

PHILOSOPHICAL CONSTRUCTION OF IDEA OF STATEHOOD AMONG THE MUSLIM THINKERS

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Abstract:

The paper analyses the concept of statehood among the Muslim thinkers in the pre and post-nation-state system. Among the pre-nation state system, the study analyses the writings of Al-Mawardi, Al-Farabi, Ibn-Rushd, and Ibn-e-Khuldun. To discuss the post-nation state system debate on the establishment of statehood, the analysis will focus on Syed Qutub, Syed Abul-Aala Moududi, and Syed Ali Shariati. The method used in this study is focused on the documentary analysis of secondary resources to discover the trends of conceptualising statehood among Muslim thinkers. The paper forms two parts. Part one will focus on the pre-nation state system idealisation of statehood and part two will examine the modern understanding of statehood in the post-nation state system era.

Keywords: Statehood, law, Sharia'h, philosophical, Muslim philosophy, State, Political Islam

The Conceptual Analysis of Al-Mawardi's State

Al-Mawardi was a medieval Muslim philosopher. His work was mainly based upon rationale and reasoning rather than religion and divine orientation of the state. His concept of state was aimed at creating a balance between Muslim society and power. *Al-Mawardi* floated the concept of Imamate and described its justification on *Aql* rather than divine.¹ He considers man in society as evil and the only thing that can control his instinct of evil is a robust and powerful state authority.² His conceptualization of state is reflected in modern political thoughts such as E.L. Hebden Taylor describes them while explaining Christian political philosophy.³ The concept of Imamate and power according to *Al-Mawardi* was an institution that provides validation to divine and peace to Muslim Society.⁴

Ali Ibn Muhammad Ibn Habib al-Mawardi was known as Abu-Alhasan. He is known as Alboacen (972-1058 CE) and his major research areas were constitutional and political philosophy of Islam. He authored many books and the most famous of them is *Al-Ahkam al-Sultania*. One may not have a better idea of political thoughts of *Al-Mawardi* if his previous work is not considered that was published with the name of *Kitab Aadab al-Dunyawal-Din*. He explains a distinct relationship between individual,

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society, and orientation of government. His view was not inspired by religion rather Persian philosophy and the idea of rationality prevailed over his political understanding of the state. His earlier work maintains the dichotomy between politics and religion and later on he tries to reconcile between religion and state with his famous philosophy of Imamate.

According to *Al-Mawardi*, man is essentially evil, and to keep society in order and organised, power is necessary. He describes this power as a state authority and further maintains that the authority in a state should operate in a just manner to keep the individual working properly. He further establishes that it is an injustice that initially leads towards the decline of the ruler and in a later stage the state itself. He describes 'just' as something ordained from Islam. In his own words:

*"This (instituting rule by force) happens when the system of rule disintegrates, either due to negligence and incompetence, or due to injustice and aggression. In such a case, those who have strength and those who are well-off will start jockeying for political power either looking for succeeding a declining rule, or revolting against a prolonged injustice. This will be possible only for an army which has acquired three attributes: superiority in numbers, courage and a leadership of a commander who is superior to them either in term of lineage and parental attitude, or due to advanced intellectual capacity and courage. If they jump into power due to their numbers, and they attained the rule by force, this would be the rule of coercion. But if soundly, that will become a rule of delegation and obedience, and then it will gain strength and continue. But if they transgress, theirs will be no more than a short-lived jump into power, and a state of coercion that will be undermined by its injustice and removed by its own aggression – but at a price of killing (innocent) citizens and destroying the land."*⁵

His justification to establish authority is based upon *Aql*, rationality, rather than divine.⁶ He says that the institution of Imamate is a demand of rationality rather than divine. He explains that the validity of the divine is made by the state authority to keep it operating in society. He says that the establishment of Imamate is not a demand of *Sharia*'hand

further states in his book *Kitab Aadab al-Dunyawal-Din* that it is a social contract (Constitution) of a community that gives validation to *Sharia'h*. Religion is as significant in the state as a state is for the recognition of religion. According to *Al-Mawardi's* philosophy power is made of three elements: force, religion, and money. He further divides the state into institutionalization and administration.

