

## **ETHICS OF ISLAMIC STATE**

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### **Abstract**

Nothing is good without Ethics. If we want peace and a smooth running in every sphere of life, we must be abiding by some rules or ethics. Hence it is impossible that must not be observed in Administration. Any how, let us see what is the importance of ETHICS OF ADMINISTRATION in an Islamic State.

### **THEORY OF ADMINISTRATION.**

Administration is derived from the word “Administer” which means to govern and to manage. It also means a servant, who administers or ministers to others.<sup>1</sup> It can be further explained as a problem which “is solved or tends to be solved, with the help of some organized manpower under the supervision of some leadership, in a planned way, to attain certain ends”.<sup>2</sup> In other words administration is the management of executive affairs; the conducting or carrying on the details of government.<sup>3</sup> Administration is an integral part of human life. It is a process of directing and controlling life in any social organization.<sup>4</sup>

### **THE ISLAMIC CONCEPT OF ADMINISTRATION IN THE LIGHT OF QURAN AND HADITH**

Political organization is a fundamental necessity of man. The Quran has emphasized in very clear terms that organized machinery of government is indispensable for the ultimate good of the community. Quran indicates the need of the government in the following verses:

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- i. “Retaliation is prescribed for you in the matters of the murdered”.<sup>5</sup>
- ii. “Lo Allah commandeth you that ye restore deposits to their owners, and if ye judge between mankind, that ye judge justly”.<sup>6</sup>

Moreover, Islamic SHARIAH is a comprehensive code delineating broad and general principles of social organization for the UMMAH and without administration this code could not be made operative in the daily life of the human beings. Basically, Quranic aims is to create an ideal society in which good prevails over evil and the will of God is revealed to man. If such a Quranic society realized, it may bear the designation of the Islamic State.<sup>7</sup> In an Islamic state maintenance of law and order is based on the injection of God through the agency of the Prophet (Peace be upon him). The aim of this state is to look after the welfare of mankind in this world, as well as in the world hereafter.

Political organization is a fundamental necessity for human society where mutual interests provoke clashes among themselves. From the very beginning human nature is so much dangerous to peace and harmony that the angels prayed to God “no to create man because he would shed his followers blood and cause disorder”.<sup>8</sup> To ward off such a danger and to control situation, there must be a paramount authority which could extract legitimacy and allegiance from the bulk of the population. It can watch the wicked, punish the wrong doer and reward the honest and just.<sup>9</sup>

### **THE OBJECTIVES OF THE ISLAMIC STATE**

According to the Quranic concept there are several obligations on the Islamic state as given below:-

- i. **Peace and Tranquility**

Maintenance of peace and tranquility is the basic objective of an Islamic State. Quranic politics abhorred mischief and disorder.<sup>10</sup> Its admonition to maintain peace and to counteract “the natural animosity of man towards man,”<sup>11</sup> is repeated at a number of places. Disorder is regarded as “worse than murder”,<sup>12</sup> and those who provoke it deserve “the curse of God”.<sup>13</sup> According to the Quranic saying, the state must try to end it by peaceful means, but if necessary, to strike at its roots by force of arms.<sup>14</sup> In view of the importance attached to peace and tranquility, God has ordered that “those who cause political turmoil should not be obeyed but should be killed or banished, as their action is likely to cause “war against God and his messenger”.<sup>15</sup> It is also the Quranic injunction to wage war against the wrong doers, and the sword should be sheathed the moment they desist and the rule of Divine Law was against supreme.<sup>16</sup> It is relevant to note that the Prophet Abraham prayed to God soon after constructing Kaba” To make the city of Makkah a haven of peace and prosperity “for ever”.<sup>17</sup>

**ii. Unity and Cooperation.**

The goal of an Islamic state is to provide a political frame work for Muslim Unity and cooperation. The Quranic verse emphasized “Hold fast, all together, to the covenant of God, and do not separate.”<sup>18</sup>

This universal principle leads to mutual understanding and brotherhood amongst the Muslim community like the Quranic words “the Faithful are but brethren”.<sup>19</sup> The Prophet (Peace be upon him) has enhanced its importance by saying, “The faithful are to one another like (part of) a building – each part strengthening the others.”<sup>20</sup>

**iii. Concept of a Welfare State**

It is one of the teachings of Islam to establish a welfare state under Quranic guidance, where in every individual may enjoy freedom and dignity, where every person may find as few obstacles as possible and as much

encouragement as possible in the development of his personality, wherein, the Muslim men and women should realize the ethical goal of Islam not only in their beliefs but also in the practical sphere of their lives, wherein the minorities have complete physical security as well as complete freedom of religion, culture and social development. Wherein, the citizens may find full opportunities to uplift their social and economic position and wherein, the universal rule of law, justice and peace will provide them complete security.<sup>21</sup>

