

**CONTEMPORARY
DEBATES IN ISLAM**

**AN ANTHOLOGY OF MODERNIST
AND FUNDAMENTALIST THOUGHT**

Edited by

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and

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TO MARJAN, CHRISTINE,
ARJANG, PAYVAND, AND ARMIN

CONTEMPORARY DEBATES IN ISLAM

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THE PILLARS OF AN ISLAMIC STATE

Imam Ruhullah Khomeini

Imam Ruhullah Khomeini. "The Nature of the Islamic State and the Qualifications of the Head of State." In *Khomeini [Khomeini] Speaks Revolution*, compiled by Mohiuddin Ayyubi, translated by N. M. Shaikh. Karachi, Pakistan: International Islamic Publishers, 1981, pp. 14-19.

THE COMMON MISUNDERSTANDING

IT IS A COMMON MISTAKE THAT ANY ONE OF THE PRESENT systems of Government is considered an Islamic State. And having its good and bad qualities in mind, discussions begin on the topic of the Islamic State. In fact, the label of the Islamic State cannot be affixed to any prevalent form of government in the whole world. The Islamic State is neither a despotic nor a dictatorial one that plays with the lives of the people according to the whims of despots or dictators. The dictatorial government slaughters its opponents and rewards its favorite ones. Such powers have been generally used by dictators and kings. Even the Holy Prophet (S.A.W.) and his Caliphs and Hazrat Ameer (Ali) did not enjoy such powers. An Islamic State has neither the parliamentary form of government in which the people elect a group of people who enact laws and impose them upon the people, nor is an Islamic State a presidential form of government in which the people elect a president who, along with his other colleagues, makes laws and imposes them upon the people.

THE GOVERNMENT OF THE LAWS OF ALLAH

If the nomenclature of Islamic State could be labeled, it would be known as the "government of Law" and that law is neither made by a man nor by a group of

men, but it is made by their creator, Almighty Allah. This law is equally applicable to the head of State; members of parliament, the executive branch, the judiciary branch; and the people.

In the Islamic form of Government, the Holy Prophet (S.A.W.), the Holy Caliphs, and all others were under the control of the law of Allah, and this process will continue until the Day of Judgment. This Law of Allah has been revealed in the language of the Holy Quran through the Holy Prophet (S.A.W.) who became the Head of the Islamic State through the direct Commandment of Allah. He (S.A.W.) was the Head of State neither for himself nor the self-styled head appointed for the sake of forming a Government.

Similarly, since it was probable that after him (S.A.W.) there would be differences in the Muslim nation, it was considered necessary to determine the Caliphate. Thus Islam demands a Government at every stage that is obedient to the Law of Allah. In fact, that Law is the real sovereign of human society. And whatever authority was assigned to the Holy Prophet (S.A.W.) or to the Caliphs, it was from Allah.

Whenever the Holy Prophet (S.A.W.) explained anything or issued any order, it was always in accordance with the Law of Allah. Hence Islam is the name of the Law that it is incumbent upon the whole of mankind to follow. In an Islamic State, the head of the State and the subjects both are to follow without exception and practice the Law of Allah. In fact the obedience due to the Holy Prophet (S.A.W.) is due to the Commandment of Allah. Because the Holy Quran says, "Obey the Holy Prophet (S.A.W.)." The individuals who run the affairs of the people according to the Law of Allah and who obey the judiciary, which is common terminology means Government, do so because of Allah's order. As it is said in the Holy Quran, "And obey them who are in authority amongst you." There is no place for an opinion of any individual in it. All are necessarily under the control of the Will of Allah.

THE ESSENTIAL CHARACTERISTICS OF THE ISLAMIC HEAD OF STATE

The Government in which the real sovereign is the Law logically demands that the head of the Islamic State must know the Law thoroughly. There has been no difference of opinion on this issue among the Muslim Nation, even after the passing away of the Holy Prophet (S.A.W.). An acquaintance with Law is incumbent upon him. If there was any difference among leaders, it was on the question of who knew more. Our religious leaders also followed the same principle that the Imam should be learned, the difference among them being only who was more learned.

Another characteristic of the Islamic Head of State is that he must be just. In other words, he must be the upholder of justice and not unjust and wicked. It is the logical necessity of the Islamic State that the man who is authorized to enforce the laws, manage the vast affairs of Bait ul-Mal (the Government Treasury), and look after the affairs of the Muslims must not be an embodiment of evil. "My promise shall not reach the tyrants" says Allah. Hence it is a Shiite belief that during the

period of absence the Imam must be learned. He must know the laws of Islam thoroughly and enforce them justly.