Professor Gibb describes the understanding of *Al-Mawardi* about the state in the following words: "What *Al-Mawardi* set out to do what to describe the ideal state, a sort of Islamic counterpart to Plato's Republic and More's Utopia, but speculatively derived from the basic principles of Islam."⁷ Gibbs evaluated the work of *Al-Mawardi* critically and later Professor E. Rosenthal described the work of *Al-Mawardias* lacking the true idea of power and further maintains that the work is not a political philosopher because of its accommodation to usurpation. Rosenthal argues that the work does not have any mechanism to face emergencies.⁸ His theories regarding the state are further criticised based on his conformist approach towards the rulers. *Al-Mawardi's* political philosophy is believed to justify the Abbasid rule. His theory of *Imarat al-istila* (emirate by seizure) is near to the understanding of *coup d'etat* validates the rule by power and force.

Apart from the merits and demerits of political philosophy expounded by *Al-Mawardi*, it can be inferred that state authority prevails over religion and morality. It is further understood that he shares the ideas with Christian political philosophy where the individual is declared as evil or sinful and to establish a peaceful society, an individual must be treated with the state's power and authority. *Al-Mawardi* also shares his ideas with Greco-Roman traditions in terms of validation of the state from rationality and justice. It is pertinent to mention here that his philosophies highly inspired his heirs like *Ibn-e-Khuldun*, Hegel, and Kelson.

2.3.2 Al-Farabi's Philosophy of City, Leadership and Happiness

Farabi was born in Kazakhstan at nearly the end of the 9th Century. His philosophy is focused on the formation of an ideal city, the best ruler, and the objective of both of them happiness. He was mainly inspired by the teachings of Plato and Aristotle, Greek Philosophers. His work describes many reflections from Greek philosophy such as the idea of *Nicomachean Ethics* and *Politica* of Aristotle.⁹ His concept of the ideal city and eligibility to become ruler are inspired by the philosophy of Plato. He draws great stress that both of these are tools in society to achieve an end

in the shape of happiness that is also the philosophy of Aristotle. Farabi was an idealist and his philosophy was not accepted during his times but later on, after his death, he was declared as next to Aristotle and was followed by many philosophers in history such as *Ibn-e-Rushd*.¹⁰ He says that a city, "...in which people aim through association at co-operating for the things by which felicity in its real and true sense can be attained, is the excellent city, and the society in which there is a co-operation to acquire felicity is the excellent society."¹¹ His status in Muslim history is the same as Aristotle in Greek.

Farabi's political ideals described humans as something imperfect and describe that humans cannot reach the stage of perfection. He stresses that human society is in chains. Human is not self-sufficient that is why one has to rely on one another in society to fulfil our daily needs.¹² This inter-dependence brings all individuals close and society is formed. This association further develops in political contract to preserve the society for winning collective happiness. Farabi describes society as a human body. He puts the heart in the center and associates it with the ruler. He says that society is divided into various steps where the higher puts the lower in the track.¹³ He says if the highest level in society is just, the society will be just but if the highest level is not qualified or evil then the society will be evil. That is why he bore great stress on rulers. In his work, he has given great stress on the qualification of a ruler and has described the qualities of an ideal ruler.

According to Farabi, an ideal ruler will be an ideal philosopher. He will have two essential traits such as the nature of the ruler and he is trained with all characteristics of the ruling elite. He explains those characteristics that the ruler must be physically fit for the task. He must be well built in his ideal health. He should possess good understanding and communication facilities that make him understand what is communicated by various factions of society. He should be capable of retaining information passed to him. He must have an insight into various situations. His faculties should be sharp enough to apprehend future situations. He should be a person capable of delivering what he feels. He should be a vigilant learner. He should be a man of truth and promotes truthfulness. He must be a person who controls his lust and desires for money, women, and food. He must be a credible man free from any corrupt practices. He should possess the best decision-making power. These qualities, according to Farabi, will build an ideal ruler who

will be capable of living happily and will be able to form an ideal state or city.

Farabi's Concept of ideal city or state draws inspiration from Platonic idealism.¹⁴ He visualizes a perfect city away from all evils built upon the ideals of ultimate happiness. He describes communities as complete and incomplete. Complete communities are further divided into large, medium, and small. A large community consists of the plural idea of various groups united together on the idea of coexistence which in modern times is formed as a nation-state. A small community consists of a small group like the village of the city. He describes incomplete communities as family, tribe, or village. He further divides cities into excellent and ignorant cities. To Farabi, an excellent city is one that is perusing happiness. It is pertinent to mention here that Farabi associates happiness with the happiness of soul and conscious not the worldly things. He says that actual happiness is inner not the outer. He describes all societies working for physical health, pleasures, or wealth as ignorant societies.¹⁵ Farabi's explanation of excellent and ignorant cities is influenced by the Platonic idea of Republic that describes an excellent city as a virtuous city.¹⁶

