

Part Four

[Government And Justice: Nahjul-Balagha On State](#)

One of the frequently discussed issues in Nahjul-Balagha is government and justice. To anyone who goes through the book, it is evident to what extent Ali (as) is sensitive to the issues related to government and justice. He considers them to be of paramount importance.

For those who lack an understanding of Islam but have knowledge of the teachings of other religions, it is astonishing why a religious personality should devote himself to this sort of problem. Don't such problems relate to the world and worldly life?! Shouldn't a sage keep aloof from the matters of the world and society? They thus wonder.

On the other hand, such a thing is not at all surprising for one acquainted with the teachings of Islam and the details of Ali's life, i.e. That Ali (as) was brought up from childhood by the Holy Prophet (S) of Islam, that the Prophet (S), having taken him from his father as a child, had reared him in his home under his own care, that the Prophet (S) had trained Ali (as) and instructed him in his own characteristic way, teaching him the secrets of Islam. Ali's spirit had assimilated within itself the doctrines of Islam and the code of its laws.

Therefore, it is not unusual that Ali (as) should have been as such; rather, it would have been astonishing if he was not as such, as we find him to be. Does not the Holy Qur'an declare:

"Indeed, We sent Our messengers with the clear signs, and We sent down with them the Book and the Balance so that men might uphold justice"(57: 25)?

In this verse, the establishment of justice has been declared as the objective of the mission of all the prophets. The sanctity of justice is so stressed that it is considered the aim of all prophetic missions. Hence, how were it possible that someone like Ali (as), whose duty was to expound the teachings of the Holy Qur'an and explain the doctrines and laws of Islam, might have ignored this issue or, at least, accorded it a secondary importance?

Those who neglect these issues in their teachings or imagine that these problems are only of marginal significance, and that the central issues are those of ritual purity and impurity (taharah and najasah), it is essential that they should re-examine their own beliefs and views.

The Importance Of Politics

The first thing which must be examined is the significance and value attached to the issue of government and justice by Nahjul-Balagha. Indeed, what is essentially the importance of these problems in Islam? A thorough discussion of this question is obviously outside the scope of this book, but by way of a casual reference, however, it seems inevitable to lightly touch upon.

The Holy Qur'an, in the verse where it commands the Prophet (S) to inform the people that Ali (as) would succeed him as the leader of the Muslims and the Prophet's khalifah, declares the following with extraordinary insistence:

"O Messenger! Communicate that which has been sent down to you from your Lord, for if you do not do so, you will not have delivered His Message at all!"(5: 67).

Is there any other issue in Islam to which this much importance is attached? What other issue is of such a significance that, if not communicated to the people, it would amount to the failure of the prophetic mission itself?

During the battle of Uhud, when the Muslims were defeated and the rumor spread that the Holy Prophet (S) had been killed, a group of Muslims fled from the battlefield. Referring to this incident, the Holy Qur'an says the following:

"Muhammad is naught but a Messenger; Messengers have passed away before him. Why, if he should die or is slain, will you turn about on your heels?"(3: 144)

'Allama Tabataba'i, in an article titled Wilayat wa-hakumat, derives the following conclusion from the above verse:

"If the Messenger (k) is killed in battle, it should not in any way stall, even temporarily, your struggle. Immediately afterwards, you should place yourselves under the banner of the successor to the Prophet (S) and continue your endeavor. In other words, if, supposedly, the Prophet (S) is killed or if he dies, the social system and military organization of the Muslims should not disintegrate."

There is one hadith wherein the Prophet (S) said, "If (as few as) three persons go on a journey, they must appoint one from among themselves as their leader. From this, one may infer to what extent the Prophet (S) regarded as harmful the disorder and absence of authority that could resolve social conflicts and serve as a unifying bond among individuals.

Nahjul-Balaghah deals with numerous problems concerning the State and social justice, a few of which, Allah willing, we shall discuss here.

The first problem to be discussed here is that of the necessity and value of a State. Ali (as) has repeatedly stressed the need for a powerful government and, in his own time, battled against the views propagated by the Kharijites who, in the beginning, denied the need for a State, considering the Holy Qur'an as sufficient.