THE ORDER OF THE PERIOD OF ABSENCE

According to Shiite belief, the Caliph is to be appointed by the Holy Prophet (S.A.W.). Under the plea of this belief, certain opponents have maligned the minds of the people that, as there is a visible Imam after the invisible Imam, so there is no need of establishing an Islamic government and that the Muslims can have a Government of their own choice. This is an absolutely incorrect notion. Undoubtedly in the absence of the Imam of the time, no one is appointed by Allah to run the Government, but does it mean that the necessity of Islam no longer remains? Was Islam meant to last for only 200 years? According to this logic, the orders of Islam now, its social laws, and its economic order are no longer required to be established and enforced; so have these things become harmful for mankind instead of useful?

If the injunctions of Islam are destroyed, and the frontiers of the Muslims are lost, let them be, but we Muslims should be sitting idle as it is going on now. The enemies of Islam are doing what they like to, but we should not even defend Islamic laws if we cannot enforce them.

If this happens during the period of the absence of the Imam, or if it is necessary to have the Islamic state that can enforce an Islamic character, Islamic prayers, and an Islamic penal code so that Muslims can remain as Muslims and their next generations also, then so be it. If this necessity still remains as it was before the invisibility of the Imam of the age, then it is also necessary to establish such a state whose head should have the knowledge of Islamic law and the ability to enforce it justly. This Ummah was never devoid of such a man and even now, if the people endeavor, they can surely find him to run the Islamic Government.

THE POWERS OF LEARNED AND JUST HEAD OF STATE

If a Government whose head possesses the knowledge of Islamic laws and the capability to enforce them comes into existence, then the Government shall be entitled to get the same rights from the people which the Government of the Holy Prophet (S.A.W.) had and it will be incumbent upon all the people to obey it.

No whim should be created here that (May Allah forbid) we are trying to interfere with the glorious status of the Holy Prophet (S.A.W.) or the Ameer, as is commonly claimed by our enemies and unfaithful Muslims to malign the minds of the people on such occasions. The affairs of the Government have nothing to do with personal glory. But, as the Holy Prophet (S.A.W.) and, after him, the Holy Caliphs had managed the collective affairs of the people, the succeeding heads of the Islamic States who followed their footsteps also have the same rights. They have to organize an army, appoint staff, collect revenues, and work for the general

welfare of the people as they (the Holy Prophet [S.A.W.] and the Holy Caliphs) did. The condition is the same that they (heads of the Islamic State) must be learned and just.

To sum up, the argument is that, at present, no one is appointed on the basis of the revelation but the object is determined and its necessity has become all the more essential in recent times. It is probable that the Imam of the age may not reappear for a long time. We do not know the Will of Allah and it may be that he may reappear at the time of Doomsday as is apparent from the traditions. Does that mean that the injunctions of Islam will remain suspended until then? Can the intellect accept the ruination of the Islamic character, Islamic prayers, Islamic laws, and Islamic punishments at the connivance of Allah, the Holy Prophet (S.A.W.), the Caliphs, and the Imam? Is it possible that we keep quiet at the disappearance of Islamic Laws? Hence it is essential to have an Islamic Government for the enforcement of Islamic laws and to prevent anti-Islamic forces from penetrating into Muslim countries with a view to mislead the Muslims. This objective cannot be achieved without the establishment of a Government based on Islamic law. However, those who would run the Islamic Government must be earnest, virtuous, and just Muslims. Those rulers are useless who are tyrants and do not possess the power to enforce Islamic Law.

CHAPTER 23

THE NECESSITY OF ISLAMIC GOVERNMENT

Imam Ruhullah Khomeini

Imam Ruhullah Khomeini. "The Necessity for Islamic Government." In *Islam and Revolution: Writings and Declarations of Imam Khomeini*, translated and annotated by Hamid Algar Berkeley: Mizan Press, 1981, pp. 40-54.

A BODY OF LAWS IS NOT SUFFICIENT FOR A SOCIETY TO BE reformed. In order for law to ensure the reform and happiness of man, there must be an executive power and an executor. For this reason, God Almighty, in addition to revealing a body of law (i.e., the ordinances of the *shari'ah*), has laid down a particular form of government, together with executive and administrative institutions.

