



POLITICAL THEORY
OF ISLAM

S. ABUL AL'A MAUDUDI



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FOREWORD

What is Islam and how does it approach the political problem? What is its political philosophy? What are the Quranic foundations of the Islamic state? What are its basic characteristics? its fundamental principles? its ultimate objectives?—These questions had begun to agitate the minds of the Muslim India at the very outset of its contemporary political awakening. In the tumultuous years of the pre-nineteen forty era, Muslims were in a bewildered state of mind. They had no clear-cut destination before them. Emotionally they were all for Islam but they lacked a clear idea of the Islamic political order. They were, to borrow the words of Tennyson, like :

An infant crying in the night
An infant crying for the light
And with no language but a cry.

Maulana Maududi tried to present the Islamic scheme of life to the Muslim India which was crying for it. In this connection he also wrote a paper on the 'Political Theory of Islam' which was read at a meeting of the Inter-Collegiate Muslim Brotherhood, Lahore in October 1939. The paper was published in the form of a pamphlet. We are presenting here its English rendering. The paper has also been revised in accordance with the instructions of the author.

Karachi,
1st November, 1960.

KHURSHID AHMAD

Political Theory of Islam

I

THE CORRECT APPROACH

With certain people it has become a sort of fashion to somehow identify Islam with one or the other system of life in vogue at the time. So at this time also there are people who say that Islam is a democracy, and by this they mean to imply that there is no difference between Islam and the democracy as in vogue in the West. Some others suggest that Communism is but the latest and revised version of Islam and it is in the fitness of things that Muslims imitate the Communist experiment of Soviet Russia. Still some others whisper that Islam has the elements of dictatorship in it and we should review the cult of 'obedience to the Amir' (the leader). All these people, in their misinformed and misguided zeal to serve what that they hold to be the cause of Islam, are always at great pains to prove that Islam contains within itself the elements of all types of contemporary social and political thought and action. Most of the people who indulge in this prattle have no clear idea of the Islamic way of life. They have never made nor try to make a systematic study of the Islamic political order—the place and nature of democracy, social justice, and equality in it. Instead they behave like the proverbial blind men who gave altogether contradictory descriptions of an elephant because one had been able to touch only its tail, the other

its legs, the third its belly and the fourth its ears only. Or perhaps they look upon Islam as an orphan whose sole hope for survival lies in winning the patronage and the sheltering care of some dominant creed. That is why some people have begun to present apologies on Islam's behalf. As a matter of fact this attitude emerges from an inferiority complex, from the belief that we as Muslims can earn no honour or respect unless we are able to show that our religion resembles the modern creeds and it is in agreement with most of the contemporary ideologies. These people have done a great disservice to Islam ; they have reduced the political theory of Islam to puzzle, a hotch-potch. They have turned Islam into a juggler's bag out of which can be produced anything that holds a demand ! Such is the intellectual plight in which we are engulfed. Perhaps it is a result of this sorry state of affairs that some people have even begun to say that Islam has no political or economic system of its own and anything can fit into its scheme.

In these circumstances it has become essential that a careful study of the political theory of Islam should be made in a scientific way, with a view to grasp its real meaning, nature, purpose and significance. Such a systematic study alone can put an end to this confusion of thought and silence those who out of ignorance proclaim that there is nothing like Islamic political theory, Islamic social order and Islamic culture. I hope it will also bring to the world groping in darkness the light that it urgently needs, although it is not yet completely conscious of such a need.

II

FUNDAMENTALS OF ISLAM

It should be clearly understood in the very beginning that Islam is not a jumble of unrelated ideas and incoherent modes of conduct. It is rather a well-ordered system, a consistent whole, resting on a definite set of clear-cut postulates. Its major tenets as well as detailed rules of conduct are all derived from a logically connected with its basic principles. All the rules and regulations that Islam has laid down for the different spheres of human life are in their essence and spirit a reflexion, an extension and corollary of its first principles. The various phases of Islamic life and activity flow from these fundamental postulates exactly as the plant sprouts forth from its seed. And just as even though the tree may spread in all directions, all its leaves and branches remain firmly attached to the roots and derive sustenance from them and it is always the seed and the root which determine the nature and form of the tree, similar is the case with Islam. Its entire scheme of life also flows from its basic postulates. Therefore whatever aspect of the Islamic ideology one may like to study, he must first of all, go to the roots and look to the fundamental principles. Then and then alone he can have a really correct and satisfactory understanding of the ideology and its specific injunctions and a real appreciation of its spirit and nature.

The Mission of the Prophets

The mission of a prophet is to propagate Islam, dissemi-

nate the teachings of Allah and establish the Divine guidance in this world of flesh and bones. This was the mission of all the divinely inspired prophets who appeared in succession ever since the man's habitation on earth up to the advent of Muhammad (peace be upon him). In fact the mission of the prophets was one and the same—the preaching of Islam. And Prophet Muhammad (peace be upon him) was the last of their line. With him prophethood came to an end and to him was revealed the final code of human guidance, in all its completeness. All the prophets conveyed to the mankind the guidance which was revealed to them and asked it to acknowledge the absolute sovereignty of God and to render unalloyed obedience to Him. This was the mission which each one of the prophets was assigned to perform.

A first sight this mission appears to be very simple and innocuous. But if you probe a little deeper and examine the full significance and the logical and practical implications of Divine Sovereignty and the concept of *Tawheed* (the Unity of Godhead), you will soon realise that the matter is not so simple as it appears on the surface, and that there must be something revolutionary in a doctrine which roused such bitter opposition and sustained hostility on the part of the non-believers. What strikes us most in the long history of the prophets is that whenever these servants of God proclaimed that “there is no *ilah* (object of worship) except Allah,” all the forces of evil made common cause to challenge them. If it were merely a call to bow down in the places of worship before one God with perfect freedom outside these sacred precincts to owe allegiance to and carry out the will of the powers that be, it would have been the height of folly

on the part of the ruling classes to suppress the religious liberties of its loyal subjects for minor matter which had no bearing on their attitude towards the established government. Let us, therefore, try to explore the real point of dispute between the prophets and their opponents.