The political theory of Farabi seems great theoretically but practically it is impossible to find the 'super ruler' as explained by Farabi. All in one package of virtuous and perfect ruler is hard to find. It can only be perceived rather than achieved. His idea of all those qualities of the ideal ruler and concept of the perfect city with the elaboration of the ignorant city was highly influenced by the Greek philosophy of both Plato and Aristotle. He expanded the ideas of both philosophers and developed them to the level of the Muslim community. Farabi claims that the status of divine guidance can be acquired through getting all virtuous traits in personality and if a person possesses all virtuous traits to become an ideal ruler, one starts receiving divine guidelines in worldly matters.

2.3.3 Formation of State by *Ibn-e-Rushd*

Ibn-e-Rushd was born in Marrakesh in 1126 and is known as Averroes in the West. He was a follower of Aristotle and is known as one of the greatest philosophers of Islamic history. He belonged to the family of scholars and the family had a great impact on politics. His early life was inspired by European living standards. His father served as a religious judge and he also performed the services as a judge. His famous work is *Bidayah al-Mujtahid*. He holds the credit for arguing the validity of

reasoning through divine and further constructs his political philosophy based on rationality.

Ibn-e-Rushd followed *Nicomachean Ethics* of Aristotle in his philosophy. He also wrote a commentary on Plato's Republic. He mainly focused on the philosophy of Ethics expounded by Aristotle. *Ibn-e-Rushd* shared the ideas of state with Aristotle and painted individual in society as evil and laws with the force of implementation as tools to keep the society intact. He says that it is the law that keeps the society virtuous away from all evils. *Ibn-e-Rushd* advanced Aristotle's view on the formation of city government and named his work 'On Civil Government'. He considers Plato's concept of the state as incomplete. *Ibn-e-Rushd* describes political action as a course of combating evil in society that keeps the society virtuous. For this process, he suggests legislation as well as administration.¹⁷ He views the legislation as a theoretical operation of the state that can be completed by practical enforcement of these laws. He describes the operation of law as empirical. *Ibn-e-Rushd* may be taken as the first philosopher who stressed considering law and state as systematic. His writing stresses that law must be codified keeping in mind the socio-legal study of society. He describes this process as empirical, not theoretical. *Ibn-e-Rushd* uses the terminology of *experientia* for experience and advocates that the laws are result oriented and the data may be taken from society after their enforcement and afterward productivity of laws may be evaluated through experimentation.¹⁸ He explains that laws can only be refined by putting both theoretical as well as practical framework in action. One may claim that *Ibn-e-Rushd* was the founder of the socio-legal school of research in Muslim history. His philosophy is focused on reforming civic life.

He describes civic society as '*Madina*' which means city. He explains that a city may work under some constitution. He puts great stress on virtue and declares that the fundamental duty of government is to establish a collective virtue. He explains:

"Either it is impossible for one man to attain all the (speculative, intellectual, ethical and practical) virtues; or, if this is possible, it is improbable that he will; whereas it is as a rule possible that all these virtues can be found among a multitude of individuals. It is also clear that no one man's substance can become realised through any of these virtues unless a number of humans

help him, and that to acquire his virtue a man has need of other people. Hence, he is political by nature.”¹⁹

Ibn-e-Rushd shares the philosophy of society in chains or interdependence of society with his predecessors. He also claims that a human cannot be self-sufficient and to meet daily needs one has to depend on one another and that is the main cause of forming societies. Hence, he also explains the division of labour in his following philosophy:

The individuals of this species are all different in natural disposition, corresponding to difference in their perfections... the employment of a man in more than one art is either altogether impossible or, if it is possible, is not the best way... every human in the city (should) do the work that is his by nature in the best way that he possibly can.²⁰

With his idea of various classes in society, *Ibn-e-Rushd* is focused on happiness. He explains that the purpose of the state, legislation, and administration is just to keep the society virtuous and happy.

