

Islamic Political System

Introduction

The West makes a natural mistake in their understanding of Islamic tradition, assuming that religion means the same for Muslims as it has meant for most other religious adherents ever since the industrial revolution, and for some societies, even before that; that is: a section of life reserved for certain matters, and separate from other sections of life. This is not the Islamic world view. It never has been in the past, and modern attempts of making it so are seen as an aberration.

Islam is a “total way of life.” It has provided guidance in every sphere of life, from individual cleanliness, rules of trade, to the structure and politics of the society. Islam can never be separated from social, political, or economic life, since religion provides moral guidance for every action that a person takes. The primary act of faith is to strive to implement God's will in both private and public life. Muslims see that they, themselves, as well as the world around them, must be in total submission to God and his Will. Moreover, they know that this concept of His rule must be established on earth in order to create a just society.

Religion and politics are one and the same in Islam. They are intertwined. We already know that Islam is a complete system of life and politics is very much a part of our collective life. Just as Islam teaches us how to say Salah, observe Sawm, pay Zakah and undertake Hajj, so it teaches us how to run a state, from a government, elect councillors and members of parliament, make treaties and conduct business and commerce. Bear in mind that Islamic ruling system is not the same as the ruling system we have in the non-islamic countries.

The political system of Islam has been based on three principles, viz., Tawheed (Oneness of God), Risalat (Prophethood) and Khilafat (Caliphate). It is difficult to appreciate the different aspects of the Islamic policy without fully understanding these three principles. I will, therefore, begin with a brief exposition of them. Tawheed (Oneness) means that one God alone is the Creator, Sustainer and Master of this universe and of all that exists in it organic or inorganic.

God is the Only Sovereign

God is the absolute sovereign in Islam, and is therefore the only Lord of heaven and earth. Just as He is the Lord of the physical universe, to the true Muslim believers, God is the Lawgiver for every area of human life. Just as He is the Master of the physical world, God is the Ruler of the affairs of men in Islamic doctrine. Thus God is the supreme Lawgiver, the Absolute Judge, and the Legislator Who distinguishes right from wrong. Just like the physical world inevitably submits to its Lord by following the ‘natural’ laws of the universe, human beings must submit to the moral and religious teaching of their Lord, the One Who sets right apart from wrong for them. In other words, God alone has the authority to make laws, determine acts of worship, decide morals, and set standards of human interaction and behavior. This is because,

“His is the Creator and Command.” (Quran 7:54)

Prophet hood

The medium through which we receive the Law of God is known as "Risalat" (Prophet hood). We have received two things from this source: The Book in which God has expounded His Law; and The authoritative interpretation and exemplification of the Book of God by the Prophet, through his word and deed, in his capacity as the last messenger of God. The broad principles on which the system of human life should be based have been stated in the Book of God. Further, the Prophet of God has, in accordance with the intention of the Divine Book, set up for us a model of the system of life in Islam by practically implementing the law and providing necessary details where required. The combination of these two elements, according to Islamic terminology, is called the "Shari'ah". There is a specific purpose for man's existence. This purpose is achieved when man fulfills his function and is missed when man fails to

live up to his designated role. In that case, his life will be barren and devoid of any original meaning. Total loss and perdition await everyone who fails to respond to Allah's call.

Khilafah of Mankind (Vicegerency of man).

Man is the vicegerent, the agent or the representative of Allah swt on earth (2:30, 6:165). Allah is the sovereign and man is His representative. Man should do as Allah commands him to do. But he has a choice to either obey or disobey Allah and, because of this freedom of choice, he will be tested on the day of judgement. In the political sense, Khilafah means that human beings should implement the will of Allah on earth as His deputy or agent. As Allah's agents, human beings will carry out the will of Allah swt on His behalf as a trust (Amanah). Khilafah is a trust. An agent is always expected to behave as his master wants him to behave (10:14).

With this healthy frame of mind, based on the right understanding on man's role in this universe, man becomes ready to implement Allah's teaching, as communicated through the message of Prophet Muhammad (peace be upon him). This is exactly what Islam means when it lays down that man is Khalifah (servant) of God on the earth. The state that is established in accordance with this political theory will have to fulfill the purpose and intent of God by working on God's earth within the limits prescribed by Him and in conformity with His instructions and injunctions.

Purpose of The Islamic State

I shall now place before you a brief outline of the type of state which is built on the foundation of Tawheed (the Oneness of God), "Risalat" (the Prophethood of Muhammad) and "Khilafat" (the Caliphate).

The Holy Quran clearly states that the aim and purpose of this state is the establishment, maintenance and development of those virtues, with which the Creator of this universe wishes the human life to be adorned and the prevention and eradication of those evils the presence of which in human life is utterly abhorrent to God. The state in Islam is not intended for political administration only nor for the fulfillment through it of the collective will of any particular set of people; rather, Islam places a high ideal before the state for the achievement of which, it must use all the means at its disposal. The vision of an Islamic state and the purpose of its political authority is to implement the divine law. Thus, the ideal Islamic state is a community governed by the Law revealed by God. This does not entail that such a state is necessarily a theocracy under direct rule of the learned men of religion, nor is it an autocracy that vests absolute power in the ruler. The function of the Islamic state is to provide security and order so that Muslims can carry out both their religious and worldly duties. The Caliph is the guardian of faith and the community. His role is not so much checked by the ulama (religious scholars), but enhanced by them because they provide him religious and legal counsel. He also appoints judges who resolve disputes in accordance with Islamic Law. There is a certain level of flexibility in regards to the system of governance and its establishment in Islam, however, religion must be implemented fully into state and society.

Legislation by Shura (Consultation).