There are many verses of the Qur'an which make it absolutely clear that the non-believers and polytheists too, who opposed the prophets, did not deny the existence of God, nor that He was the sole Creator of heavens and earth and man, nor that the whole mechanism of nature operated in accordance with His commands, nor that it is He Who pours down the rain, drives the winds and controls the sun, the moon, the earth, and everything else. Says the Qur'an :

“Say unto whom (belongeth) the earth and whosoever is therein, if ye have knowledge ? They will say, unto Allah. Say : Will ye not then remember ? Say : Who is Lord of the seven heavens, and Lord of the Tremendous Throne ? They will say, unto Allah (all that belongeth). Say : Will ye not then keep duty (unto Him) ? Say : In whose hands is the dominion over all things and He protecteth, while against Him there is no protection, if ye have knowledge ? They will say : unto Allah (all that belongeth). Say : How then are ye bewitched ?”¹

“And if you were to ask them : who created the heavens and the earth, and constrained the sun and the moon (to their appointed task) ? they would say : Allah. How then are they turned away ?...And if thou wert to ask them : who causeth water to come down from the

1. *Al-Qur'an*, XXIII : 84-89.

sky, and therewith reviveth the earth after its death ? they verily would say : Allah.”² “And if thou asked them who created them, they will surely say : Allah. How then are they turned away.”³

These verses make it abundantly clear that the dispute was not about the existence of God or His being the Creator and Lord of heavens and earth. All men acknowledged these truths. Hence there was no question of there being any dispute on what was already admitted on all hands. The question arises, then what was it that gave rise to the tremendous opposition that every prophet without any exception had to face when he made this call ! The Qur'an states that the whole dispute centred round the uncompromising demand of the prophets that the non-believers should recognise as their *rabb* (Lord) and *ilah* (Master and Law-giver) also the very being whom they acknowledged as their Creator and that they should assign this position to none else. But the people were not prepared to accept this demand of the prophets.

Let us now try to find out the real cause of this refusal and what the terms *ilah* and *rabb* mean. Furthermore, why did the prophets insist that Allah alone should be recognised and acknowledged as *ilah* and *rabb* and why did the whole world range itself against them upon this apparently simple demand ?

The Arabic word *ilah* stands for *ma'bud* (i.e., the object of worship) which in itself is derived from the word *'abd*, meaning a servant or slave. The relationship which exists

2. *Al-Qur'an*, XXIX : 61, 63.

3. *Ibid.*, XLIII : 87.

between man and God is that of 'the worshipper' and 'the worshipped.' Man is to offer '*ibadat*' to God and is to live like His '*abd*'.

And '*ibadat*' does not merely mean ritual or any specific form of prayer. It means a life of continuous service and unremitting obedience like the life of a slave in relation to his Lord. To wait upon a person in service, to fold one's hands in reverence to him, to bow down one's head in acknowledgment of his elevated position, to exert oneself in obedience to his commands, to carry out his orders and cheerfully submit to all the toil and discipline involved therein, to humble oneself in the presence of the master, to offer what he demands, to obey what he commands, to set one's face steadily against the causes of his displeasure, and to sacrifice even one's life when such is his pleasure—these are the real implications of the term '*ibadat*' (worship or service) and a man's true *ma'bud* (object of worship) is he whom he worships in this manner.

And what is the meaning of the word '*rabb*'? In Arabic it literally means "one who nourishes and sustains and regulates and perfects". Since the moral consciousness of man requires that one who nourishes, sustains and provides for us has a superior claim on our allegiance, the word *rabb* is also used in the sense of master or owner. For this reason the Arabic equivalent for the owner of property is *rabb al-mal* and for the owner of a house, *rabb al-dar*. A person's '*rabb*' is one whom he looks upon as his nourisher and patron; from whom he expects favour and obligations; to whom he looks for honour, advancement and peace; whose displeasure he considers to be prejudicial to his life and happiness; whom he declares to be his lord and master; and

lastly, whom he follows and obeys.⁴

Keeping in view the real meaning of these two words 'ilah' and 'rabb' it can be easily found who is it that may rightfully claim to be man's *Ilah* and *Rabb* and who can, therefore, demand that he should be served, obeyed and worshipped. Trees, stones, rivers, animals, the sun, the moon and the stars, none of them can venture to lay claim to this position in relation to man. It is only man who can, and does, claim godhood in relation to his fellow-beings. The desire for godhood can take root only in man's mind. It is only man's excessive lust for power and desire for exploitation that prompts him to project himself on other people as a god and extract their obedience; force them to bow down before him in reverential awe, and make them instruments of his self-aggrandisement. The pleasure of posing as a god is more enchanting and appealing than anything else that man has yet been able to discover. Whoever possesses power or wealth or cleverness or any other superior faculty, develops a strong inclination to outstep his natural and proper limits, to extend his area of influence and thrust his godhood upon such of his fellow men as are comparatively feeble, poor, weakminded or deficient in any manner.

Such aspirants to godhood are of two kinds and accordingly they adopt two different lines of action. There is a type of people who are comparatively bold or who possess adequate means of forcing their claim on

4. For a detailed discussion over the meaning and concept of *ilah* and *rabb* see: Abul Ala Maududi, *Qur'an Ki Char Bunyadi Istilahen*. (Four Basic Terms of the Qur'an). Islamic Publications Ltd., Lahore.

those over whom they wield power and who consequently make a direct claim to godhood. For instance, there was Pharaoh who was so intoxicated with power and so proud of his empire that he proclaimed to the inhabitants of Egypt : "*Ana rabbokum al-a'la*" (I am your highest Lord) and "*Ma 'alimto lakum min ilahin ghairi*" (I do not know of any other 'ilah' for you but myself). When Prophet Moses approached him with a demand for the liberation of his people and told him that he too should surrender himself to the Lord of the Universe, Pharaoh replied that since he had the power to cast him into the prison-house, Moses should rather acknowledge him as 'ilah' !⁵ Similarly, there was another king who had an argument with Prophet Abraham. Ponder carefully over the words in which the Qur'an has narrated this episode. It says :

"Bethink thee of him who had an argument with Abraham about his Lord because Allah had given him the kingdom ; how, when Abraham said : My Lord is He Who giveth life and causes death, he answered : I give life and cause death. Abraham said : Lo ! Allah causeth the sun to rise in the East, so do thou cause it to come up form the West. Thus was the disbeliever flabbergasted."⁶

Why was the unbelieving king flabbergasted ? Not because he denied the existence of God. He did believe that God was the ruler of the universe and that He alone made the sun rise and set. The question at issue was not the dominion over the sun and the moon and the

5. *Al-Qur'an*, XXVI : 29, XXVIII : 38, LXXIX : 24.

6. *Ibid* , II : 258.

universe but that of *the allegiance of the people* ; not that who should be regarded as controlling the forces of nature, but that *who should have the right to claim the obedience of men*. He did not put forth the claim that he was *Allah* ; what he actually demanded was that no objection should be cast over the absoluteness of his authority over his subjects. His authority as the ruler should not be challenged. The claim was based on the fact that he held the reins of government : he could do whatever he liked with the property or the lives of his people ; he had absolute power to punish his subjects with death or to spare them. He, therefore, demanded from Abraham that the latter should recognise him as his master, serve him and do his bidding. But when Abraham declared that he would obey, serve and accept no one but the Lord of the Universe, the king was bewildered and shocked and did not know how to bring such a person under his control.

This claim to godhood which Pharaoh and Nimrod had put forth was by no means peculiar to them. Rulers all over the world in ages past and present have advanced such claims. In Iran the words '*Khuda*' (Master) and '*Khudawand*' (Lord) were commonly employed in relation to the king, and all the ceremonies indicative of servility were performed before him, in spite of the fact that no Iranian looked upon the king as the lord of the universe, that is to say God, nor did the king represent himself as such. Similarly, the ruling dynasties in India claimed descent from the gods ; the solar and lunar dynasties are well known down to this day. The '*raja*' was called '*an-data*' (the provider of sustenance) and people prostrated themselves before him although he made no pretence of

being God and his subjects never recognised him as such. Much the same was, and still is, the state of affairs in all other countries.

