

Session 3: Station of Politics in Religion (Part 1)

Definition of politics and the three powers in Islam

In order to make clear whether or not the Qur'an talks about politics, we present an unequivocal definition of politics. Politics means the method of administering or organizing the society in such a manner that its interests and desires are realized. In simpler terms, politics means the rule of statecraft. What we mean by politics is not 'real politic', the concept with negative connotations, which is linked with chicanery, trickery, scam, and deception.

In the sphere of politics and statecraft, since the time of Montesquieu¹ the administrative body has been seen to be composed of three powers, viz. the legislative, executive and judicial. The function of the legislative body is the enactment of laws and decrees for the administration of society and formulation of rules of behavior for the people under different circumstances, in such a manner that justice is implemented, order prevails in society, and the rights of individual is not trampled upon. In general, society moves toward reform. The function of the executive body, the cabinet, is the implementation of laws and regulations enacted by the legislative body. The function of the judicial body is to adapt general laws and cases to particular and special cases and adjudicate and pass judgment on the disputes and differences among people.

Considering the above classification and functions mentioned for each of the powers, the opinion of Islam and the Qur'an about the station and legitimacy of the three powers must be examined. Do the Qur'an and Islam have specific orders and laws in these domains? It must, however, be noted that by "laws" we mean social laws and decrees, (not personal laws) whose existence in religion no one doubts.

The social laws include civil, penal, commercial, political and international laws. Once we take a glance at the Qur'an, we discover that all kinds of laws in the world for the administration of society, and the management of international relations can be found therein. Apart from the fact that civil laws; decrees on marriage and divorce; laws on trade, transactions, mortgage, loan and the like can be found in the Qur'an (which proves that issues on statecraft, like enactment and presentation of laws for the

administration of society are taken into account in Islam), a special right for the Prophet (s) has been stipulated in the Qur'an to enact laws and decrees on particular cases based on circumstances of time and space, and the faithful are duty-bound to act upon the laws issued by the Messenger of Allah (s):

﴿وَمَا كَانَ لِمُؤْمِنٍ وَلَا لِمُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ﴾

“A faithful man or woman may not, when Allah and His Apostle have decided on a matter, have any option in their matter.”²

In this noble verse, the faithful have been deprived of the option to violate the decision of God and His Prophet (s).

Thus, apart from the orders of God and fixed divine laws, laws enacted by the Prophet (s) are also binding on all those living within the jurisdiction of the Islamic government. No one has the right to question these laws because whoever opposes them does not regard the Prophet as an emissary of God. We have no business with such a person. He who believes in the Prophet's (s) right of legislation being delegated to him by God, but disputes about a truth, we will argue with him according to verses of the Qur'an.

Therefore, the Qur'an does not say, “An unbelieving man or woman may not...” but rather “A faithful man or woman may not...” As such, just as every ‘faithful’ living under the Islamic government acknowledges the apostleship of the Prophet (s) and regards the laws of God as necessary to follow, he should equally regard the orders of the Prophet (s) as necessary to follow. The necessity to follow God and His *wilayah* over all the faithful is established by such noble verses as:

﴿...النَّبِيُّ أَوْلَىٰ بِالْمُؤْمِنِينَ مِنْ أَنفُسِهِمْ﴾

“The Prophet is closer to the faithful than their own souls...”³

According to the Qur'an, therefore, both the highest level of implementation of law and the right of legislation have been delegated to the Messenger of Allah (s). Whether or not such a right and station is also established for anyone other than the Messenger of Allah must be dealt with elsewhere. Presently, our concern is whether Islam has an opinion about politics or not.

Judicial laws in the Qur'an

Meanwhile, concerning the issue of judging after adapting general divine laws to cases where there is a dispute and discord among people, God says:

﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا﴾

“But no, by your Lord! They will not believe until they make you a judge in their disputes, then do not find within their hearts any dissent to your verdict and submit in full submission.”⁴

In the above verse, not only is the right of adjudication confirmed for the Messenger of Allah (s), but the acceptance of and acting upon his adjudication and verdict has been regarded as a requisite of faith. This point is accompanied by a very emphatic oath—“In their disputes the people must definitely make you the judge and arbiter, and after you pass a judgment they should not nurse any dissent and dissatisfaction in their hearts but should accept the judgment with full submission and obedience. Otherwise, they will not be truly faithful.