The Most Noble Messenger (peace and blessings be upon him) headed the executive and administrative institutions of Muslim society. In addition to conveying the revelation and expounding and interpreting the articles of faith and the ordinances and institutions of Islam, he undertook the implementation of law and the establishment of the ordinances of Islam, thereby bringing into being the Islamic state. He did not content himself with the promulgation of law; rather, he implemented it at the same time, cutting off hands and administering lashings and stonings. After the Most Noble Messenger, his successor had the same duty and function. When the Prophet appointed a successor, it was not for the purpose of expounding articles of faith and law; it was for the implementation of law and the execution of God's ordinances. It was this function—the execution of law and the establishment of Islamic institutions—that made the appointment of a successor such an important matter that the Prophet would have failed to fulfill his mission if he had neglected it. For after the Prophet, the Muslims still needed someone to execute laws and establish the institutions of Islam in society, so that they might attain happiness in this world and the hereafter.

tuous human beings who are walking embodiments of the law, or to put it differently, the law's voluntary and instinctive executors. It is obvious, then, how much care Islam devotes to government and the political and economic relations of society, with the goal of creating conditions conducive to the production of morally upright and virtuous human beings.

The Glorious Quran and the Sunna contain all the laws and ordinances man needs in order to attain happiness and the perfection of his state. The book *al-Kaff*⁶ has a chapter entitled, "All the Needs of Men are Set Out in the Book and the Sunna," the "Book" meaning the Quran, which is, in its own words, "an exposition of all things."⁷ According to certain traditions, the Imam⁸ also swears that the Book and the Sunna contain without a doubt all that men need.

Second, if we examine closely the nature and character of the provisions of the law, we realize that their execution and implementation depend upon the formation of a government, and that it is impossible to fulfill the duty of executing God's commands without there being established properly comprehensive administrative and executive organs. Let us now mention certain types of provisions in order to illustrate this point; the others you can examine yourselves.

The taxes Islam levies and the form of budget it has established are not merely for the sake of providing subsistence to the poor or feeding the indigent among the descendants of the Prophet (peace and blessings be upon him); they are also intended to make possible the establishment of a great government and to assure its essential expenditures.

For example, *khums* is a huge source of income that accrues to the treasury and represents one item in the budget. According to our Shi'i school of thought, *khums* is to be levied in an equitable manner on all agricultural and commercial profits and all natural resources whether above or below the ground—in short, on all forms of wealth and income. It applies equally to the greengrocer with his stall outside this mosque and to the shipping or mining magnate. They must all pay one-fifth of their surplus income, after customary expenses are deducted, to the Islamic ruler so that it enters the treasury. It is obvious that such a huge income serves the purpose of administering the Islamic state and meeting all its financial needs. If we were to calculate one-fifth of the surplus income of all the Muslim countries (or of the whole world, should it enter the fold of Islam), it would become fully apparent that the purpose for the imposition of such a tax is not merely the upkeep of the *sayyids*⁹ or the religious scholars but, on the contrary, something far more significant, namely, meeting the financial needs of the great organs and institutions of government. If an Islamic government is achieved, it will have to be administered on the basis of the taxes that Islam has established—*khums*, *zakat* (this, of course, would not represent an appreciable sum), *jizya*, and *kharaaj*.

How could the *sayyids* ever need so vast a budget? The *khums* of the bazaar of Baghdad would be enough for the needs of the *sayyids* and the upkeep of the religious teaching institution, as well as all the poor of the Islamic world, quite apart from the *khums* of the bazaars of Tehran, Istanbul, Cairo, and other cities. The provision of such a huge budget must obviously be for the purpose of forming a government and administering all the Islamic lands. It was established with the aim of providing for the needs of the people, for public services relating to health,

education, defense, and economic development. Further, in accordance with the procedures laid down by Islam for the collection, preservation, and expenditure of this income, all forms of usurpation and embezzlement of public wealth have been forbidden, so that the head of state and all those entrusted with responsibility for conducting public affairs (i.e., members of the government) have no privileges over the ordinary citizen in benefiting from the public income and wealth; all have an equal share.

Now, should we cast this huge treasury into the ocean, or bury it until the Imam returns, or just spend it on 50 *sayyids* a day until they have all eaten their fill? Let us suppose we give all this money to 500,000 *sayyids*; they would not know what to do with it. We all know that the *sayyids* and the poor have a claim on the public treasury only to the extent required for subsistence. The budget of the Islamic state is constructed in such a way that every source of income is allocated to specific types of expenditures.

Zakat, voluntary contributions and charitable donations, and *khums* are all levied and spent separately. There is a *hadith* to the effect that at the end of the year, *sayyids* must return any surplus from what they have received to the Islamic ruler, just as the ruler must aid them if they are in need.