Words synonymous with '*ilah*' and '*rabb*' are still used in direct reference to rulers of many places. Even where this is not customary, the attitude of the people towards their rulers is similar to what is implied by these two words. It is not necessary for a man who claims godhood that he should openly declare himself to be an '*ilah*' or '*rabb*'. All persons who exercise unqualified dominion over a group of men, who impose their will upon others, who make them their instruments and seek to control their destinies in the same manner as Pharaoh and Nimrod did in the hey-day of their power, are essentially claimants to godhood, though the claim may be tacit, veiled and unexpressed. And those who serve and obey them, admit their godhood even if they do not say so by word of mouth.

In contrast to these people who directly seek recognition of their godhood there is another type of men who do not possess the necessary means or strength to get themselves accepted as '*ilah*' or '*rabb*'. But they are resourceful and cunning enough to cast a spell over the minds and hearts of the common people. By the use of sinister methods, they invest some spirit, god, idol, tomb, plant, or tree with the character of '*ilah*' and dupe the common people successfully into believing that these objects are capable of doing them harm and bringing them good; that they can provide for their needs, answer their prayers and afford them shelter and protection from evils which beset them all around. They tell them in effect: 'If you do not seek their pleasure and approval, they will involve

you in famines, epidemics and afflictions. But if you approach them in the proper way and solicit their help they will come to your aid. We know the methods by which they can be propitiated and their pleasure can be secured. We alone can show you the means of access to these deities. Therefore, acknowledge our superiority, seek our pleasure and entrust to our charge your life, wealth, and honour.' Many stupid persons are caught in this trap and thus, under cover of false gods, is established the godhood and supremacy of priests and shrine-keepers.

There are some others belonging to the same category who employ the arts of soothsaying, astrology, fortunetelling, charms, incantations etc. There are yet others who, while owing allegiance to God, also assert that one cannot gain direct access to God. They claim that they are the intermediaries through whom one should approach His threshold ; that all ceremonials should be performed through their mediation ; and that all religious rites from one's birth to death can be performed only at their hands. There are still others who proclaim themselves to be the bearers of the Book of God and yet they deliberately keep the common people ignorant of its meaning and contents. Constituting themselves into mouthpieces of God, they start dictating others what is lawful (*halal*) and what is unlawful (*haram*). In this way their word becomes law and they force people to obey their own commands instead of those of God. This is the source of Brahmanism and Papacy which has appeared under various names and in diverse forms in all parts of the world from times immemorial down to the present day, and in consequence of which certain families, races and classes, have imposed their will

and authority over large masses of men and women.

If you were to look at the matter from this angle, you will find that *the root-cause of all evil and mischief* in the world is *the domination of man over man*, be it direct or indirect. This was the origin of all the troubles of mankind and even to this day it remains the main cause of all the misfortunes and vices which have brought untold misery on the teeming humanity. God, of course, knows all the secrets of human nature. But the truth of this observation has also been confirmed and brought home to humanity by the experiences of thousands of years that man cannot help setting up someone or other as his 'god', '*ilah*' and '*rabb*', and looking up to him for help and guidance in the complex and baffling affairs of his life and obeying his commands. This fact has been established beyond question by the historical experience of mankind that if you do not believe in God, some artificial god will take His place in your thinking and behaviour. It is even possible that instead of one real God, a number of false gods, '*ilahs*' and '*rabbs*' may impose themselves upon you.

Even today man is enchained in the slavery of many a false god. May he be in Russia or America, Italy or Yugoslavia, England or China, he is generally under the spell of some party, some ruler, some leader or group, some money-magnate or the like in such a manner that man's control over man, man's worship of man, man's surveillance of man continue unabated. Modern man has discarded nature-worship, but man-worship he still docs. In fine, wherever you turn your eyes, you will find that one nation dominates another, one class holds another in subjection, or a political party having gained complete ascendancy, constitutes itself

as the arbiter of men's destiny ; or again in some places a dictator concentrates in his hands all power and influence setting himself up as the lord and master of the people. Nowhere has man been able to do without an '*ilah*'!

What are the consequences of this domination of man by man, of this attempt by man to play the role of divinity? The same that would follow from a mean and incompetent person being appointed a police commissioner or some ignorant and narrow-minded politician being exalted to the rank of a prime minister. For one thing, the effect of godhood is so intoxicating that one who tastes his powerful drink can never keep himself under control. Even assuming that such self-control is possible, the vast knowledge, the keen insight, the unquestioned impartiality and perfect disinterestedness which are required for carrying out the duties of godhood, will always remain out of the reach of man. That is why tyranny, despotism, intemperance, unlawful exploitation, and inequality reign supreme, whenever man's overlordship and domination (*uluhiyyat* and *rabubiyyat*) over man are established. The human soul is inevitably deprived of its natural freedom and man's mind and heart and his inborn faculties and aptitudes are subjected to such vexatious restrictions that the proper growth and development of his personality arrested. How truly did the Holy Prophet observe :

“God, the Almighty, says : ‘I created men with a pliable nature ; then the devils came and contrived to lead them astray from their faith and prohibited for them what I had made lawful for them’.”⁷

7. Al-Madani, Al-Ittehafat al-saryya fi al-Ahadith al-Qudsiyya, Hadith No. 343, Daira't al-Ma'arif, Hyderabad (Deccan) 1323 A.H.

As I have indicated above, this is the sole cause of all the miseries and conflicts from which man has suffered during the long course of human history. This is the real impediment to his progress. This is the canker which has eaten into the vitals of his moral, intellectual, political and economic life, destroying all the values which alone make him human and mark him off from animals. So it was in the remote past and so it is today. The only remedy for this dreadful malady lies in the repudiation and renunciation by man of all masters and in the explicit recognition by him God Almighty as his sole master and lord (*ilah* and *rabb*). There is no way to his salvation except this ; for even if he were to become an atheist and heretic he would not be able to shake himself free of all these masters *ilahs* and *rabbis*).

This was the radical reformation effected from time to time by the prophets in the life of humanity. They aimed at the demolition of man's supremacy over man. Their real mission was to deliver man from this injustice, this slavery of false gods, this tyranny of man over man, and this exploitation of the weak by the strong. Their object was to thrust back into their proper limits those who had over-stepped them and to rise to the proper level those who had been forced down from it. They endeavoured to evolve a social organisation based on human equality in which man should be neither the slave nor the master of his fellowbeings and in which all men should become the servants of one real Lord. The message of all the Prophets that came into the world was the same, namely :

“O my people, worship Allah. There is no *ilah* whatever for you except He.”⁸

8. *Al Qur'an*, VII : 59, 65, 73, 86 ; also XI : 50, 61, 84.