The slogan of the Kharijites, as is known, was: "The right of judgement (or authority to rule) belongs exclusively to Allah (la hukm illa li-Allah), a phrase adopted from the Holy Qur'an. Its Qur'anic meaning is that the prerogative of legislation belongs to Allah or those whom Allah has permitted to legislate." But the Kharijites interpreted it differently.

According to Ali (as), they had imparted a false sense to a true statement. The essence of their view was that no human being has any right to rule others; sovereignty belongs exclusively to Allah. Ali's argument was:

Yes, I also say la hukm illa li-Allah, in the sense that the right of legislation belongs solely to Allah. But their claim that the prerogative to govern and to lead also belongs to Allah is not reasonable. After all, the laws of Allah need to be implemented by human beings. Men cannot do without a ruler, good or evil.¹

It is under the protection of a State that the believers strive for Allah's sake, and the unbelievers derive material benefit from their worldly endeavors, and men attain the fruits of their labor. It is through the authority of the State that taxes are collected, aggressors are repelled, the security of highways is maintained, and the weak reclaim their rights (through the courts of law) from the strong. (This process continues) until the good citizens are happy and secure from the evils of miscreants (Nahjul-Balaghah, Khutab 40).

Ali (as), like other godly men and spiritual leaders, despises temporal power and political office for being lowly and degrading when it serves as an instrument of gratification of lust for power and political ambition. He looks down upon it with extreme contempt when it is desired as an end-in-itself and aspired as an ideal of life.

He considers such kind of power to be devoid of any value, considering it to be more detestable than "a pig's bone in a leper's hand." But the same power and leadership, if used as a means for the establishment and execution of social justice and service to society, is regarded by him as a thing of paramount sanctity, something for which he is willing to fight any opportunist and political adventurer seeking to grab power and illegitimate wealth. In its defense, he does not hesitate to draw his sword against plunderers and usurpers.

During the days of Ali's caliphate, 'Abdullah ibn Abbas once went to see him. He found Ali (as) mending

his old shoes with his own hand. Turning to Ibn Abbas, Ali (as) asked him, “How much do you think this shoe is worth?” “Nothing, replied Ibn Abbas.” Ali (as) said, “Yet the same shoe is of more value to me than authority over you [folks] if it were not to me a means for establishing justice, recovering the rights of the deprived and wiping out evil practices”(Khutab 33).

In sermon 216, we come across a general discussion about human rights and duties. Here, Ali (as) states that every right always involves two parties. Of the various Divine duties, the ones which Allah has ordained are duties of people towards people; they are framed in such a way that each right necessitates a duty towards others; each right which benefits an individual or a group holds the individual or group responsible to fulfill some duty towards others. Every duty becomes binding when the other party also fulfills his duty. He says the following further regarding this issue:

“But the most important of the reciprocal rights that Allah has made obligatory is the right of the ruler over the subjects and the rights of the subjects over the ruler. It is a mutual and reciprocal obligation decreed by Allah for them. He has made it the basis of the strength of their society and of their religion.

Consequently, the subjects cannot prosper unless the rulers are righteous. The rulers cannot be righteous unless the subjects are firm and steadfast. If the subjects fulfil their duties toward the ruler and the ruler his duty to them, righteousness prevails among them. Only then are the objectives of the religion realized, the pillars of justice become stable and wholesome traditions become established. In this way, better conditions of life and social environment emerge. People become eager to safeguard the integrity of the State and thus frustrate the plots of its enemies”(Khutab 126).

Justice: “Supreme Value”

The first outcome of the sacred teachings of Islam was the influence exercised on the minds and ideologies of its adherents. Not only did Islam introduce new teachings regarding the world, man and his society, but also changed the ways of thinking. The importance of the latter achievement is not less than the former.

Every teacher imparts new knowledge to his pupils, and every school of thought provides new information to its adherents. But the teachers and schools of thought who furnish their followers with a new logic and revolutionize their ways of thinking altogether are few.

But how do the ways of thinking change and one logic replaces another? This requires some elucidation.

Man, by virtue of being a rational creature, thinks rationally about scientific and social issues. His arguments, intentionally or unintentionally, are based on certain principles and axioms. All his conclusions are drawn from and judgements are based on them. The difference in ways of thinking originates precisely in these first principles or axioms. This is used as the ground for inferences and conclusions.