The *jizya*, which is imposed on the *abl adh-dhimma*,¹¹ and the *kharaaj*, which is levied on agricultural land, represent two additional sources of considerable income. The establishment of these taxes also proves that the existence of a ruler and a government is necessary. It is the duty of a ruler or governor to assess the poll-tax to be levied on the *abl adh-dhimma* in accordance with their income and financial capacity, and to fix appropriate taxes on their arable lands and livestock. He must also collect the *kharaaj* on those broad lands that are the "property of God" and in the possession of the Islamic state. This task requires the existence of orderly institutions, rules and regulations, and administrative processes and policies; it cannot be fulfilled in the absence of order. It is the responsibility of those in charge of the Islamic state, first, to assess the taxes in due and appropriate measure and in accordance with the public good; then, to collect them; and, finally, to spend them in a manner conducive to the welfare of the Muslims.

Thus, you see that the fiscal provisions of Islam also point to the necessity for establishing a government, for they cannot be fulfilled without the establishment of the appropriate Islamic institutions.

The ordinances pertaining to preservation of the Islamic order and defense of the territorial integrity and the independence of the Islamic *umma*¹² also demanded the formation of a government. An example is the command: "Prepare against them whatever force you can muster and horses tethered" (8:60), which enjoins the preparation of as much armed defensive force as possible and orders the Muslims to be always on the alert and at the ready, even in time of peace.

If the Muslims had acted in accordance with this command and, after forming a government, made the necessary extensive preparations to be in a state of full readiness for war, a handful of Jews would never have dared to occupy our lands, and to burn and destroy the Masjid al-Aqsa¹³ without the people being capable of making an immediate response. All this has resulted from the failure of the Muslims to fulfill their duty of executing God's law and setting up a righteous

this nature and still maintain his faith and righteous conduct. He is faced with two choices: either he commits acts that amount to *kufur* and contradicts righteousness, or in order not to commit such acts and not to submit to the orders and commands of the *taghut*, the just individual opposes him and struggles against him in order to destroy the environment of corruption. We have in reality, then, no choice but to destroy those systems of government that are corrupt in themselves and also entail the corruption of others, and to overthrow all treacherous, corrupt, oppressive, and criminal regimes.

This is a duty that all Muslims must fulfill, in every one of the Muslim countries, in order to achieve the triumphant political revolution of Islam.

We see, too, that together, the imperialists and the tyrannical self-seeking rulers have divided the Islamic homeland. They have separated the various segments of the Islamic *umma* from each other and artificially created separate nations. There once existed the great Ottoman State, and that, too, the imperialists divided. Russia, Britain, Austria, and other imperialist powers united, and through wars against the Ottomans, each came to occupy or absorb into its sphere of influence part of the Ottoman realm. It is true that most of the Ottoman rulers were incompetent, that some of them were corrupt, and that they followed a monarchic system. Nonetheless, the existence of the Ottoman State represented a threat to the imperialists. It was always possible that righteous individuals might rise up among the people and, with their assistance, seize control of the state, thus putting an end to imperialism by mobilizing the unified resources of the nation. Therefore, after numerous prior wars, the imperialists at the end of World War I divided the Ottoman State, creating in its territories about 10 or 15 petty states.²⁰ Then each of these was entrusted to one of their servants or a group of their servants, although certain countries were later able to escape the grasp of the agents of imperialism.

In order to assure the unity of the Islamic *umma*, in order to liberate the Islamic homeland from occupation and penetration by the imperialists and their puppet governments, it is imperative that we establish a government. In order to attain the unity and freedom of the Muslim peoples, we must overthrow the oppressive governments installed by the imperialists and bring into existence an Islamic government of justice that will be in the service of the people. The formation of such a government will serve to preserve the disciplined unity of the Muslims; just as Fatimat az Zahra²¹ (upon whom be peace) said in her address: "The Imamate exists for the sake of preserving order among the Muslims and replacing their disunity with unity."

Through the political agents they have placed in power over the people, the imperialists have also imposed on us an unjust economic order, and thereby divided our people into two groups: oppressors and oppressed. Hundreds of millions of Muslims are hungry and deprived of all forms of health care and education, while minorities comprised of the wealthy and powerful live a life of indulgence, licentiousness, and corruption. The hungry and deprived have constantly struggled to free themselves from the oppression of their plundering overlords, and their struggle continues to this day. But their way is blocked by the ruling minorities and the oppressive governmental structures they head. It is our duty to save the oppressed

and respectable government. If the rulers of the Muslim countries truly represented the believers and enacted God's ordinances, they would set aside their petty differences, abandon their subversive and divisive activities, and join together like the fingers of one hand. Then a handful of wretched Jews (the agents of America, Britain, and other foreign powers) would never have been able to accomplish what they have, no matter how much support they enjoyed from America and Britain. All this has happened because of the incompetence of those who rule over the Muslims.