This was precisely what Noah said ; this is exactly what Hud declared ; Salih affirmed the same truth ; Shoaib gave the same message, and the same doctrine was repeated and confirmed by Moses, Christ and by Prophet Muhammad (peace be upon them all). The last of the prophets, Muhammad (God's blessing and peace be upon him) said :

"I am only a warner, and there is no god save Allah, the One, the Absolute Lord of the heavens and the earth and all that is between them."⁹

"Lo! Your Lord is Allah who created the heavens and the earth in six days, then mounted He the Throne. He covereth the night with the day, which is in haste to follow and hath made the sun and the moon and the stars subservient by His command. His verily is all creation and (His verily is the) commandment."¹⁰

"Such is Allah, your Lord. There is no god save Him, the Creator of all things, so worship Him. And He taketh len care of all things."¹¹

And they are not enjoined anything except that they should serve Allah, keeping religion pure for Him, as men by nature upright."¹²

"Come to a word common between us and between you, that we shall worship none but Allah, and that we shall ascribe no partner unto Him and that none of us shall take others for lords beside Allah."¹³

9. *Al-Qur'an*, XXXVIII : 65-66.

10. *Ibid.*, VII : 54.

11. *Ibid.*, VI : 102.

12. *Ibid.*, XCVIII : 5.

13. *Ibid.*, III : 64.

This was the proclamation that released the human soul from its fetters and set man's intellectual and material powers free from the bonds of slavery that held them in subjection. It relieved them of the burden that weighed heavily upon them and was breaking their backs. It gave them a real charter of liberty and freedom. The Holy Qur'an refers to this marvellous achievement of the Prophet of Islam when it says :

“ And he (the Prophet) relieves them of their burden and the chains that were around them. ”¹⁴

14. *Al-Qur'an*, VII : 157.

III

FIRST PRINCIPLES OF ISLAMIC POLITICAL THEORY

The belief in the Unity and the Sovereignty of Allah is the foundation of the social and moral system propounded by the prophets. It is the very starting-point of the Islamic political philosophy. The basic principle of Islam is that human beings must, individually and collectively, surrender all rights of overlordship, legislation and exercising of authority over others. No one should be allowed to pass orders or make commands *on his own right* and no one ought to accept the obligation to carry out such commands and obey such orders. None is entitled to make laws on his own authority and none is obliged to abide by them. This right vests in Allah alone :

“The Authority rests with none but Allah. He commands you not to surrender to any one save Him. This is the right way (of life)”.¹⁵

“They ask : ‘have we also got some authority ?’
Say : ‘all authority belongs to God alone’.”¹⁶

“Do not say wrongly with your tongues that this is lawful and that is unlawful.”¹⁷

“Whoso does not establish and decide by that

15. *Al-Qur'an*, XII : 40.

16. *Ibid.*, III : 154.

17. *Ibid.*, XVI : 116.

which Allah hath revealed, such are disbelievers.”¹⁸

According to this theory, sovereignty belongs to Allah. He alone is the law-giver. No man, even if he be a prophet, has the right to order others *in his own right* to do or not to do certain things. The Prophet himself is subject to God’s commands :

“I do not follow anything except what is revealed to me.”¹⁹

Other people are required to obey the Prophet because he enunciates not his own but God’s commands :

“We sent no messenger save that he should be obeyed *by Allah’s leave*”²⁰

“They are the people unto whom We gave the Scripture and Command and Prophethood.”²¹

“It is not (possible) for any human being unto whom Allah has given the Scripture and the Wisdom and the Prophethood that he should have thereafter said unto mankind : Become slaves of *me instead of Allah* ; but (what he said was) be ye faithful servants of the Lord.”²²

Thus the main characteristics of an Islamic state that can be deduced from these express statements of the Holy Qur’an are as follows : --

(1) No person, class or group, not even the entire population of the state as a whole, can lay claim to sovereignty.

18. *Al-Qur’an*, V : 44.

20. *Ibid.*, IV : 64.

22. *Ibid.*, III : 79.

19. *Ibid.*, VI : 50.

21. *Ibid.*, VI : 90.

God alone is the real sovereign ; all others are merely His subjects ;

(2) God is the real law-giver and the authority of absolute legislation vests in Him. The believers cannot resort to totally independent legislation nor can they modify any law which God has laid down, even if the desire to effect such legislation or change in Divine laws is unanimous ;²³ and

(3) An Islamic state must in all respects, be founded upon the law laid down by God through His Prophet. The government which runs such a state will be entitled to obedience in its capacity as a political agency set up to enforce the laws of God and only in so far as it acts in that capacity. If it disregards the law revealed by God, its commands will not be binding on the believers.

23. Here the *absolute right of legislation* is being discussed. In the Islamic political theory this right vests in Allah alone. As to the scope and extent of human legislation provided by the *Shar'iah* itself please see Maududi, *Islamic Law and Constitution*, Chapter II : 'Legislation and *Ijtihad* in Islam' and Chapter VI 'First Principles of Islamic State.' Islamic Publications Ltd., Lahore.—*Editor.*

IV

THE ISLAMIC STATE : ITS NATURE AND CHARACTERISTICS

The preceding discussion makes it quite clear that Islam, speaking from the viewpoint of political philosophy, is the very antithesis of secular Western democracy. The philosophical foundation of Western democracy is the sovereignty of the people. In it, this type of absolute powers of legislation—of the determination of values and of the norms of behaviour—rest in the hands of the people. Law-making is their prerogative and legislation must correspond to the mood and temper of their opinion. If a particular piece of legislation is desired by the masses, howsoever ill-conceived it may be from religious and moral viewpoint, steps have to be taken to place it on the statute book ; if the people dislike any law and demand its abrogation, howsoever just and rightful it might be, it has to be expunged forthwith. This is not the case in Islam. On this count, Islam has no trace of Western democracy. Islam, as already explained, altogether repudiates the philosophy of popular sovereignty and rears its polity on the foundations of the sovereignty of God and the vicegerency (*Khilafat*) of man.²⁴

24 Here it must be clearly understood that democracy as a 'philosophy' and democracy as a 'form of organisation' are not the same thing. In the form of organisation, Islam has its own system of democracy as is explained in the following pages. But as a philosophy, the two *i.e.*, Islam and Western democracy are basically different, rather opposed to each other.—*Editor*.