**iv. Equity and Justice**

The main purpose of Islamic state is the growth of a community of people who stand up for equity and justice and the establishment of justice on earth are the ultimate objectives of Islam. It is the Quranic injunction: “you are the best community that has been sent forth to mankind; you enjoin right and forbid wrong and you have faith in God.”<sup>22</sup>

**v. Enforcement of Islamic Law**

It is the basic duty of an Islamic state of make the law of Islam, the law of the land. The foremost duty of such a state consists in enforcing the ordinances of the SHARIAH in the territories under its jurisdiction. The obligation has been further stressed in the verse. “Those who do not judge by what God has revealed – those indeed are the evildoers.”<sup>23</sup> Hence, no state can be deemed genuinely Islamic unless its constitution contains an enactment to the effect that the law of the SHARIAH bearing on matters of public concern shall form the inviolable basis of all state legislation.<sup>24</sup>

**LEGISLATION MAY NOT CONTRAVENE THE STIPULATIONS OF SHARIAH**

No Islamic state can legislate in manner that would run counter to the letter and spirit of any SHARIAH law. “And it becometh not a believing man or a believing woman, when Allah and His messenger have decided an affair (for them), that they should (after that) claim any say in their affairs; and whose is rebellious to Allah and his messenger, he verily Goethe astray in error manifest.”<sup>25</sup>

**THE CONCEPT OF SOVEREIGNTY AND VICEGERENCY**

The important feature of the Muslim polity is that ultimate sovereignty belongs to God and that the concept of Godhead is pivotal to the ideology of Islam. “unto Allah belongs the East and the East, and wither soever ye turn there is Allah’s countenance. Lo Allah is all embracing, All knowing.”<sup>26</sup> There are several verses in support of God’s control of His indisputable sovereign authority over the universe. Some of them are listed below:

- i. The lord of the worlds.<sup>27</sup>
- ii. The owner of sovereignty.<sup>28</sup>
- iii. The king of mankind.<sup>29</sup>
- iv. The sovereign lord.<sup>30</sup>

All scholars of law and politics agree that sovereignty of God is the sole determinant of public policy in a Muslim state. It is also related to the above concept that man is the vicegerent of God on earth and he derives the powers of sovereignty ultimately from God. The Quran verified it as:

- i. “God is the real ruler of the world. His law is supreme while man is His vicegerent.”<sup>31</sup>
- ii. “Say, O’God, Lord of sovereignty! Thou pleasest, and takest away sovereignty from whom thou pleasest. In thy hands is all good: for thou hast power over all things.”<sup>32</sup>

The same sense is conveyed in the Quranic verses: “Allah’s is the sovereignty of the heavens and the earth and all that is between them.”<sup>33</sup>

### **WHICH PEOPLE ARE BLESSES WITH THE REINS OF GOVERNMENT.**

When it is clear that all of the sovereign powers are blessed by Almighty God, the question arises to whom He is please to bestow the sovereign powers in the shape of government or administration? The Quran replies “As for the land, My righteous servants will inherit it. This is a message to a people who are righteous.”<sup>34</sup> It is abundantly clear that the righteous servants of God who are just and kind are given ruling powers and administrative charges. They continue to hold the reins of government till such time as they remain righteous and just. As soon as they fall into evil ways, become engrossed in luxuries and inflict oppression on the subjects under their care, there arise signs of their downfall: till they are totally crushed

to give place to a new people who are more just and righteous. In the following Quranic verse these deserving species have been referred:

“Allah has promised to those of you who believe and do good that he will certainly make them rulers on the earth as He made rulers those before them.”<sup>35</sup>

This verse also hints at the establishment of the kingdom of Islam. There can be no fully Islamic life without an Islamic state and no state can be termed truly Islamic unless it is administered by people who submit willingly to the divine laws of Islam. The persons who hold supreme authority in the Islamic state and are responsible not de-facto, by virtue of their majority in the country, but also de-jure, by virtue of a constitutional enactment.<sup>36</sup>