Furthermore, *Ibn-e-Rushd* considers the state as above all moral standards. The main functions of state are distributive justice, education, and coercive enforcement of penal laws. The services of *Ibn-e-Rushd* as the judge had a great impact on his thinking. His conception towards law was coercive in approach. He followed Aristotle and Plato in his concept of law as mighty that may put the society to track. He says that the knowledge of virtue is enough for a fraction of society to act right but a vast majority in society, besides knowing the virtue, acts wrong and they only fear coercion.²¹ He describes the state's idea as 'fear and terror'. He observes *Sharia* explains two ways; one is war and the other is speaking. The community should be provided with good education and training by the community and everyone may take care of children and mates. *Ibn-e-Rushd* followed the authoritative doctrine of Aristotle and recommends coercion to uphold virtue in society. His concept is of the absolute king (*rex absolutus*). He describes it in the shape of the absolute caliphal rule. *Ibn-e-Rushd* contrasts with Farabi as he does not describe the perfectly virtuous person as a prophet.²²

The approach of *Ibn-e-Rushd* towards state and legislation was based upon the philosophical foundations of Aristotle. *Ibn-e-Rushd* shares the idea of the evil nature of humans which can be controlled through a coercive authority. Unlike Farabi, *Ibn-e-Rushd* does not bind the ruler with complex and impossible criteria. The philosophy of *Ibn-e-Rushd* is more

secular as compared to other philosophers in Muslim history. For his liberal approach, *Ibn-e-Rushd* suffered much oppression in the shape of exile and stern criticism from divine theorists of his age and later on.

2.3.4 Dimensions of *Ibn-e-Khuldun* towards State

Ibn-e-Khuldun was a 14th Century North African Muslim historian and political philosopher. He is famous for introducing scientific techniques in history as a field of knowledge. He considered the field of history as one of science and introduced systematic techniques for recording and verification.²³ His famous techniques were the science of biography and authority criticism. He bears the credit of studying the history of the dark ages as a political theory in a systematic way. A lot of his predecessors like Machiavelli, Bodin, Montesquieu, Adam Smith, Hegel, and Karl Marx seem influenced by his famous work '*Muqaddamah*'. He puts *Sharia'h* before the concept of state laws.²⁴ *Mohsin Mehdi* explains the stance of *Ibn-e-Khuldun* in the following passage:

*"The biographical, stylistic and doctrinal evidence introduced in this study establish this point beyond any reasonable doubt. It has been shown that he articulately though cautiously, defended the philosophy of Plato and Aristotle against Neo-Platonism, atomism and logical nominalism; and that his study of Prophecy, the religious law and the character of the Islamic community prove that he was a true disciple of the Islamic Platonic tradition of political philosophy."*²⁵

He explains that the laws of the divine will prevail over state laws. Unlike Farabi and Averroes, he does not focus on the establishment of an ideal city and society and consider these concepts impractical and impossible to achieve. His philosophy is focused upon the formation of society.²⁶ He further explains the elements that keep the balance in society and the aspects that lead towards the downfall of society. His theory of Solidarity is one of the most famous of his work.

Ibn-e-Khuldun describes five evolutionary phases of society.²⁷ He explains that society in the first stage is based upon the sentiment of mine and thine. It is based upon tribal notions where one person is revered by all its members and is followed out of nobility, power, and control over resources. The ruler is considered as chief rather than a ruler or king. He leads them rather than forcing them to his view. The ruler in this stage is bound by some rules of loyalty towards society. *Ibn-e-Khuldun*, associates this stage with religious rules and states the same happens in a religious

society where the ruler is bound to act following divine guidelines not by one's whims and wishes. The second stage of evolution in the views of *Ibn-e-Khuldun* starts when the ruler no longer considers oneself accountable to society and starts deciding well-being for society himself or by his bureaucracy and administrative officers. According to *Ibn-e-Khuldun*, this stage leads towards monarchy and one-man rule. The ruler in this stage controls ethos, religion, and morals of society by force. The third stage is the fulfilment of a ruler's vision regarding society. *Ibn-e-Khuldun* states that the ruler spends lavishly on public services and an increase in income of the state. The ruler works on the socio-economic well-being of society and takes society to the welfare level. The fourth stage, according to *Ibn-e-Khuldun* is on contentment where both the ruler and the society feel contentment and happiness. They enjoy the fruit of their hard work, loyalty, and patience. The last stage of society is ignorance where the ruler and society are buried in enjoyment forgetting the hard work of their predecessors and this leads towards the decline of society. Ruler adds to new taxes and this leads towards tarnishing the fabric of society. Rosenthal has described this situation in his words:

"The fifth phase is one of extravagance and waste. In this phase the ruler destroys what his ancestors have brought together, for the sake of lust and pleasure. For he is generous towards his intimates and liberal at his banquets in order to win the scum of the people, to whom he entrusts great tasks which they are unable to undertake. In this way, he spoils (his chances) with the noble and distinguished among his people and with the followers of his predecessors, so that they are filled with hatred against him and agree among themselves to desert him. Moreover, he loses point of his troops because he spends their pay on his pleasure and prevents them from getting to know him personally. In this phase, the natural ageing of the dynasty (that is the decay) sets in and chronic disease gets hold of it without remedy or release until it collapses."