A more apt name for the Islamic polity would be the "kingdom of God" which is described in English as a "theocracy." But Islamic theocracy is something altogether different from the theocracy of which Europe has had a bitter experience wherein a priestly class, sharply marked off from the rest of the population, exercises unchecked domination and enforces laws of its own making in the name of God, thus virtually imposing its own divinity and godhood upon the common people.²⁵ Such a system of government is satanic rather than divine. Contrary to this, the theocracy built up by Islam is not ruled by any particular religious class but by the whole community of Muslims including the rank and file. The entire Muslim population runs the state in accordance with the Book of God and the practice of His Prophet. If I were permitted to coin a new term, I would describe this system of government, as a "theodemocracy", that is to say a divine democratic government, because under it the Muslims have been given a limited popular sovereignty under the suzerainty of God. The executive under this system of government is constituted by the general will of the Muslims who have also the right to depose it. All administrative matters and all questions about which no explicit injunction is to be found in the *Shari'ah* are settled by the consensus of opinion among the

25. "Theocracy : a form of government in which God (or a deity) is recognised as the king or immediate ruler, and his laws are taken as the statute book of Kingdom, these laws being usually administered by a priestly order as his ministers and agents : hence (loosely) a system of government by a sacerdotal order claiming a divine commission. *The Shorter Oxford Dictionary*, Vol. II, Oxford, 1936, p. 2160.

Muslims. Every Muslim who is capable and qualified to give a sound opinion on matters of Islamic law, is entitled to interpret the law of God when such interpretation becomes necessary. In this sense the Islamic polity is a democracy. But, as has been explained above it is a theocracy in the sense that where an explicit command of God or His Prophet already exists, no Muslim leader or legislature, or any religious scholar can form an independent judgment, not even all the Muslims of the world put together, have any right to make the least alteration in it.

Before proceeding further, I feel that I should put in a word of explanation as to why these limitations and restrictions have been placed upon popular sovereignty in Islam, and what is the nature of these limitations and restrictions. It may be said that God has, in this manner, taken away the liberty of human mind and intellect instead of safeguarding it as I was trying to prove. My reply is that God has retained the right of legislation in His own hand not in order to deprive man of his natural freedom but to safeguard that very freedom. His purpose is to save man from going astray and inviting his own ruin.

One can easily understand his point by attempting a little analysis of the so-called Western secular democracy. It is claimed that this democracy is founded on popular sovereignty. But everybody knows that the people who constitute a state do not all of them take part either in legislation or in its administration. They have to delegate their sovereignty to their elected representatives so that the latter may make and enforce laws on their behalf. For this purpose an electoral system is set up. But as a divorce has been effected between politics and religion, and as a result of

this secularisation, the society and particularly its politically active elements have ceased to attach much or any importance to morality and ethics. And this is a fact that only those persons generally come to the top who can dupe the masses by their wealth, power, and deceptive propaganda. Although these representatives come into power by the votes of the common people, they soon set themselves up as an independent authority and assume the position of overlords (*ilahs*). They often make laws not in the best interest of the people who raised them to power but to further their own sectional and class interests. They impose their will on the people by virtue of the Authority delegated to them by those over whom they rule. This is the situation which besets people in England, America and in all those countries which claim to be the haven of secular democracy.

Even if we overlook this aspect of the matter and admit that in these countries laws are made according to the wishes of the common people, it has been established by experience that the great mass of the common people are incapable of perceiving their own true interests. It is the natural weakness of man that in most of the affairs concerning his life he takes into consideration only some one aspect of reality and loses sight of other aspects. His judgments are usually one-sided and he is swayed by emotions and desires to such an extent that rarely, if ever, can he judge important matters with the impartiality and objectivity of scientific reason. Quite often he rejects the plea of reason simply because it conflicts with his passions and desires. I can cite many instances in support of this contention but to avoid prolixity I shall content myself

with giving only one example: the Prohibition Law of America. It had been rationally and logically established that drinking is injurious to health, produces deleterious effects on mental and intellectual faculties and leads to disorder in human society. The American public accepted these facts and agreed to the enactment of the Prohibition Law. Accordingly the law was passed by the majority vote. But when it was put into effect, the very same people by whose vote it had been passed, revolted against it. The worst kinds of wine were illicitly manufactured and consumed, and their use and consumption became more widespread than before. Crimes increased in number. And eventually drinking was legalised by the vote of the same people who had previously voted for its prohibition. This sudden change in public opinion was not the result of any fresh scientific discovery or the revelation of new facts providing evidence against the advantages of prohibition, but because the people had been completely enslaved by their habit and could not forego the pleasures of self-indulgence. They delegated their own desires and passions as their "*ilahs*" (gods) at whose call they all went in for the repeal of the very law they had passed after having been convinced of its rationality and correctness. There are many other similar instances which go to prove that man is not competent to become an absolute legislator. Even if he secures deliverance from the service of other *ilahs*, he becomes a slave to his own petty passions and exalts the devil in him to the position of supreme Lord. Limitations on human freedom, provided they are absolutely necessary in the interest of man himself.²⁶

26. The question however is: Who is to impose these restric-
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That is why God has laid down those limits which, in Islamic phraseology, are termed 'divine limits' (*Hadud-Allah*). These limits consist of certain principles, checks and balances and specific injunctions in different spheres of life and activity, and they have been prescribed in order that man may be trained to lead a balanced and moderate life. They are intended to lay down the broad framework within which man is free to legislate, decide his own affairs and frame subsidiary laws and regulations for his conduct. These limits he is not permitted to overstep and if he does so, the whole scheme of his life will go awry.

Take for example man's economic life. In this sphere God has placed certain restrictions on human freedom. The right to private property has been recognised, but it is qualified by the obligation to pay *Zakat* (poor dues) and the prohibition of interest, gambling and speculation. A specific law of inheritance for the distribution of property among the largest number of surviving relations on the death of its owner has been laid down and certain forms of acquiring, accumulating and spending wealth have been declared unlawful. If people observe these just limits and regulate their affairs within these boundary walls, on the one hand their personal liberty is adequately safeguarded and, on the other, the possibility of class war and domination of one class over another, which begins with capital-

tions? According to the Islamic view it is only Allah, the Creator, the Nourisher, the All-Knowing Who is entitled to impose restrictions on human freedom and not *any man*. No man is entitled to do so. If any man arbitrarily imposes restrictions on human freedom that is despotism pure and simple. In Islam there is no place for such despotism.—*Editor*.

ist oppression and ends in working-class dictatorship, is safely and conveniently eliminated.

Similarly in the sphere of family life, God has prohibited the unrestricted intermingling of the sexes and has prescribed *purdah*, recognised man's guardianship of woman, and clearly defined the rights and duties of husband, wife and children. The laws of divorce and separation have been clearly set forth, conditional polygamy has been permitted and penalties for fornication and false accusations of adultery have been prescribed. He has thus laid down limits which, if observed by man, would stabilise his family life and make it a haven of peace and happiness. There would remain neither that tyranny of male over female which makes family life an inferno of cruelty and oppression, nor that satanic flood of female liberty and licence which threatens to destroy human civilization in the West.