Here, it is crucial what premises and axioms form the foundation for inference, and here lies the cause of all disparity in inferences and conclusions. In every age, there is a close similarity between the ways of thinking of those familiar with the intellectual spirit of the age on scientific issues.

However, the difference is conspicuous between the intellectual spirits of different ages. But with regard to social problems, such a similarity and consensus is not found even among persons who are contemporaries. There is a secret behind this. To elaborate on it would take us outside the scope of the present discussion.

Man, in his confrontation with social and moral problems, is inevitably led to adopt some sort of value-orientation. In his assessments, he arrives at a certain hierarchy of values in which he arranges all issues. This order or hierarchy of values plays a significant role in the adoption of the kind of basic premises and axioms which he utilizes. It makes him think differently from others who have differently evaluated the issues and have arrived at a different hierarchy of values.

This is what leads to a disparity among the ways of thinking. Take, for example, the question of feminine chastity, which is a matter of social significance. Do all people prescribe a similar system of evaluation with regard to this issue? Certainly not.

There is a great amount of disparity between views. For some, its significance is near zero and it plays no part in their thinking. For some, the matter is of utmost value. The latter regard life as worthless in an environment where feminine chastity is regarded as unimportant.

When we say that Islam has revolutionized the ways of thinking, what is meant is that it has drastically altered their system and hierarchy of values. It has elevated values like taqwa (God-fearing), which had no value at all in the past, to a very high status and attached an unprecedented importance to it. On the other hand, it deflated the value of such factors as lineage, race and the like which in the pre-Islamic days were of predominant significance, bringing their worth to zero. Justice is one of the values revived by Islam and is given an extraordinary status.

It is true that Islam has recommended justice and stressed its implementation, but what is very significant is that it elevates its value in the society. It is better to leave the elaboration of this point to Ali (as) himself and see what Nahjul-Balagha says. A man of intelligence and understanding put the following question to Amir al-Mu'minin Ali (as): "Which is superior, justice or generosity?"(Hikam 437).

Here, the question is about two human qualities. Man has always detested oppression and injustice and has also held in high regard acts of kindness and benevolence performed without the hope of reward or a return.

Apparently, the answer to the above question seems both obvious and easy: generosity is superior to justice, for what is justice except observance of the rights of others and avoiding violating them? But a generous man willingly foregoes his own right in preference of another person over himself.

The just man does not transgress the rights of others; he safeguards their rights from being violated. But the generous man sacrifices his own right for another's sake. Therefore, generosity must be superior to justice.

In truth, the above reasoning appears to be quite valid when we estimate their worth from the viewpoint of individual morality and generosity, more so than that of justice. This seems to be a sign of human perfection and the nobleness of the human soul.

But Ali's reply is contrary to the above answer. Ali (as) gives two reasons for the superiority of justice over generosity. Firstly, he says the following: "Justice puts things in their proper place and generosity diverts them from their (natural) direction.

The meaning of justice is that the natural deservedness of everybody must be taken into consideration; everyone should be given his due worth according to his work, ability and qualifications. Society is comparable to a machine whose every part has a proper place and function.

It is true that generosity is a quality of great worth from the point of view that a generous man donates to another what legitimately belongs to him, but we must note that it is an unnatural occurrence.

It may be compared to a body one of whose organs is malfunctioning while its other healthy organs and parts temporarily redirect their activity to the recovery of the suffering organ. From the social point of view, it would be far more preferable if the society did not possess such sick members at all, so that the healthy organs and members may completely devote their activities and energies to the general growth and perfection of the society, instead of being absorbed with helping and assisting a particular member.

To return to Ali's reply, the other reason he gives for preferring justice to generosity is this:

Justice is the general caretaker, whereas generosity is a particular reliever. That is, justice is like a general law which is applicable to the management of all the affairs of the society. Its benefit is universal and all-embracing; it is the highway which serves all and everyone. But generosity is something exceptional and limited, which cannot be always relied upon. Basically, if generosity were to become a general rule, it would no longer be regarded as such.

Deriving his conclusion, Ali (as) says the following: "Consequently, justice is the nobler of the two and possesses the greater merit. This way of thinking about man and human problems is one based on a specific value system rooted in the idea of the fundamental importance of the society. In this system of values, social principles and criteria precede the norms of individual morality. The former is a principle, whereas the latter is only a ramification. The former is a trunk, while the latter is a branch of it. The former is the foundation of the structure, whereas the latter is an embellishment.