The true faithful is one who, if the Islamic court issues a decree against him, accepts it with open arms, realizing the possibility that his right is violated because the judge passes the verdict on the basis of external means of rendering justice, which the Messenger of Allah (s) explained thus: “Verily, I judge among you on the basis of proof and testimony.”⁵ The testimony of a witness who is outwardly just is accepted although he might have lied in his testimony or committed an error therein. If everyone does not act upon the verdict of the judge, no progress can be made and the system will collapse.

What can be deduced from the Qur’an on penal matters, such as blood-money [diyah], qisas,⁶ ta’zirat,⁷ and the like, testify that Islam is highly involved in politics, administrative affairs and society. Islam has gone to the extent of taking into account hudud⁸ for criminals and corruptors in certain cases and of authorizing the judge to implement them even if there is no specific complainant. In such cases divine limits and rights have been violated and sometimes punishments are difficult to endure and accept. For example, the Qur’an says that in an Islamic society if an illegitimate relationship between a man and a woman is proved before the judge through the statements of four witnesses, both of them must receive a hundred lashes, and the Qur’an particularly admonishes the judge not to be influenced by emotion and have pity on them:

﴿...الزَّانِيَةُ وَالزَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِّنْهُمَا مِئَةَ جَلْدَةٍ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ﴾

“As for the fornicatress and the fornicator, strike each of them a hundred lashes, and let not pity for them overcome you in Allah’s law...”⁹

Undoubtedly, by implementing such a punishment the person will be disgraced, but society will acquire immunity. Regarding theft the Qur’an says:

﴿وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِنَ اللَّهِ وَاللَّهُ عَزِيزٌ حَكِيمٌ﴾

“As for the thief, man and woman, cut off their hands as a requital for what they have earned. [That is] an exemplary punishment from Allah and Allah is All-mighty, All-wise.”¹⁰

We conclude that the Noble Qur’an mentions adjudication, enactment of rules and regulations to preserve social order and secure the interests of society, and implement the *hudud* and *ta’zirat*¹¹ rights of the Messenger of Allah (s). For a fair-minded person there will remain no doubt about Islam’s involvement in sociopolitical issues if he refers to the Qur’an as well as the authentic traditions of the Prophet (s) and the infallible Imams (‘a). Those who stubbornly deny these truths have chosen to do so no matter what the proof.

Universality of Islam and station of Islamic ruler

Apart from clearly explaining major political issues, the rule of statecraft, enactment of laws, their adaptation to particular cases, and their implementation, the Qur’an also clearly explains secondary and minor issues such as mentioning the months of the year, for example:

﴿إِنَّ عِدَّةَ الشُّهُورِ عِنْدَ اللَّهِ اثْنَا عَشَرَ شَهْرًا فِي كِتَابِ اللَّهِ يَوْمَ خَلَقَ السَّمَاوَاتِ وَالْأَرْضَ مِنْهَا أَرْبَعَةٌ حُرْمٌ ذَلِكَ الدِّينُ الْقَيِّمُ﴾

“Indeed the number of the months with Allah is twelve months in Allah’s Book, the day when He created the heavens and the earth. Of these, four are sacred. That is the upright religion...”¹²

In the above verse, the division of the year into twelve months has been mentioned as an intrinsic and fixed affair in harmony with the system of creation. Mentioning such affairs in religion has been regarded as a symbol of its firmness, correctness and reliability. Regarding the sighting of the crescent moon, the Qur’an also says:

﴿...يَسْأَلُونَكَ عَنِ الْأَهْلِ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ﴾

“They question you concerning the new moons. Say, ‘They are timekeeping signs for the people and [for the sake of] Hajj’...”¹³