The verse: "Prepare against them whatever force you can muster" commands you to be as strong and well-prepared as possible, so that your enemies will be unable to oppress you and transgress against you. It is because we have been lacking in unity, strength, and preparedness that we suffer oppression and are at the mercy of foreign aggressors.

There are numerous provisions of the law that can't be implemented without the establishment of a governmental apparatus; for example, blood money, which must be exacted and delivered to those deserving it, or the corporeal penalties imposed by the law, which must be carried out under the supervision of the Islamic ruler. All of these laws refer back to the institutions of government, for it is governmental power alone that is capable of fulfilling this function.

After the death of the Most Noble Messenger (peace and blessings be upon him), the obstinate enemies of the faith, the Umayyads¹⁴ (God's curses be upon them) did not permit the Islamic state to attain stability with the rule of 'Ali ibn Abi Talib (upon whom be peace). They did not allow a form of government to exist that was pleasing to God, Exalted and Almighty, or to his Most Noble Messenger. They transformed the entire basis of government, and their policies were, for the most part, contradictory to Islam. The form of government of the Umayyads and the Abbasids,¹⁵ and the political and administrative policies they pursued, were anti-Islamic. The form of government was thoroughly perverted by being transformed into a monarchy, like those of the kings of Iran, the emperors of Rome, and the pharaohs of Egypt. For the most part, this non-Islamic form of government has persisted to the present day, as we can see.

Both law and reason require that we not permit governments to retain this non-Islamic or anti-Islamic character. The proofs are clear. First, the existence of a non-Islamic political order necessarily results in the non-implementation of the Islamic political order. Then, all non-Islamic systems of government are the systems of *kufri*,¹⁶ since the ruler in each case is an instance of *taghut*,¹⁷ and it is our duty to remove from the life of Muslim society all traces of *kufur* and destroy them. It is also our duty to create a favorable social environment for the education of believing and virtuous individuals, an environment that is in total contradiction with that produced by the rule of *taghut* and illegitimate power. The social environment created by *taghut* and *shirk*¹⁸ invariably brings about corruption such as you can now observe in Iran, the corruption termed "corruption on earth."¹⁹ This corruption must be swept away, and its instigators punished for their deeds. It is the same corruption that the Pharaoh generated in Egypt with his policies, so that the Quran says of him, "Truly he was among the corrupters" (28:4). A believing, pious, and just individual cannot possibly exist in a socio-political environment of

and deprived. It is our duty to be a helper to the oppressed and an enemy to the oppressor. This is nothing other than the duty that the Commander of the Faithful (upon whom be peace) entrusted to his two great offspring²² in his celebrated testament: "Be an enemy to the oppressor and a helper to the oppressed."

The scholars of Islam have a duty to struggle against all attempts by the oppressors to establish a monopoly over the sources of wealth or to make illicit use of them. They must not allow the masses to remain hungry and deprived while plundering oppressors usurp the sources of wealth and live in opulence. The Commander of the Faithful (upon whom be peace) says: "I have accepted the task of government because God, Exalted and Almighty, has exacted from the scholars of Islam a pledge not to sit silent and idle in the face of the gluttony and plundering of the oppressors, on the one hand, and the hunger and deprivation of the oppressed, on the other." Here is the full text of the passage we refer to:

I swear by Him Who causes the seed to open and creates the souls of all living things that were it not for the presence of those who have come to swear allegiance to me, were it not for the obligation of rulership now imposed upon me by the availability of aid and support, and were it not for the pledge that God has taken from the scholars of Islam not to remain silent in the face of the gluttony and plundering of the oppressors, on the one hand, and the harrowing hunger and deprivation of the oppressed, on the other hand—were it not for all of this, then I would abandon the reins of government and in no way seek it. You would see that this world of yours, with all of its position and rank, is less in my eyes than the moisture that comes from the sneeze of a goat.²³

How can we stay silent and idle today when we see that a band of traitors and usurpers, the agents of foreign powers, have appropriated the wealth and the fruits of labor of hundreds of millions of Muslims—thanks to the support of their masters and through the power of the bayonet—granting the Muslims not the least right to prosperity? It is the duty of Islamic scholars and all Muslims to put an end to this system of oppression and, for the sake of the well-being of hundreds of millions of human beings, to overthrow these oppressive governments and form an Islamic government.