From Ali's viewpoint, it is the principle of justice that is of crucial significance in preserving the balance of society, and winning the goodwill of the public. Its practice can ensure the health of the society and bring

peace to its soul.

Oppression, injustice and discrimination cannot bring peace and happiness even to the tyrant or to the one in whose interest the injustice is perpetrated. Justice is like a public highway which has room for all and through which everyone may pass without impediment. But injustice and oppression constitute a blind alley which does not lead even the oppressor to his desired destination.

As is known, during his caliphate, Othman ibn Affan put a portion of the public property of the Muslims at the disposal of his kinsmen and friends. After the death of Othman, Ali (as) assumed power.

Ali (as) was advised by some people to overlook whatever injustice had occurred in the past and to do nothing about it, to confine his efforts to what would befall from then on during his own caliphate. But to this his reply was: "A long standing right does not become invalid [because of the passage of time]!"

Then he exclaimed: "By Allah! Even if I find that by such misappropriated money women have been married or bondmaids bought, I would reclaim it and have it returned to the public treasury. There is a wide scope and room in the dispensation of justice. [Justice is vast enough to include and envelop everyone;] he who [being of a diseased temperament] finds restriction and hardship in justice should know that the path of injustice and oppression is harder and even more restricted" (Khutab, No. 15).

Justice, according to this concept, is a barrier and a limit to be observed, respected and believed in by everyone. All should be content to remain within its limits. But if its limits are broken and violated, and if both belief in it and respect for it are lost while human greed and lust, being insatiable by nature, would not stop at any limit, the further man advances on this interminable journey of greed and lust, the greater becomes his dissatisfaction.

Indifference To Injustice

Ali (as) regards justice to be a duty and a Divine trust. To him, it is a Divine sanctity. He does not expect a Muslim who is aware and informed about the teachings of Islam to be an idle spectator at the scenes of injustice and discrimination.

In his sermon called al-Shaqshaqiyya, after relating the pathetic political episodes of the past, Ali (as) proceeds to advance his reasons for accepting the caliphate. He mentions how, after the assassination of "Othman, the people thronged around him urging him to agree to lead the Muslims.

But Ali (as), after the unfortunate events of the past and being aware of the extent of deterioration in the then prevailing situation, was not disposed to accept that grave responsibility. Nevertheless, he saw that if he should reject the caliphate, the face of truth would become still more clouded, and it might be alleged that he was not interested in this matter from the very beginning, that he gave no importance to such affairs.

Moreover, in view of the fact that Islam does not consider it permissible for anyone to remain an idle spectator in a society divided into two classes of oppressed and oppressors, one suffering the pangs of hunger and the other well-fed and uneasy with the discomforts of over-eating, there was no alternative for Ali (as) but to shoulder this heavy responsibility. He himself explains this in the aforementioned sermon:

“By the One Who split the grain and created living things [do I swear]! Had it not been for the presence of the pressing crowd, were it not for the establishment of (Allah’s) testimony upon me through the existence of supporters, and had it not been for the pledge of Allah with the learned, to the effect that they should not connive with the gluttony of the oppressor and the hunger of the oppressed, I would have cast the reins of the caliphate on its own shoulders and would have made the last one drink from the same cup that I made the first one to drink (i.e. I would have taken the same stance towards the caliphate as at the time of the first caliph). You would have seen then that in my view the world of yours is not worth more than a goat’s sneeze”(Khutab, No. 3).

Justice Should Not Be Compromised

Favoritism, nepotism, partiality and shutting up of mouths by big morsels, have always been the essential tools of politicians. Now a man had assumed power and captained the ship of the caliphate who profoundly detested these things. In fact, his main objective was to struggle and fight against this kind of politics.

Naturally, with the very inception of Ali’s reign, the politicians with their hopes and expectations were disappointed. Their disappointment soon grew into subversive conspiracies against Ali’s government, creating for him many a headache. Well-meaning friends, with sincere goodwill, advised Ali (as) to adopt a greater flexibility in his policies for the sake of higher interests. Their advice was:

“Extricate yourself from the ruses of these demagogues, as is said, “sewing the dog’s mouth with a big morsel.” These are influential persons. Some of them are from among the elite sahaba of the dawn of Islam. Presently, your real enemy is Mu’awiyah who is in control of a rich and fertile province, Syria. The wisdom lies in setting aside, for the time being, the matter of equality and justice. What harm is there in it?