In like manner, the preservation of human culture and society God has, by formulating the law of *Qisas* (Retaliation), commanding to cut off the hands for theft, prohibiting wine-drinking, placing limitations on uncovering of one's private parts and by laying down a few similar permanent rules and regulations, closed the door of social disorder for ever. I have no time to present to you a complete list of all the divine limits and show in detail how essential each one of them is for maintaining equilibrium and poise in life. What I want to bring home to you here is that through these injunctions God has provided a permanent and immutable code of behaviour for man, and that it does not deprive him of any essential liberty nor does it dull the edge of his mental faculties. On the

contrary, it sets a straight and clear path before him, so that he may not, owing to his ignorance and weaknesses which he inherently possesses, lose himself in the maze of destruction and instead of wasting his faculties in the pursuit of wrong ends, he may follow the road that leads to success and progress in this world and the hereafter. If you have ever happened to visit a mountainous region, you must have noticed that in the winding mountain paths which are bounded by deep caves on the one side and lofty rocks on the other, the border of the road is barricaded and protected in such a way as to prevent travellers from straying towards the abyss by mistake. Are these barricades intended to deprive the wayfarer of his liberty? No, as a matter of fact, they are meant to protect him from destruction; to warn him at every bend of the dangers ahead and to show him the path leading to his destination. That precisely is the purpose of the restrictions (*hudud*) which God has laid down in His revealed Code. These limits determine what direction man should take in life's journey and they guide him at every turn and pass and point out to him the path of safety which he should steadfastly follow.

As I have already stated, this code, enacted as it is by God, is unchangeable. You can, if you like, rebel against it, as some Muslim countries have done. But you cannot alter it. It will continue to be unalterable till the last day. It has its own avenues of growth and evolution, but no human being has any right to tamper with it. Whenever an Islamic State comes into existence, this code would form its fundamental law and will constitute the mainspring of all its legislation. Everyone who desires to remain a

Muslim is under an obligation to follow the Qur'an and the *Sunnah* which must constitute the basic law of an Islamic State.

The Purpose of the Islamic State

The purpose of the state that may be formed on the basis of the Qur'an and the *Sunnah* has also been laid down by God. The Qur'an says :

“We verily sent Our messengers with clear proofs, and revealed with them the Scripture and the Balance, that mankind may observe right measure ; and We revealed iron, wherein is mighty power and (many) uses for mankind.”²⁷

In this verse steel symbolises political power and the verse also makes it clear that the mission of the prophets is to create conditions in which the mass of people will be assured of social justice in accordance with the standards enunciated by God in His Book which gives explicit instructions for a well-disciplined mode of life. In another place God has said :

“(Muslims are) those who, if We give them power in the land, establish the system of *Salat* (worship) and *Zakat* (poor dues) and enjoin virtue and forbid evil and inequity.”²⁸

“You are the best community sent for unto mankind ; ye enjoin the Right conduct and forbid the wrong ; and believe in Allah.”²⁹

27. *Al-Qur'an*, VII : 25.

28. *Ibid.*, XXII : 41.

29. *Ibid.*, III : 110.

It will readily become manifest to anyone who reflects upon these verses that the purpose of the state visualised by the Holy Qur'an is not negative but positive. The object of the state is not merely to prevent people from exploiting each other, to safeguard their liberty and to protect its subjects from foreign invasion. It also aims at evolving and developing that well-balanced system of social justice which has been set forth by God in His Holy Book. Its object is to eradicate all forms of evil and to encourage all types of virtue and excellence expressly mentioned by God in the Holy Qur'an. For this purpose political power will be made use of as and when the occasion demands ; all means of propaganda and peaceful persuasion will be employed ; the moral education of the people will also be undertaken ; and social influence as well as the force of public opinion will be harnessed to the task.

Islamic State is Universal and All-Embracing

A state of this sort cannot evidently restrict the scope of its activities. Its approach is universal and all-embracing. Its sphere of activity is coextensive with the whole of human life. It seeks to mould every aspect of life and activity in consonance with its moral norms and programme of social reform. In such a state no one can regard any field of his affairs as personal and private. Considered from this aspect the Islamic state bears a kind of resemblance to the Fascist and Communist states. But you will find later on that, despite its all-inclusiveness, it is something vastly and basically different from the modern totalitarian and authoritarian states. Individual liberty is not suppressed under it nor is there any trace of dictatorship in it. It

presents the middle course and embodies the best that the human society has ever evolved. The excellent balance and moderation that characterise the Islamic system of government and the precise distinctions made in it between right and wrong elicit from all men of honesty and intelligence the admiration and the admission that such a balanced system could not have been framed by anyone but the Omniscient and All-Wise God.

Islamic State is an Ideological State

Another characteristic of the Islamic State is that it is an ideological state. It is clear from a careful consideration of the Qur'an and the *Sunnah* that the state in Islam is based on an ideology and its objective is to establish that ideology. State is an instrument of reform and must act likewise. It is a dictate of this very nature of the Islamic State that such a state should be run only by those who believe in the ideology on which it is based and in the Divine Law which it is assigned to administer. The administrators of the Islamic State must be those whose whole life is devoted to the observance and enforcement of this Law, who not only agree with its reformatory programme and fully believe in it but thoroughly comprehend its spirit and are acquainted with its details. Islam does not recognise any geographical, linguistic or colour bars in this respect. It puts forward its code of guidance and the scheme of its reform before all men. Whoever accepts this programme, no matter to what race, nation or country he may belong, can join the community that runs the Islamic State. But those who do not accept it are not entitled to have any hand in shaping the fundamental

policy of the State. They can live within the confines of the State as non-Muslim citizens (*zimmis*). Specific rights and privileges have been accorded to them in the Islamic Law. A *Zimmi's* life, property and honour will be fully protected, and if he is capable of any service, his services will also be made use of. He will not, however, be allowed to influence the basic policy of this ideological state. The Islamic State is based on a particular ideology and it is the community which believes in the Islamic ideology which pilots it. Here again, we notice some sort of resemblance between the Islamic and the Communist states. But the treatment meted out by the Communist states to persons holding creeds and ideologies other than its own bears no comparison with the attitude of the Islamic State. Unlike the Communist state, Islam does not impose its social principles on others by force, nor does it confiscate their properties or unleash a reign of terror by mass executions of the people and their transportation to the slave camps of Siberia. Islam does not want to eliminate its minorities, it wants to protect them and gives them the freedom to live according to their own culture. The generous and just treatment which Islam has accorded to non-Muslims in an Islamic State and the fine distinction drawn by it between justice and injustice and good and evil will convince all those who are not prejudiced against it that the prophets sent by God accomplish their task in an altogether different manner—something radically different and diametrically opposed to the way of the false reformers who strut about here and there on the stage of history.³⁰

30. This paper was written in 1939 and in it the author has

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dealt with the theoretical aspect of the problem only. In his late articles he has discussed the practical aspects as well. In his article on the 'Rights of Non-Muslims in Islamic State' (see *Islamic Law and Constitution*, Chapter VII) he writes :

"However, in regard to a parliament or a legislature of the modern conception, which is considerably different from *Shura* in its traditional sense, this rule could be relaxed to allow non-Muslims to become its members provided that it has been fully ensured in the constitution that

- (i) It would be *ultra vires* of the parliament or the legislature to enact any law which is repugnant to the Qur'an and the *Sunnah*.
- (ii) The Qur'an and the *Sunnah* would be the chief sources of the public law of the land.
- (iii) The head of the state or the assenting authority would necessarily be a Muslim. With these provisions ensured, the sphere of influence of non-Muslims would be limited to matters relating to the general problems of the country or to the interests of minorities concerned and their participation would not damage the fundamental requirements of Islam."