Reason, the law of Islam, the practice of the Prophet (upon whom be peace and blessings) and that of the Commander of the Faithful (upon whom be peace), the purport of various Quranic verses and Prophetic traditions—all indicate the necessity of forming a government. As an example of the traditions of the Imams, I now quote the following tradition of Imam Riza²⁴ (upon whom be peace):

'abd al-Wahid ibn Muhammad ibn 'abdus an-Nisaburi al-'Attar said, "I was told by Abul-Hasan 'Ali ibn Muhammad ibn Qutayba al-Naysaburi that he was told by Abu Muhammad al-Fadl ibn Shadhan at-Naysaburi this tradition. If someone asks, 'Why has God, the All Wise, appointed the holders of authority and commanded us to obey them?' then we answer, 'For numerous reasons. One reason is this: Men are commanded to observe certain limits and not to transgress them in order to avoid the corruption that would result. This cannot be attained or established without there being appointed over them a trustee who will ensure that

they remain within the limits of the licit and prevent them from casting themselves into the danger of transgression. Were it not for such a trustee, no one would abandon his own pleasure and benefit because of the corruption it might entail for another. Another reason is that we find no group or nation of men that ever existed without a ruler and leader, since it is required by both religion and worldly interest. It would not be compatible with divine wisdom to leave mankind to its own devices, for He, the All-Wise, knows that men need a ruler for their survival. It is through the leadership he provides that men make war against their enemies, divide among themselves the spoils of war, and preserve their communal solidarity, preventing the oppression of the oppressed by the oppressor.

'A further reason is this: were God not to appoint over men a solicitous, trustworthy, protecting, reliable leader, the community would decline, religion would depart, and the norms and ordinances that have been revealed would undergo change. Innovators would increase and deniers would erode religion, inducing doubt in the Muslims. For we see that men are needy and defective, judging by their differences of opinion and inclination and their diversity of state. Were a trustee, then, not appointed to preserve what has been revealed through the Prophet, corruption would ensue in the manner we have described. Revealed laws, norms, ordinances, and faith would be altogether changed, and therein would lie the corruption of all mankind.'²⁵

We have omitted the first part of the *hadith*, which pertains to prophethood, a topic not germane to our present discussion. What interests us at present is the second half, which I will now paraphrase for you.

If someone should ask you, "Why has God, the All-Wise, pointed holders of authority and commanded you to obey them you should answer him as follows: "He has done so for various causes and reasons. One is that men have been set upon certain well-defined path and commanded not to stray from it, nor to transgress against the established limits and norms, for if they were to stray, they would fall prey to corruption. Now men would not be able to keep to their ordained path and to enact God's laws unless a trustworthy and protective individual (or power) were appointed over them with responsibility for this matter, to prevent them from stepping outside the sphere of the licit and transgressing against the rights of others. If no such restraining individual or power were appointed, nobody would voluntarily abandon any pleasure or interest of his own that might result in harm or corruption to others; everybody would engage in oppressing and harming others for the sake of their own pleasures and interests.

Another reason and cause is this: we do not see a single group, nation, or religious community that has ever been able to exist without an individual entrusted with the maintenance of laws and institutions—in short, a head or a leader; for such a person is essential for fulfilling the affairs of religion and the world. It is not permissible, therefore, according to divine wisdom, that God should leave men, His creatures, without a leader and guide, for He knows well that they depend on the existence of such a person for their own survival and perpetuation. It is under his leadership that they fight against their enemies, divide the public income among themselves, perform Friday and congregational prayer, and foreshorten the arms of the transgressors who would encroach on the rights of the oppressed.

"Another proof and cause is this: were God not to appoint an Imam over men to maintain law and order, to serve the people faithfully as a vigilant trustee, religion would fall victim to obsolescence and decay. Its rites and institutions would vanish; the customs and ordinances of Islam would be transformed or even deformed. Heretical innovators would add things to religion and atheists and unbelievers would subtract things from it, presenting it to the Muslims in an inaccurate manner. For we see that men are prey to defects; they are not perfect and must needs strive after perfection. Moreover, they disagree with each other, having varying inclinations and discordant states. If God, therefore, had not appointed over men one who would maintain order and law and protect the revelation brought by the Prophet, in the manner we have described, men would fall prey to corruption; the institutions, laws, customs, and ordinances of Islam would be transformed; and faith and its content would be completely changed, resulting in the corruption of all humanity."