Ali (as) replied to them saying, “Do you really ask me to seek support through injustice [to my subjects and to sacrifice justice for the sake of political gain]?! By Allah! I will not do it as long as the world lasts and one star follows another in the sky [i.e. I will not do it as long as the order of the universe exists]. Even if it were my own property, I would distribute it with justice. And why not, since it is the property of Allah and I am His trustee?”(Khutba 126).

This is an example of how highly Ali (as) valued justice and what status it held in his opinion.

People's Rights

The needs of a human being are not confined to food, clothing and housing. It may be possible to keep an animal happy by satisfying all its physical needs. But in the case of man, spiritual and psychological factors are as important as physical ones. Different governments following a similar course in providing for the material welfare of the public might achieve differing results because one of them fulfils the psychological needs of the society while the other does not.

One of the pivotal factors which contribute to the securing of the goodwill of the masses is the way a government views them, if it regards them as its slaves, or as its masters and guardians, if it considers the people as possessing legitimate rights and itself only as their trustee, agent and representative.

In the first case, whatever service a government may perform for the people is not more than a kind of the master's care of his beast. In the second case, every service performed is equivalent to the discharging of duty by a right trustee. A State's acknowledgment of the authentic rights of the people and avoidance of any kind of action that implies negation of their right of sovereignty, are the primary conditions for securing their trust and goodwill.

The Church And The Right Of Sovereignty

At the dawn of the modern age, there was a movement against religion in Europe which also affected, more or less, other regions outside Christendom. This movement was inclined towards materialism. When we examine the causes and roots of this movement, we discover that one of them was the inadequacy of the teachings of the Church from the viewpoint of political rights.

The Church authorities, in addition to some European philosophers, developed an artificial relationship with and an association between belief in Allah on the one hand and stripping the people of their political rights by despotic regimes on the other.

Naturally, this led to the assumption of some necessary relationship between democracy on the one hand and atheism on the other. It came to be believed that either we should choose the belief in Allah and accept the right of sovereignty bestowed by Him upon certain individuals, who have; otherwise, no superiority over others, or deny the existence of Allah so as to establish our right as masters of our own political destiny.

From the point of view of religious psychology, one of the causes of the decline of the influence of religion was the contradiction between religion and a natural social need, contrived by religious authorities, especially at a time when that need expressed itself strongly at the level of public consciousness.

Right at a time when despotism and repression had reached their peak in European political life and the

people were thirstily cherishing the ideas of liberty and people's sovereignty, the Church and its supporters made an assertion that the people had only duties and responsibilities towards the State and had no rights. This was sufficient to turn the lovers of liberty and democracy against religion, against God in general and the Church in particular.

This mode of thought, in the West as well as in the East, was deeply rooted from ancient times. Jean-Jacques Rousseau, in the Social Contract, writes the following: "We are told by Philo, the Emperor Caligula argued, concluding, reasonably enough on this same analogy, that kings were gods or alternately that the people were animals."

During the Middle Ages, this outlook was revived again. Since it assumed the status of religious faith, it induced a rebellion against religion itself. Rousseau, in the same book, writes the following: "Grotius denies that all human government is established for the benefit of the governed, and he cites the example of slavery.

His characteristic method of reasoning is always to offer fact as a proof of right. It is possible to imagine a more logical method, but not one more favorable to tyrants. According to Grotius, therefore, it is doubtful whether humanity belongs to a hundred men, or whether these hundred men belong to humanity, though he seems throughout his book to lean to the first of these views, which is also that of Hobbes. These authors show us the human race as divided into herds of cattle, each with a master who presents it only in order to devour its members.²

Rousseau, who calls such a right "the right of might"(right equals force), replies to this logic in this fashion: "Obey those in power. If this means yielding to force, the precept is sound but superfluous; it has never, I suggest, been violated. All power comes from God, I agree; but so does every disease and no one forbids us from summoning a physician. If I am held up by a robber at the edge of a forest, force compels me to hand over my purse. But if I could somehow contrive to keep the purse from him, would I still be obliged in conscience to surrender it? After all, the pistol in the robber's hand is undoubtedly a power."³

Although he does not incline to Allah in his totalitarian logic, the basis of the philosophic status of Hobbes, whose views have been referred to above, regarding political rights is that the sovereign represents and personifies the will of the people, and he actually translates the will of the people itself into his actions.