The non-Muslims cannot occupy key-posts—posts from where the ideological policy of the state can be influenced—but they can occupy general administrative posts and can act in the services of the state.

For a detailed discussion of their position see *Islamic Law and Constitution*, Chapter VII—*Editor*.

V

THE THEORY OF THE CALIPHATE AND THE NATURE OF DEMOCRACY IN ISLAM

I will now try to give a brief exposition of the composition and structure of the Islamic State. I have already stated that in Islam, God alone is the real sovereign. Keeping this cardinal principle in mind if we consider the position of those persons who set out to enforce God's law on earth, it is but natural to say that they should be regarded as representatives of the Supreme Ruler. Islam has assigned precisely this very position to them. Accordingly the Holy Qur'an says :—

“Allah has promised to those among you who believe and do righteous deeds that He will assuredly make them to succeed (the present rulers) and grant them vicegerency in the land just as He made those before them to succeed (others).”³¹

The verse illustrates very clearly the Islamic theory of state. Two fundamental points emerge from it.

1. The first point is that Islam uses the term 'vicegerency' (*khilafat*) instead of sovereignty. Since, according to Islam, sovereignty belongs to God alone, anyone who holds power and rules in accordance with the laws of God would undoubtedly be the vicegerent of the Supreme Ruler and will not be authorised to exercise any powers other

31. *Al-Qur'an*, XXIV : 55.

than those delegated to him.

2. The second point stated in the verse is that the power to rule over the earth has been promised to *the whole community of believers* ; it has not been stated that any particular person or class among them will be raised to that position. From this it follows that all believers are repositories of the Caliphate. The Caliphate granted by God to the faithful is the popular vicegerency and not a limited one. There is no reservation in favour of any family, class or race. Every believer is a Caliph of God in his individual capacity. By virtue of this position he is individually responsible to God. The Holy Prophet has said : "Everyone of you is a ruler and everyone is answerable for his subjects." Thus one Caliph is in no way inferior to another.

This is the real foundation of democracy in Islam. The following points emerge from an analysis of this conception of popular vicegerency :

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

"No one is superior to another except in point of faith and piety. All men are descended from Adam and Adam was made of clay."

"An Arab has no superiority over a non-Arab nor a non-Arab over an Arab ; neither does a white man

possess any superiority over a black man nor a black man over a white one, except in point of piety."

After the conquest of Mecca, when the whole of Arabia came under the dominion of the Islamic State, the Holy Prophet addressing the members of his own clan, who in the days before Islam enjoyed the same status in Arabia as the Brahmins did in ancient India, said :

"O people of Qurayish ! Allah has rooted out your haughtiness of the days of ignorance and the pride of ancestry. O men, all of you are descended from Adam and Adam was made of clay. There is no pride whatever in ancestry ; there is no merit in an Arab as against a non-Arab nor in a non-Arab as against an Arab. Verily the most meritorious among you in the eyes of God is he who is the most pious."

(b) In such a society no individual or group of individuals will suffer any disability on account of birth, social status, or profession that may in any way impede the growth of his faculties or hamper the development of his personality. Every one would enjoy equal opportunities of progress. The way would be left open for him to make as much progress as possible according to his inborn capacity and personal merits without prejudice to similar rights of other people. Thus, unrestricted scope for personal achievement has always been the hallmark of Islamic society. Slaves and their descendants were appointed as military officers and governors of provinces, and noblemen belonging to the highest families did not feel ashamed to serve under them. Cobblers who used to stitch and mend shoes rose in the social scale and became leaders of highest order (*imams*). Weavers and cloth-sellers became

judges, *muftis* and jurists and to this day they are reckoned as the heroes of Islam. The Holy Prophet has said :

“Listen and obey even if a negro is appointed as a ruler over you.”

(c) There is no room in such a society for the dictatorship of any person or group of persons since everyone is a caliph of God herein. No person or group of persons is entitled to become an absolute ruler by depriving the rank and file of their inherent right of caliphate. The position of a man who is selected to conduct the affairs of the state is no more than this : that all Muslims (or, technically speaking, all caliphs of God) delegate their caliphate to him for administrative purposes. *He is answerable to God on the one hand and on the other to his fellow ‘caliphs’ who have delegated their authority to him.* Now, if he raises himself to the position of an irresponsible absolute ruler, that is to say a dictator, he assumes the character of a usurper rather than a Caliph, because dictatorship is the negation of popular vicegerency. No doubt the Islamic State is an all-embracing state and comprises within its sphere all departments of life, but this all-inclusiveness and universality are based upon the universality of Divine Law which an Islamic ruler has to observe and enforce. The guidance given by God about every aspect of life will certainly be enforced in its entirety. But an Islamic ruler cannot depart from these instructions and adopt a policy of regimentation on his own. He cannot force people to follow or not to follow a particular profession ; to learn or not to learn a special art ; to use or not to use a certain script ; to wear or not to wear a certain dress and to educate or not to educate their children in a certain

manner. The powers which the dictators of Russia, Germany and Italy have appropriated or which Ataturk has exercised in Turkey have not been granted by Islam to its *Amir* (leader). Besides this, another important point is that in Islam *every individual is held personally answerable to God*. This personal responsibility cannot be shared by anyone else. Hence, *an individual enjoys full liberty to choose whichever path he likes and to develop his faculties in any direction that suits his natural gifts*. If the leader obstructs the growth of his personality, he will himself be punished by God for this tyranny. That is precisely the reason why there is not the slightest trace of regimentation in the rule of the Holy Prophet and of his rightly-guided Caliphs; and

(d) In such a society every sane and adult Muslim, male or female, is entitled to express his or her opinion for each one of them is the repository of the caliphate. God has made this caliphate conditional, not upon any particular standard of wealth or competence but only upon faith and good conduct. Therefore all Muslims have equal freedom to express their opinions.

Equilibrium between Individualism and Collectivism

Islam seeks to set up, on the one hand, this superlative democracy and on the other it has put an end to that individualism which militates against the health of the body politic. The relations between the individual and the society have been regulated in such a manner that neither the personality of the individual suffers any diminution, or corrosion as it does in the Communist and Fascist social system nor is the individual allowed to exceed his bounds to such an extent as to become harmful to the community, as happen

in the Western democracies. In Islam, the purpose of an individual's life is the same as that of the life of the community, namely the execution and enforcement of Divine Law and the acquisition of God's pleasure. Moreover, Islam has, after safeguarding the rights of the individual imposed upon him certain duties towards the community. In this way requirements of individualism and collectivism have been so well harmonised that the individual is afforded the fullest opportunity to develop his potentialities and is thus enabled to employ his developed faculties in the service of the community at large. This is a separate topic on which I cannot dilate here. I have referred to it simply to dispel any misunderstanding that might spring up from the foregoing analysis of Islamic democracy.