Ibn-e-Khuldun explains that in the fifth stage, the habit of comfort and easy life leads towards many evils and moral vices. The elites are no longer familiar with primitive hard work. This leads towards a coward attitude towards defense, politics, economics, and culture. Resultantly, the entire society weakens and starts its journey to the debacle.²⁸

Ibn-e-Khuldun is considered as one of the most foresighted historians and political philosopher in Muslim history. Long before Adam Smith, he described the connection between economy and politics. He is the forerunner of many Western philosophers.²⁹ Stefan Colosio puts the *Ibn-e-Khuldun* in nutshell:

“The great Muslim historian was able to discover the Middle Ages the principles of social justice and political economy before considering, Marx and Baconine. He was an original economist who understood the principles of political economy and applied it skilfully and intelligently, long before it was known to Western research. He thus talks about state’s work in economic field, and its bad effects about political forces and social classes, the method and kinds of property, the social task of labour, and its division into free and paid labour and about the law to supply and demand.”

2.3.5 Post-Nation State idea of statehood at the literature of Maududi, Ali Shariati, and Syed Qutub

The era of Islamism started after the First World War in the 20th Century. It was a reaction to Western superiority over the concept of the state. This reaction had many facets. Some were inclined towards fascism and others had a tilt towards democracy and liberalism.³⁰ Marxist theories also drew a great impact on the thinking of Muslim philosophers where the sense of deprivation of authority and power made them think against Western civilisation. Sunni sect inclined towards Fascist or Leninist ideas while the Iranian adopted leadership model in the name of Imamate for them. The collapse of the Ottoman Empire resulted in an ethnic, religious, territorial, and political vacuum for Muslims. Furthermore, the French and British actions in Syria and Palestine (Trust Territories) and recognition of Israel by the United Nations Organisation also provoked Islamism among Muslim philosophers. The revival of Muslim states was led by secular leaders rather than religious such as Jinnah of Pakistan and nationalist leaders in Arab countries. This further resulted in the advent of political Islamism in various Muslim states.

Muslim states, unlike Western plural and globalized society, are built upon the idea of a clan, tribe, faction, or other groups. The groups have their internal structures and norms to follow. Sometimes these groups do not accept the authority of the state over their internal patriarchal organisation and start rebelling against the sovereign.³¹ It is familial and

hereditary issues that operate parallel to state authorities such as the case of Arab as well as Asian Muslim countries. Nationhood has also played a pivotal role in countries like Turkey, Uzbekistan, Iran, and Egypt but still group feeling is one of the important factors in Muslim societies. This group ethos put a great challenge to Muslims in modern nation-states and the philosophers like *Syed Qutub*, *Moududi* and *Ali Shariati* focused their writings on the glorification of the early Muslim era. They painted that era as one of the justest and peacefully productive for society. It was based upon the concept of *Ummah*. This globalisation of the Muslim community into one was a reaction to globalisation process of the West.³² This was the start of Islamism to unite Muslims on religious ethos rather than various groups based on race, culture, and language. Islamism was fundamentally focused on establishing a similitude between religion and politics.