As you can deduce from the words of the Imam (upon whom be peace), there are numerous proofs and causes that necessitate the formation of a government and the establishment of an authority. These proofs, causes, and arguments are not temporary in their validity or limited to a particular time. The necessity for the formation of a government, therefore, is perpetual. For example, it will always happen that men overstep the limits laid down by Islam and transgress against the rights of others for the sake of their personal pleasure and benefit. It cannot be asserted that such was the case only in the time of the Commander of the Faithful (upon whom be peace) and that afterwards, men became angels. The wisdom of the Creator has decreed that men should live in accordance with justice and act within the limits set by divine law. This wisdom is eternal and immutable, and constitutes one of the norms of God Almighty. Today and always, therefore, the existence of a holder of authority, a ruler who acts as trustee and maintains the institutions and laws of Islam, is by necessity a ruler who prevents cruelty, oppression, and violation of the rights of others; who is a trustworthy and vigilant guardian of God's creatures; who guides men to the teachings, doctrines, laws, and institutions of Islam; and who prevents the undesirable changes that atheists and the enemies of religion wish to introduce in the laws and institutions of Islam. Did not the caliphate of the Commander of the Faithful serve this purpose? The same factors of necessity that led him to become the Imam still exist; the only difference is that no single individual has been designated for the task.²⁶ The principle of the necessity of government has been made a general one, so that it will always remain in effect.

If the ordinances of Islam are to remain in effect, then, if encroachment by oppressive ruling classes on the rights of the weak is to be prevented, if ruling minorities are not to be permitted to plunder and corrupt the people for the sake of pleasure and material interest, if the Islamic order is to be preserved and all individuals are to pursue the just path of Islam without any deviation, if innovation and the approval of anti-Islamic laws by sham parliaments²⁷ are to be prevented, if the influence of foreign powers in the Islamic lands is to be destroyed—government is necessary. None of these aims can be achieved without government and the organs of the state. It is a righteous government, of course, that is needed, one presided

over by a ruler who will be a trustworthy and righteous trustee. Those who presently govern us are of no use at all for they are tyrannical, corrupt, and highly incompetent.

In the past we did not act in concert and unanimity in order to establish proper government and overthrow treacherous and corrupt rulers. Some people were apathetic and reluctant even to discuss the theory of Islamic government, and some went so far as to praise oppressive rulers. It is for this reason that we find ourselves in our present state. The influence and sovereignty of Islam in society have declined; the nation of Islam has fallen victim to division and weakness; the laws of Islam have remained in abeyance and been subjected to change and modification; and the imperialists have propagated foreign laws and alien culture among the Muslims through their agents for the sake of their evil purposes, causing people to be infatuated with the West. It was our lack of a leader, a guardian, and our lack of institutions of leadership that made all this possible. We need righteous and proper organs of government; that much is self-evident.

NOTES

1. Vali amr: "the one who holds authority," a term derived from Quran, 4:59: "0 you who believe! Obey God, and obey the Messenger and the holders of authority (uli' l-amr) from among you."
2. Sunna: the practice of the Prophet, accepted by Muslims as the norm and ideal for all human behavior.
3. Lesser Occultation: ghaybat-i sughra, the period of about 70 years (260 A.H./872 C.E.—329 A.H./939 C.E.) when, according to Shi'i belief, Muhammad al-Mahdi, the Twelfth Imam, absented himself from the physical plane but remained in communication with his followers through a succession of four appointed deputies. At the death of the fourth deputy no successor was named, and the Greater Occultation (ghaybat-i kubra) began, and continues to this day.
4. The allusion is probably to the Baha'is, who claim to have received a succession of post-Quranic revelations.
5. *Jizya*: a tax levied on non-Muslim citizens of the Muslim state in exchange for the protection they receive and in lieu of the taxes, such as *zakat*, that only Muslims pay. *Kharaj*: a tax levied on certain categories of land. *Khums*: a tax consisting of one-fifth of agricultural and commercial profits (see p. 44). *Zakat*: the tax levied on various categories of wealth and spent on the purposes specified in Quran, 9:60.
6. *al-Ka'fi*: one of the most important collections of Shi'i *hadith*, compiled by Shaykh Abu Ja'far al-Kulayni (329 A.H./941 C.E.). Two fascicules have recently been translated into English by Sayyid Muhammad Hasan Rizvi and published in Tehran.
7. The Quran, 16:89.
8. The reference is probably to Imam Ja'far as-Sadiq, whose sayings on this subject are quoted by 'Allama Tabataba'i in *al-Ulwan fi Tafsir al-Quran* (Beirut, 1390/1979), XII, pp. 327-28.
9. Sayyids: the descendants of the Prophet through his daughter Fatima and son-in-law 'Ali, the first of the Twelve Imams.
10. *Zakat* would not represent an appreciable sum presumably because it is levied on surplus wealth, the accumulation of which is inhibited by the economic system of Islam.