### **HEAD OF THE STATE:**

According to the requirements of Islamic law, the leadership of the state must be of an elective nature. In this respect the Quranic expression, “from amongst you” means the same. The principle of “popular consent” presupposes that the government as such comes into existence on the basis of the people’s free choice and is fully representative of this choice. When the UMMAH is going to elect their Amir, they must be conscious of the fact that he should be the wisest and most righteous person among them. Further it must be considered whether he has been chosen on the ground of his superior wisdom and righteousness. Moreover, it should be guaranteed that his decisions in the state affairs will be in the best interest of the people at large. It is also a fact that the head of an Islamic state must be a Muslim. Beyond that ruling another qualification is mentioned in the Quran i.e. “Behold the noblest of you before God is the most righteous of you.”<sup>37</sup> It may be interpreted that the AMIR must be chosen on merits alone and this precludes any consideration of race, family, origin or previous social status. The prophet (Peace be upon him) said: “Hear and obey, even though your amir be an Abyssinian slave with crinkly hair.”<sup>38</sup> Constitutionally, the head of Islamic state is granted absolute power and final verdict should rest with him. In the light of this statement, Al-Mawardi infers that IMAM as the head of the state is entitled to nominate the members of the SHURA.<sup>39</sup>

### **WHAT FORM OF GOVERNMENT IS FAVOURED BY ISLAM**

The Quran itself has laid down, in the Islamic state the form of government “their government is by council among themselves.”<sup>40</sup> The holy Prophet (Peace be upon him) is also directed: “to take the council of the Muslim in matters of state”.<sup>41</sup> It shows that Islam attaches great importance to counseling. It is incumbent upon a good Muslim to take others’ counsel in times of need.<sup>42</sup> The NASS injunction of SHURA is regarded as the fundamental operative clause relating to statecraft: it is evident from the context that the expression “among themselves” refers to the whole community. Hence the legislative assembly or the MAJLIS\_E\_SHURA must be truly representative of the entire community. Such a representative character can be achieved only through free and general election. Secondly, all legislative power must be vested in that elective body. Islam says good-bye to monarchical form of government established on hereditary or dynastic basis and welcomes the state established in its stead of true democratic form through elections, which provide the best available man in the state as a ruler, assisted by a consultative body composed of the best and pious men available.<sup>43</sup>

#### **QUALIFICATIONS OF THE MEMBERS OF MAJLIS-E-SHURA**

The members of the Majlis-e-Shura should possess a good working knowledge of the NUSUS of Quran and SUNNAH. They should be the people of understanding and insight (ULUL-ALBAB) alive to the sociological requirements of the community and its working affairs in general. In other words, education and maturity are indispensable qualifications for MAJLIS-E-SHURA.<sup>(44)</sup> Thus the democratic form of government at large, with an elective chief as its head, is the fundamental rule in Islam.

#### **LEGISLATIVE POWERS OF THE SHURAH**

In an Islamic state there must be continuous temporal legislation. For this purpose SHARIAH has provided general principles only and no detailed laws. According to the practice of Islam, the legislative work of the MAJLIS-E-SHURAH will relate only to matters of public concern and community welfare. It can have requisite legislation on the problems on which the SHARIAH is entirely silent. Moreover, about which neither a detailed ruling nor even a general principle has been formulated in the NUSUS. But in any

case legislation may not contradict the spirit of Islam i.e., the NUSUS of Quran and SUNNAH.<sup>45</sup>

### **OBEDIENCE**

Obedience to a properly constituted Islamic state is a basic religious duty for the Muslims. It is Quranic command:

“obey God and obey the apostle and those in authority from amongst you.”<sup>46</sup>

Obedience to the Government is, of course, a fundamental principle of citizenship, recognized by all civilized communities. But it is important to note that within the context of an Islamic polity. This duty remains a duty only so long as the government does not legalize actions forbidden by the SHARIAH, or forbid actions which are ordained by it. Such a contingent obedience of the government ceased to be binding on the community as clearly stated by the Prophet (peace be upon him):

“Hearing and obeying is binding on a Muslim, whether he likes or dislikes the order, so long as he is not ordered to commit a sin, but if he is ordered to commit a sin there is no hearing and no obeying.”<sup>47</sup>

It is also essential in a Muslim polity that when the majority of the community has decided to entrust the government to a particular leader, every Muslim citizen must consider himself morally bound by that decision even if it goes against his preferences. If that AMIR conforms to the SHARIAH he has a claim to the allegiance of its citizens in consonance with the words of the Prophet (peace be upon him):<sup>48</sup>

“He who obeys God; and he who disobeys me, disobeys God. And he who obeys the AMIR (the head of the state) obeys me; and he who disobeys the AMIR, disobeys me.

In the above line it is stated clear that if we denied the Ethics in Administration or in every kind of organization or a form of Government we must not be succeeded. If there is a success, this success is quite a temporary one. It collapsed like the wall of sand.



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