Muslim Brethren was the brainchild of *Hassan al-Banna* in 1928³³ that was further flourished under the ideological working of *Syed Qutub* and *Moududi*. The movement was focused on the revival of Muslim political thoughts by the way of educating the modern generation with true ideals of Islam that will further develop Islamic political order in the world. The basic idea of all these movements was the establishment of a Muslim caliphate in the world. The western model of state was termed materialism that leads towards worldly benefits, not internal peace. Teachings of *Hassan al-Banna* focused on the establishment of Islamic ideals in all fields of life and patriotism of state. The same was replicated by *Maududi* in India and later in Pakistan. Addressing the question of post-colonial working of Muslim states with special reference to Pakistan, he emphasized that religious and political life cannot be separated. On the same analogy of Muslim Brethren, his ideology was to avoid Western political ideals about state and social life. *Maududi* describes Western capitalism and fascism as extreme ideas and termed Islam as the balanced system between the two extremes. *Maududi's* thoughts revive the traditionalist idea of statehood.³⁴ He focused his ideas on traditionalist and literal interpretation of basic sources of Islam and rejected the modernist approach of *Ijtihad* as the basic sources, according to *Maududi* stand immutable. He advocated the establishment of an Islamic state on the model of the Quran and Sunnah and not the nation-state on the orientation of the West. He formed an organisation with the name of *Jamat-e-Islami* for the establishment of an Islamic state and later this organisation influenced constitution-making in Pakistan. *Syed Qutub* is one of the widely followed philosophers and activists among the Muslim

community. He was a poet and teacher. He joined and worked for Muslim Brethren. He initially supported the revolution against monarchy and later separated his ways from Gamal Nasser. He wrote his commentary on the Quran and turned his thoughts towards Islamism. He propagated that only Islam can solve the miseries of today's world.³⁵ He termed opponents of Islamism as pagans. He declared that Islamic and Western values are completely different and quoted as:

*"Islam proposes independent solutions to human problems... Islam is a comprehensive philosophy and a homogenous unity, and to introduce into it any foreign element would mean ruining it. It is like a delicate piece of machinery which may be completely ruined by the presence of a foreign body."*³⁶

Syed Qutub advocates the change through teaching in the first instance and if any force or violence is done to the cause by any state then retaliation may be done. *Syed* was influenced by existentialism as his interpretation of Islam is subjective.³⁷ His philosophy advocates an understanding of the divine by an individual without any influence from the outside world.

Among Shia philosophers on Islamism, *Ali Shariati* holds significant status through his philosophy of Islamic Humanism. He was termed as trait by both the pro-Western regime and religious scholars. He was impressed by the writings of French philosopher Sartre and Algerian theorist Franz Fanon. While being a student, he was arrested and people termed him God Worshipping Socialist. After completion of his studies, he returned to Tehran and started teaching at a university. Soon he became mostly followed by students and inspired them by his Islamic socialist ideas. *Ali Shariati* worked for the establishment of a synthesis between Islamic and socialist thoughts. He interpreted the basic ideal of Islam is to support suppressed against the oppressor. He termed religious monopolists as corrupt and oppressors in the same way he described the capitalist orientation of the Iranian government. He based his ideology on basic sources of the Quran instead of Western standards. *Shariati* was hostile to the idea of the supremacy of Western civilisation. He describes the similitude of religion and politics. The concept of *Ummah* was explained by him which is headed by the philosophy of imamate. He introduced various reformist ideologies in Muslim societies such as his work on women's rights. He says that popular sovereignty can be established in absence of a hidden Imam and the mission of the prophet

may be forwarded following Quran and Sunnah. He merged the Shia concepts of state with democratic principles. It can be described as:

“The power of sovereignty originates from... the community... The responsibility of leadership lies with those who hail from the people and are elected by the masses of the people. The leadership of society... is based upon the principles of study, designation, election and consensus of people.”⁸

Ali Shariati explains the leader as a mujtahid. Although mujtahid is not at the level of the prophet he is equipped with insight direct from God. That insight leads his soul to decide what is following the Quran and Sunnah. The leader is self-aware about his duties and possesses the spiritual power to lead people for a common cause and goal.

An analysis of writings of *Syed Qutub*, *Ali Shariati*, and *Moududi* are identical in terms of establishing a similitude between divine and state. They propagated Muslims as one community and advocated the establishment of Islamic rule in the World. This approach is striving in various Muslim countries by right-wing. This approach leads towards constitutional friction within the Muslim states and at the international level, it breeds non-state actors.

Conclusion

The examination finds that the concept of statehood has evolved among the Muslim thinkers, however, the idea of establishing a Sharia’h-regulated state remains constant. The interaction of society and law remains under the guidelines of the principles of Sharia’h. However, the study finds that the pre-nation state system idea of Muslim statehood revolves around the social context of statehood and the post-nation state system tries to connect the statehood with the traditional construction of Muslim statehood. The writings of these thinker influence contemporary debates for the constitutionalism in the Muslim countries including Pakistan. Therefore, it is need of the hour to engage in a debate about the scope of divine guidance in the statehood and constitutionalism.

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