Social and devotional laws are in harmony with the system of creation. In addition, many legal laws have connected the beginning of the lunar month of Ramadhan, commencement of the *Hajj* season and other devotional laws with the sighting of the new moon. These are because the Qur’an basically presents religion as concordant with the nature [*fitrah*] and system of creation:

﴿...فَأَقِمْ وَجْهَكَ لِلدِّينِ حَنِيفًا فِطْرَةَ اللَّهِ الَّتِي فَطَرَ النَّاسَ عَلَيْهَا لَا تَبْدِيلَ لِخَلْقِ اللَّهِ﴾

“So set your heart on the religion as a people of pure faith, the origination of Allah according to which He originated mankind. There is no altering Allah’s creation...”¹⁴

Once the divine and religious laws are divinely codified, they are unchangeable. There are also changeable laws that depend on particular circumstances of time and space. To identify and deal with these laws has been delegated to the duly competent jurist who has acquired his legitimacy and authority from God. In the Qur’an this privilege and designation has been considered for the Messenger of Allah (s).

According to the Shi’ah creed, the pure Imams (‘a) who have also been indicated in the Qur’an, have the same designation, which has been passed on to the *wali al-faqih*, which issue will be tackled at its appropriate time. Of course, a religion may exist in the world which is concordant with the above notion and outlook, but it is not within the scope of our discussion. We are talking about a religion which is even expected to state and determine the months of the year. In the area of transactions and financial relations among people, it clearly states that if a person gives a loan to another, he must ask for a receipt from him and give the loan in the presence of two witnesses.

If it is not possible to get a receipt and find witnesses, he has to take a retained pledge or mortgage a valuable thing in lieu of the loan.¹⁵ We believe that such a religion has a program concerning politics and statecraft besides meeting the material and spiritual needs of people.

During the previous session, while rejecting that religion is only concerned with organizing the relationship between man and God, we said that religion, in its true sense, means the divine manifestation of human life. Such religion encompasses not only a portion of human life and behavior such as worship and the performance of devotional rites, but it embraces the totality of human life and the entire aspect of his existence.

He is created to organize his life in such a way that he attains eternal felicity by conforming all aspects of his life to the Divine will and commands. Thus, direct worship of God and conventional devotion are only a part of our religious duties. Our other mental and behavioral aspects of life must be in line with the will of God and they must somehow assume a form of worship [*‘ibadah*] so that the sublime and lofty goal of human creation can be realized:

﴿وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ﴾

“I did not create the jinn and humans except that they may worship Me.”¹⁶

The purport of the verse is that the perfection of man is only possible under the aegis of worship and devotion to God. Therefore, all his movements and pauses must be within this framework. Even his breathing must be according to this program. If the life of a person acquires this divine baptism and color, and is attuned with this program, it means that he is truly religious. On the contrary, if he totally

refuses to worship God, he is certainly irreligious and an infidel. Between these two frontiers, viz. the frontier of true religiosity and the frontier of infidelity, there are those, a portion of whose lives is not in conformity with the will of God and are, therefore, not truly worshipping God.

The religion of this group is surely defective. In view of the variety of religious deficiencies, it must be acknowledged that those who are truly religious and observe the divine laws in all facets of their lives, and those who observe only a portion of the laws are not on equal footing. Also, religiosity and faith has basically different levels and can grow and be perfect. As the Qur'an says:

﴿وَالَّذِينَ اهْتَدَوْا زَادَهُمْ هُدًى وَآتَاهُمْ تَقْوَاهُمْ﴾

“As for those who are [rightly] guided, He enhances their guidance, and invests them with their God-wariness.”¹⁷

Elsewhere, it says:

﴿إِنَّمَا الْمُؤْمِنُونَ الَّذِينَ إِذَا ذُكِرَ اللَّهُ وَجِلَّتْ قُلُوبُهُمْ وَإِذَا تُلِيَتْ عَلَيْهِمْ آيَاتُهُ زَادَتْهُمْ إِيمَانًا﴾

“The faithful are only those whose hearts tremble [with awe] when Allah is mentioned, and when His signs are recited to them, they (Allah’s signs) increase their faith.”¹⁸