11. Ahl adh-dhimma: non-Muslim citizens of the Muslim state, whose rights and obligations are contractually determined.
12. Umma: the entire Islamic Community, without territorial or ethnic distinction.
13. Masjid al-Aqsa: the site in Jerusalem where the Prophet ascended to heaven in the eleventh year of his mission (Quran, 17: 1); also the complex of mosques and buildings erected on the site. The chief of these was extensively damaged by arson in 1969, two years after the Zionist usurpation of Jerusalem.
14. Umayyads: members of the dynasty that ruled at Damascus from 41/632 until 132/750 and transformed the caliphate into a hereditary institution. Mu'awiyah, frequently mentioned in these pages, was the first of the Umayyad line.
15. Abbasids: the dynasty that replaced the Umayyads and established a new caliphate capital in Baghdad. With the rise of various local rulers, generally of military origin, the power of the Abbasids began to decline from the fourth/tenth century and it was brought to an end by the Mongol conquest in 656 A.H./1258 C.E.
16. Kufr: the rejection of divine guidance; the antithesis of Islam.
17. Anyone who claims the prerogatives of divinity for himself, whether explicitly or implicitly. See also p. 92.
18. Shirk: the assignment of partners to God, either by believing in a multiplicity of gods, or by assigning divine attributes and prerogatives to other-than-God.
19. "Corruption on earth": a broad term including not only moral corruption, but also subversion of the public good, embezzlement and usurpation of public wealth, conspiring with the enemies of the community against its security, and working in general for the overthrow of the Islamic order. See the commentary on Quran, 5:33 in Tabataba'i, *al-Mizan*, I, pp. 330-2.
20. It may be apposite to quote here the following passage from a secret report drawn up in January 1916 by T.E. Lawrence, the British organizer of the so-called Arab revolt led by Sharif Husayn of Mecca: "Husayn's activity seems beneficial to us, because it marches with our immediate aims, the breakup of the Islamic bloc and the defeat and disruption of the Ottoman Empire. . . . The Arabs are even less stable than the Turks. If properly handled they would remain in a state of political mosaic, a tissue of small jealous principalities incapable of political cohesion." See Philip Knightley and Colin Simpson, *The Secret Lives of Lawrence of Arabia* (New York: McGraw Hill, 1970), p. 55.
21. Fatmat az-Zahra: Fatima, the daughter of the Prophet and wife of Imam 'Ali.
22. I.e., Hasan and Husayn.
23. See *Nahj al-Balagh*, ed. Subhi as-Salih (Beirut, 1397 A.H./1967 C.E.).
24. Imam Riza: eighth of the Twelve Imams, born in 148 A.H./765 C.E. and died in 203 A.H./817 C.E. in Tus (Mashhad). According to Shi'i belief, he was poisoned by the Abbasid caliph Ma'nun, who had appointed him as his successor at first, but then grew fearful of the wide following he commanded (see p.148). His shrine in Mashhad is one of the principal centers of pilgrimage and religious learning in Iran. The text of this tradition is to be found in Shaykh Sadduq, *Ull ash-Shara'i* (Qum, 1378/1958), Vol. 1, p. 183.
26. That is, in the absence of the Imam or an individual deputy named by him (as was the case during the Lesser Occultation), the task devolves upon the fuqaha as a class. See argument on pp. 62-125.
27. Here the allusion may be in particular to the so-called Family Protection Law of 1967, which Imam Khomeini denounced as contrary to n.p., n.d., pp. 462-3, par. 2836, and p. 441.

CHAPTER 24

THE POLITICAL THEORY OF ISLAM

Sayyid Abul A'la Maududi

Sayyid [Sayed] Abul A'la Maududi. *Political Theory of Islam*. Lahore: Islamic Publications Limited, 1976, pp. 4-22.

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 logical connection 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 reflection, 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 that 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 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, disseminate the teachings of Allah, and establish the Divine guidance in this world of flesh and bones. This was the