However, when we closely examine his reasoning, we find that he has been influenced by the ideas of the Church. Hobbes claims that the individual liberty does not clash with the unlimited power of the sovereign. He writes the following: "Nevertheless, we are not to understand that by such liberty, the sovereign power of life and death is either abolished or limited.

For it has been already shown that nothing the sovereign representative can do to a subject, on whatever pretense, can properly be called injustice or injury because every subject is the author of every

act the sovereign does, so that he never wants right to anything; otherwise, than as he himself is the subject of Allah and is bound thereby to obscene the laws of nature.

And, therefore, it may and does often happen in commonwealths that a subject may be put to death by the command of the sovereign power and yet neither do the other wrong as when Jephtha caused his daughter to be sacrificed; in which, and the like cases, he that so dies, had the liberty to do the action for which he is nevertheless without injury put to death.

And the same hold also in a sovereign prince that puts to death an innocent subject. For though the action be against the law of nature as being contrary to equity, as was the killing of Uriah by David, yet it was not an injury to Uriah but to God.”⁴

As can be noticed, in this philosophy, the responsibility to Allah is assumed to negate the responsibility towards the people. Acknowledgment of duty to Allah is considered sufficient in order that the people may have no rights. Justice, here, is what the sovereign does and oppression and injustice have no meaning.

In other words, duty to Allah is assumed to annul the duty to man, and the right of Allah overrides the rights of men. Indubitably, Hobbes, though apparently a free thinker independent of the ideology of the Church, had ecclesiastical ideas not penetrated into his mind, would not have developed such a theory. Precisely that which is totally absent from such philosophies is the idea that faith and belief in Allah should be considered conducive to the establishment of justice and the realization of human rights.

The truth is that, firstly, the belief in Allah is the foundation of the idea of justice and inalienable human rights; it is only through the acceptance of the existence of Allah that it is possible to affirm innate human rights and uphold true justice as two realities independent of any premise and convention; secondly, it is the best guarantee for their execution in practice.

Nahjul-Balaghah: The Approach

The approach of Nahjul-Balaghah to justice and human rights rests on the above-mentioned foundations. In sermon 216, from which we have quoted before, Ali (as) says the following:

“Allah has, by entrusting me with your affairs, given me a right over you and awarded you a similar right over me. The issue of rights, as a subject of discourse, is inexhaustible but is the most restricted of things when it comes to practice. A right does not accrue in favor of any person unless it accrues against him also, and it does not accrue against him unless that it also accrues in his favor.”

As can be noticed from the above passage, Allah is central to Ali’s statement about justice, rights, and duties. But Ali’s stand is opposed to the aforementioned view according to which Allah has bestowed rights on only a handful of individuals solely responsible to Him, and has deprived the rest of people of these rights, making them responsible not only to Him but also to those who have been granted by Him

the unlimited privilege to rule others. As a result, the ideas of justice and injustice with regard to the relationship between the ruler and the ruled become meaningless.

In the same sermon, Ali (as) says the following:

“No individual, no matter how eminent and high his station in religion maybe, is not above needing cooperation of the people in discharging his obligations and the responsibilities placed upon him by Allah. Again, no man, however humble and insignificant in the eyes of others, is too low to be ignored for the purpose of his cooperation and his providing assistance.”

In the same sermon, Ali (as) asks the people not to address him in the way despots are addressed:

“Do not address me in the manner despots are addressed [i.e. Do not address me by the titles used to flatter despots and tyrants]. In your attitude towards me, do not entertain the kind of considerations that are adopted in the presence of unpredictable tyrants. Do not treat me with affected and obsequious manners. Do not imagine that your candor would displease me or that I expect you to treat me with veneration. One who finds it disagreeable to face true and just criticism would find it more detestable to act upon it. Therefore, do not deny me a word of truth or a just advice.”