Islam teaches us to run a government, to make legislation and decisions by the process of Shura. Shura means "to take decisions by consultation and participation" (3:159, 42:38). This is an important part of the Islamic political system. There is no scope for despotism in Islam. The Qur'an and the Sunnah will be the basis of legislation in Islam.

Accountability of government.

The Islamic political system makes the ruler and the government responsible firstly to Allah and then to the people. The ruler and the government are elected by the people to exercise powers on their behalf. We must remember here that both the ruler and the ruled are the Khalifah of Allah and the ruler shall have to work for the welfare of the people according to the Qur'an and Sunnah. A ruler is a servant of the people of Islam. Both the ruler and the ruled will appear before Allah swt and account for their actions on the day of judgement. The responsibility of the ruler is heavier than the ruled. Any ordinary citizen of an Islamic state has the right to ask any question on any matter to the ruler and the government.

Independence of judiciary.

In the Islamic political system, the Judiciary is independent of the Executive. The head of the state or any government minister could be called to the court if necessary. They would be treated no differently from other citizens. The Qur'an has many injunctions about justice. One of the main functions of the Islamic state is to ensure justice to all citizens (4:58, 4:135, 5:8). The ruler and the government has no right to interfere in the system of justice.

Equality before law.

The Islamic political system ensures equality for all citizens before the law. It does not recognise any discrimination on the basis of language, colour, territory, sex or descent. Islam recognises the preference of one over the other only on the basis of Taqwa (piety or fear of God). One who fears Allah swt most is the noblest in Islam (49:13).

Executive And Legislative

The responsibility for the administration of the Government, in an Islamic state, is entrusted to an Amir (leader or chief) who may be likened to the President or the Prime Minister in the conventional democratic state. The basic qualifications for the election of an Amir are that he should command the confidence of the ABLUL HAL WAL'AQD [The Constitutional Body].

They are recruited from among the scholars (of Islam), leaders, and notables who effectively have the duty to carry out this task of appointing the ruler. In this, they do not act on their own personal preferences, but on behalf of the whole nation, being as they are, its representatives. Three conditions must be met for eligibility to membership of this body, namely:

1. Moral credit (piety and moral standards).
2. To be well versed in religion so as to be in a position to decide upon who deserves the position of Amir.
3. Good and sound judgment leading to a sharp perception of who is most suitable for the role of Amir.

The Amir can retain office only so long as he observes Allah's Shari'ah laws. Being himself the primary example of it both in his dealings and conduct, honoring his commitments and being true to his trust; in brief, he should conform to the conditions originally stipulated upon his holding office and will have to vacate his office when he loses this confidence. But as long as he retains such confidence he will have the authority to govern and exercise the powers of the Government, of course, in consultation with the Shura (the advisory council) and within the limits set by a Shari'ah. Every citizen will have the right to criticize the Amir should he deviate from the straight path, fail to honor the trust laid in him, transgress and tyrannise over people, change his conduct for the worst, freeze the implementation of Allah's penal code, or flouts Allah's regulations in anyway. If he fails to live up to one of the conditions stipulated for his eligibility to the office, the nation has the right to overrule his judgment either by correcting him or by deposing them.

Legislation in an Islamic state will be restricted within the limits prescribed by the law of the Shari'ah. The injunctions of God and His legislative body can make any alterations or modifications in them or make any law repugnant to them. As for the commandments which are liable to two or more interpretations the duty of ascertaining the real intent of the Shari'ah, in such cases, will devolve on people possessing a specialized knowledge of the law of Shari'ah. Hence, such affairs will have to be referred to a sub committee of the advisory council comprising men learned in Islamic Law. A vast field will still be available for legislation on questions not covered by any specific injunctions of the Shari'ah and the advisory council or legislature will be free to legislate in regard to these matters.

In Islam the judiciary is not placed under the control of the executive. It derives its authority directly from the Shari'ah and is answerable to God. The judges, no doubt can be appointed by the Government but once a judge has occupied the bench he will have to administer justice among the people according to the law of God in an impartial manner. The organs and functionaries of the Government will not be outside his legal jurisdiction much so that even the highest executive authority of the Government is liable to be called upon to appear in a court of law as a plaintiff

or defendant like any other citizen of the state. Rulers and the ruled are subject to the same law and there can be no discrimination on the basis of position, power or privilege. Islam stands for equality and scrupulously sticks to this principle in social, economic and political realms alike.

The Separation of Institutional Religion & the State

As we have mentioned, in Islam God is acknowledged the sole sovereign of human affairs, so there has never been a distinction between religious and state authority. In Christendom, the distinction between the two authorities are said to be based upon records in the New Testament of Jesus, asking his followers to render unto Caesar what was his and unto God what was His. Therefore throughout Christian history until the present times, there have always been two authorities: 'God and Caesar', or 'the church and state.' Each had its own laws and jurisdictions, each its own structure and hierarchy. In the pre-westernized Islamic world there were never two powers, and the question of separation never arose. The distinction so deeply rooted in Christendom between church and state has never existed in Islam.

Conclusion

The duty of an Islamic state is to establish Salah and Zakah; promote the right and forbid the wrong (22:44). The state is responsible for the welfare of all its citizens - Muslims and non-Muslims alike. It must guarantee the basic necessities of life. All citizens of the Islamic state shall enjoy freedom of belief, thought, conscience and speech. Every citizen shall be free to develop his potential, improve his capacity, earn and possess. A citizen shall enjoy the right to support or oppose any government policy which he thinks right or wrong with the following in mind.: The Islamic state is a duty bound to implement the laws of the Qur'an and the Sunnah. The Qur'an strongly denounces those who do not decide their matters by Allah's revelations (5:42-50).