VI

THE STRUCTURE OF THE ISLAMIC STATE

From the analysis of popular vicegerency that I have just made, you can easily understand that in the Islamic state, the status of the leader (*Imam*) or the head of the state is not more than this ; that the powers of vicegerency which the general body of Muslims possess is delegated as a trust to a person whom they elect as the best among them for this job. The use of the word "caliph" in reference to him does not imply that he alone is a Caliph. It only means that the Caliphate of the common Muslims has been concentrated in him by the general will of the community.

I shall now briefly explain some special features of this form of government so that you may have a clear picture of an Islamic political set-up before you.

(1) The leader (*Amir*) will be selected on the principle enunciated in the Quranic verse which says : "The most respectable among you in the sight of Allah is he who is the most pious."³² This means that only such a person will be elected to this position who enjoys the full confidence of the Muslim public on the basis of piety and good conduct. After his election he will be completely relied upon and fully obeyed so long as he follows the laws of God and His Prophet.

(2) But this leader or governor will not be above criti-

32. *Al-Qur'an*, XLIX : 13.

cism. Every Muslim man or woman will be entitled to criticize not only his public activities but also his private life. He will be liable to deposition. In the eyes of the law his status will be the same as that of an ordinary citizen. He can be sued in a court of law and will not be entitled to any special privileged treatment in this respect.

(3) He will have to work in consultation with an advisory council which must be such as a trusted by the common Muslims. There is nothing in the Islamic law to prevent this council being elected by Muslim votes although no instance of such a procedure is to be found in the 'Khilafat-e-Rashida' (the period of the first four Caliphs).

(4) The decisions of the council will generally be taken by a majority of votes. But Islam does not regard the mere number of votes as a criterion of truth and rectitude. Says the Holy Qur'an :—"Say (O Prophet) that the filthy and the pure are not equal even though the abundance of the filthy may fascinate you."

According to Islam it is possible that the opinion of a single person may be sounder than the unanimous opinion of the entire council, and if this is so, there is no reason why truth should be given up simply because its supporters are in a minority, and error of falsehood be accepted merely because it has the support of a large majority. Hence the leader (*Amir*) has the right to concur either with the majority or the minority. He is further entitled to disagree with the whole council and decide the matter according to his own judgment. But, in any case, ordinary Muslims will have to watch whether the leader (*Amir*) exercises his extensive powers in a pious and Godfearing manner or in a selfish

way. In the latter event public opinion can depose him.³³

33. The right of veto possessed by the leader (*Amir*) as mentioned briefly here and in the booklet entitled *The Islamic Way of Life* is likely to cause some misunderstanding. The author has explained the position fully in another publication called *First Principles of the Islamic State* a summary of which may be reproduced here so that the true Islamic idea of a "Veto" may be clarified :—

The place of "Veto" in an Islamic constitution should not be presumed on the analogy of the position occupied by it in other constitutions. In Islam the president of the council (namely the *Amir*) himself participates in the discussions and debates, adduces his own arguments before the council and hears those of the other members. He has no party of his own nor is there any party in opposition to him. Every member of the council contributes to the debates according to his individual sense of honesty and understanding. Hence in such an advisory council there is, generally speaking, little cause for any differences of opinion arising between the *Amir* and the majority of the councillors. All honest and sincere members are ready to revise their opinion and give it up willingly when they are convinced by the arguments of others. And if any cause of difference arises it does not take the form of the council passing a law and presenting it to the *Amir* who, taking advantage of his position, would off-hand reject it. The form that it would take would be for the *Amir* offering his own opinion supported by arguments and if the members of the council remain unconvinced by it they would express their inability to accept it. At this stage the *Amir* would have the right to express his disagreement with the opinion of the members and decide to stick to his own opinion. If the council accepts this opinion it would not be accepting a "Veto" but an opinion for which agreement has been reached between the *Amir* and the members after discussion. If, however, the council does not agree to the opinion of the *Amir* resort must be had at this juncture to a referendum in case the question is one relating to the policy and affairs of the state. But if the difference of opinion pertains to the interpretation of *Nass* (express Quranic injunction) or the deduction of commandments

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(5) No person shall be elected to the leadership, the membership of the advisory council, or any other responsible post, who puts himself forward as a candidate for any of these posts or makes an attempt to secure them. There is no room in Islam for candidature and electoral propaganda. The Holy Prophet has expressly commanded that none who puts himself up as a candidate should be given any post. Even the very idea of three or four persons offering themselves as candidates for a post and then duping the votes by issuing posters and playcards, holding public meetings, engaging in press propaganda, and adopting other methods of this nature, is repugnant to the Islamic mentality. Islam detests the notion that the voters should be fed and feasted and taken around in motor-cars and that the candidate who beats others at the game of lying, cheating and squandering money should win the game. These accursed methods are characteristic of a Godless democracy. Under an Islamic government if the activities of a person even smack of such a procedure he would, instead of being elected to the council of caliphate, be prosecuted for doing so and punished.

(6) There can be no parties or groups in the Islamic advisory council. Every individual will be an independent entity and will express his opinion freely without being influenced by party considerations. Islam does not permit you to take sides in party politics without considerations of truth and justice. The spirit of Islam demands that if you

therefrom it will be referred to a select assembly of the learned *ulama* for decision. The party which is supported in its opinion by the result of the referendum or the verdict of the assembly of *ulama* will then retain its office and the other party would resign from office.

find a person to be in the right you should side with him, but if the same person goes wrong in any other matter you should dissent from him.

(7) In Islam the judiciary has been made entirely independent of the executive. The task of the judge is to implement and enforce God's laws among His servants. He does not sit on the seat of justice in the capacity of a representative of the Caliph or the *Amir* (leader) but as a representative of God, the Almighty. Therefore, even the Caliph does not have any special importance before the judge in a law-court. No one is entitled, by virtue of his personality, family connections, or office to be exempted from appearing in a court. A petty labourer, a poor peasant and a destitute beggar all have the right to lodge a suit in the *Qadi's* court against the highest person, even the Caliph himself. The *Qadi*, on the other hand, is fully authorised to apply the law of God to the Caliph—just as to any ordinary Muslim. In a like manner, if the Caliph has any personal grievance against any one, he is not entitled to obtain redress by using his own administrative authority; he is according to the constitution, obliged like any other common citizen, to seek justice in a court of law.

It is not possible for me, within the compass of this short lecture, to give you a detailed account of the Islamic State. In order to fully elucidate its spirit and the mode of its operation it is necessary to adduce instances from the successive governments of the Holy Prophet and his four rightly guided Caliphs. But there is no opportunity for it in this short discourse. Nevertheless, I hope that what I have stated will suffice to give you quite a good conception of an Islamic State and its government.