Rulers Are People’s Trustees, Not Masters

In the last chapter, we said that a dangerous and misleading view became current in the thought of some modern European thinkers interlinking in an unnatural fashion the belief in Allah on the one hand and the negation of peoples’ rights on the other. This correlation played a significant role in inducing a group to incline towards materialism.

Duty and responsibility to Allah was assumed to necessarily negate the duty and responsibility to the people. The Divine obligations completely displaced human obligations. The belief and faith in Allah (Who, according to the Islamic teachings, created the universe on the principles of truth and justice) was considered to be in conflict with and contradict the belief in innate and natural human rights, instead of being regarded as their basis. Naturally, belief in the right of people’s sovereignty was equated with atheism.

From the Islamic point of view, the case is actually the reverse. In Nahjul-Balagha, which is the subject of our discussion, the main topics are: tawhid and “irfan; throughout, the talk is about Allah Whose Name occurs repeatedly everywhere in its pages.

Nevertheless, it not only does not neglect to discuss the rights of the people and their privileges vis-a-vis the ruler, in fact regarding the ruler as the trustee and protector of their rights, but also lays great emphasis on this point. According to the logic of this noble book, the imam/ruler is the protector and trustee of the rights of the people and is held accountable by them.

If one is asked as to which of them exists for the other, it is the ruler who exists for the people, not vice versa. Sa'di has a similar idea on his mind when he says the following: "It is not the sheep who are to serve the shepherd; it is the shepherd who is there for their service.

The word raiyyah (lit. herd), despite the fact that it gradually acquired an abominable meaning in the Persian language, has an original meaning which is essentially good and humanitarian. The word rai for the ruler and raiyyah for the masses first appears in the speech of the Prophet (S) and is literally used thereafter by Ali (as).

This word is derived from the root raa, which carries the sense of "protection" and "safeguarding." The word raiyyah is applied to the people for the reason that the ruler is responsible for protecting their lives, property, rights, and liberties.

A tradition related from the Holy Prophet (S) throws full light on the meaning of this statement:

"Truly, everyone of you is a rai responsible for his raiyyah. The ruler is the rai of his people and is responsible for them; the woman is the rai of her husband's house and is responsible for it; the slave is the rai of his master's property and is responsible for it; indeed, each of you is a rai and is responsible [for those under his charge/care]."⁵

In the preceding pages, we cited some examples from Nahjul- Balagha which illustrate Ali's outlook regarding the rights of the people. Here we shall give sample quotes from other sources, beginning with the following verse of the Holy Qur'an:

"Allah commands you to deliver trusts back to their owners, and that when you judge between the people, judge with justice." (4: 58)

Commenting on this verse, al-Tibrisi, in his exegesis Majma al- Bayan, remarks thus: "There are several opinions regarding the meaning of this verse. Firstly, that it is about trusts in general, including the Divine and the non-Divine, the material and the non-material trusts; secondly, that it is addressed to the rulers, and that Allah, by making the returning of the trusts [to their rightful owners] an obligation, is commanding such rulers to observe the rights of the people."

Then he further adds the following:

"This is corroborated by the verse immediately following it: O believers, obey Allah, and obey the Messenger and those in authority among you. "(4: 59)

According to this verse, people are bound to obey the commands of Allah, His Messenger and those in authority (wulat al-amr). While the preceding verse mentions the rights of the people, this one reiterates the complementary rights of those in authority.

It has been related from the Imams that one of these two verses is ours (i.e. it establishes our rights in

relation to you), and the other is yours (i.e. it outlines your rights in relation to us). Imam al-Baqir (as) said that the salat, zakat, sawm, and hajj are some of the trusts (mentioned in 4: 58). One of the trusts (amanat) is that the wulat al-“amr have been commanded to justly distribute the ghanaim, sadaqt and whatever belongs to the people.

In the exegesis Al-Mizan, in the part of the commentary upon this verse which deals with tradition, the author relates a tradition from Al- Durr al-Manthur from Ali (as) that he said, “It is incumbent on the imam to rule according to the decrees revealed by Allah and to carry out the responsibilities with which he has been entrusted.

When he does that, it is incumbent upon the people to pay attention to the Divine command (about obeying the wali al-amr), to obey him and to respond to his call.