Yes, there are those, whose faith is constantly moving toward perfection and they reach the highest level of faith and come closer to the station of the *awliya*' [saints] of Allah, and even be included among the *awliya*' of Allah. On the contrary, there are those who are moving backward from the station of religiosity. By listening and paying attention to the doubts spread by the foreigners and their admirers in the cultural domain of society, many abandon the religion they learned from their father, mother and teacher. This is because paying attention to the doubts will lead willy-nilly to misguidance of those who do not possess the ability to assess and study matters. In this regard, the Qur'an says:

﴿وَقَدْ نَزَّلَ عَلَيْكُمْ فِي الْكِتَابِ إِذَا سَمِعْتُمْ آيَاتِ اللَّهِ يُكْفَرُ بِهَا وَيُسْتَهْزَأُ بِهَا فَلَا تَفْعَدُوا مَعَهُمْ حَتَّىٰ يَخُوضُوا فِي حَدِيثٍ غَيْرِهِ إِنَّكُمْ إِذَا مِثْلَهُمْ﴾

“Certainly He has sent down to you in the Book that when you hear Allah’s signs being disbelieved and derided, do not sit with them until they engage in some other discourse, or else you [too] will be like them.”¹⁹

Man has to first increase his learning as well as intellectual and rational foundation and empower himself with experience, analysis and response. He may then listen to doubt and skepticism. But the person who does not have the power to deal with the doubts should not place himself in the danger of misguidance

by listening to doubts. Islam does not say that you should not enter the arena of wrestling. It says that you should wrestle with an opponent of equal weight and if you want to wrestle with a heavyweight opponent, you should first increase your weight and extend your training. Islam does not say that you should not listen to others' words and misgivings.

It rather says that the attention paid to them should commensurate with the extent of your experience, analysis and discernment. First of all, one has to acquire divine gnosis [*ma'rifah*] and learn the art of responding to doubts. Thereafter, one should discuss religion with others and listen to their statements so that they do not disarm you and impose their opinion on you.

- [1.](#) Charles Louis de Secondat Baron de la Brede et de Montesquieu (1689–1755): French writer and jurist, who explored in depth in his *The Spirit of the Laws* (1748; trans. 1750) the modern idea of the separation of powers as well as the checks and balances to guarantee individual rights and freedoms. Albeit not using the term “separation”, Montesquieu outlined a three-way division of powers in England among the Parliament, the king, and the courts, though such a division did not in fact exist at the time. [Trans.]
- [2.](#) Surah al-Ahzab 33:36.
- [3.](#) Surah al-Ahzab 33:6.
- [4.](#) Surah an-Nisa' 4:65.
- [5.](#) Wasa'il ash-Shi'ah, vol. 27, p. 232.
- [6.](#) Qisas (literally means retribution or retaliation) in the Islamic jurisprudence is to be executed against a criminal who committed such crime as murder, amputation of a body limb, or laceration and beating according to legal decree when the victim or his guardians seek retribution in lieu of receiving a fine or blood money. [Trans.]
- [7.](#) In Islamic jurisprudence ta'zirat applies to punishments the limit of which is entirely up to the judge and competent jurist. [Trans.]
- [8.](#) Hudud (literally means boundaries or limits) in the Islamic law is generally applied to penal law for punishments prescribed for particular crimes whose extent is determined by law. [Trans.]
- [9.](#) Surah an-Nur 24:2.
- [10.](#) Surah al-Ma'idah 5:38.
- [11.](#) In Islamic jurisprudence ta'zirat applies to punishments for crimes not specified by the sacred law the limit of which is entirely up to the judge and competent jurist. [Trans.]
- [12.](#) Surah at-Tawbah (or, Bara'ah) 9:36.
- [13.](#) Surah al-Baqarah 2:189.
- [14.](#) Surah ar-Rum 30:30.
- [15.](#) See Surah al-Baqarah 2:282–283. [Trans.]
- [16.](#) Surah adh-Dhariyat 51:56.
- [17.](#) Surah Muhammad 47:17.
- [18.](#) Surah al-Anfal 8:2.
- [19.](#) Surah an-Nisa' 4:140.

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