
16. *Wilayet-i-Faqih* (in Persian), no date and no place of publication, p. 30.
17. Ibid, p. 85 and Poisson.
18. Ibid, p. 91.
19. Ibid, p. 111.

‘Abdallah bin ‘Amr reported that the Messenger (SAW) of Allah (SWT) said: “The fast and the Qur’an will intercede on behalf of the servant. The fast will say: ‘My Lord, I prevented him from food and bodily (sexual) desires during the day time, so accept my intercession in his case.’ And the Qur’an will say: ‘I prevented him from sleeping during the night, so accept my intercession for him.’ Then their intercession will be accepted.” (*Shu‘ab Al-Iman Al-Baiyhaqi*)