As noted earlier, the Holy Qur'an considers the ruler, the head of the State, as a trustee and a guardian; it regards just government as a fulfillment of a trust entrusted to the ruler. The approach of the Imams (as), in particular that of Amir al-Mu'minin Ali (as), corresponds with the view which can be inferred from the Holy Qur'an.

Now that we know the Holy Qur'an's view of this matter, we may go on to examine the statements of Nahjul-Balaghah dealing with this issue. More than anything else, we must study Ali's letters (epistles) to his governors, especially those which were meant to be official circulars.

It is in these letters that we would find glimpses of the teachings of Islam regarding the functions of the ruler and his duties towards the people as well as their rights. Ali (as), in his letter to the governor of Azerbaijan, reminds him of his duties towards the people in these words: “Beware lest you should consider this assignment as a bait [for acquiring personal gain]; rather, it is a trust lying on your neck. You have been charged with care-taking [of the people] by your superior [obligation towards them].

It is not for you to betray your duties with respect to the people (ra'iyyah)” (Epistle 5).

In another letter written as a circular to tax collectors, after a few words of advice and admonition, Ali (as) says the following:

“Fulfill the demands of justice in your relationship with the people and be patient in matters regarding their needs because you are treasurers of the people (ra'iyyah), representatives of the community (umma), and envoys of your imams”(Epistle 51).

In the famous epistle to Malik al-Ashtar, which contains elaborate instructions about various aspects of government, he writes the following:

“Awaken your heart to kindness and mercy for the people (ra'iyyah) and love and tenderness for them. Never, never should you ever act with them like a predatory beast which seeks to be satiated by devouring them, for the people fall into two categories: They are either your brethren in faith or your

kindred in creation. Do not ever say, ‘I have been given authority’ or ‘My command should be obeyed’ because it corrupts the heart, consumes one’s faith, and invites calamities.”

In another letter sent as a circular to his army commanders, he says the following: “It is an obligation that an official should not behave differently with the people (ra’iyah) on account of distinction which he receives or material advantage that he may achieve. Instead, these favors from Allah should bring him nearer to Allah’s creatures and increase his compassion towards his brethren.”(Epistle 50)

Ali (as) shows an amazing sensitivity to justice, compassion towards the people and a great respect for them and their rights which, as reflected in his letters, is an exemplary and unique attitude towards this issue.

There is another epistle in Nahjul-Balaghah which consists of instructions to the collectors of zakat, and is entitled: “To the officials assigned to the job of collecting zakat.” The title indicates that it was not addressed to any particular official but sent either as a general instruction in writing or delivered as a routine oral instruction.

Sayyid ar-Radi has included it in the section of Epistles, or letters, with the clarification that he is placing this letter here to show to what extent Ali (as) was meticulous in matters pertaining to justice and the rights of the people, being attentive not only to main points but also to minute details.

Here are Ali’s instructions:

“Set out with the fear of Allah, Who is One and has no partner. Do not intimidate any Muslim. Do not trespass upon his land so as to displease him. Do not take from him more than Allah’s share in his property. When you approach a tribe, at first come down at their watering place, stay there instead of entering their houses.

Approach them with calm dignity and salute them when you stand among them, grudge not a proper greeting to them. Then say to them, “O servants of Allah! The Wali and Khalifah of Allah has sent me to you to collect from you Allah’s share in your property. Is there anything of His share in your property? If there is, return it to His Wali. If someone says ‘NO, do not repeat the demand. If someone answers in the affirmative, go with him without frightening, threatening, or compelling him.

Take whatever gold and silver he gives you. If he has cattle or camels, do not approach them save with his permission because the major part belongs to him. When you arrive (into the cattle enclosure), do not enter upon them in a bossy and rude manner.” (Epistle 25, also see 26, 27 and 46)

The passages quoted above are sufficient to throw light on Ali’s attitude as a ruler toward the people under his rule.

1. That is so in the absence of a righteous government, an unjust government, one which is expected to at least preserves law and order in the society, something which is, of course, better than chaos and the rule of jungle.

2. Jean Jacques Rousseau, the Social Contract (trns. by Maurice Granston), Penguin Books, 1978, p. 51.

3. Ibid. p. 53.

4. Thomas Hobbes, Leviathan, the Liberal Arts Press, New York, 1958, p. 173.

5. Bukhari, Kitab al-Nikah, Vol. 8.

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