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Islam and Politics

What is a “Religious Government”?

The influence of religion upon politics is not a phenomenon that is confined solely to the Islamic world. However, it is impossible for any political theorist to ignore the role of Islam in the public lives of Muslims. Its considerable impact upon the politics of Muslim nations can be attributed to the strong inclination of the population towards it, and thus the powerful voice that it is given by them. Leaman writes:

One of the comments which writers on Islamic Political Philosophy often make is that it is irremediably conservative. Even the so-called modernizers have in mind some sort of theocracy, a state in which religion plays a leading role¹.

It is obvious that any legal system requires a government to adopt it and the apparatus of a state to implement and enforce it. Therefore, Islamic Law (*Shari'ah*) is also in need of a state for its sanction and application. However, the key concern then becomes whether or not all theories shaped in the history of Islamic political thought are actually seeking the establishment of an “Islamic state”. The two aforementioned factors; that Islam is a vital and necessary aspect of a Muslim’s culture, and that the *Shari'ah* requires political power and authority in order to be implemented, might bring one to the conclusion that all political systems in the Islamic world were historically religious governments.

Although there are obvious difficulties associated with finding a precise and agreed definition of a “religious government”, it is essential to distinguish between various levels of state commitment to a specific religion. The minimal degree of dedication would be that a government did not prevent its people from undertaking their religious rituals and practices. On the other hand, a maximized relationship between religion and politics requires the total commitment and adherence of a state to the contents of a specific religion. Obviously, many varying degrees of religious authority could be supposed between these two extremes.

Official definitions of a “religious state” focus on a series of prescribed characteristics and functions

embodied by this model of political system. These may be related to individual characteristics, such as a governor necessarily belonging to a specific religion or social class, similar to the governments of European states throughout the Middle Ages. One might also define a religious government according to its partial or prejudicial favour towards a particular religion. Consequently, a religious state uses its military, political and economic power to promote and strengthen the position and followers of that specific faith.

This draws our attention to a few, specific aspects of a religious government. However, it fails to adequately introduce what most contemporary Islamic political movements and doctrines have in mind when they apply the term “Islamic State”, which is perhaps most effectively described as the maximum realization of a religious state.

An Islamic government’s primary aim is to establish a truly Islamic society. Islam does not consider society to be merely a collection of individuals. Rather, it deems that society also consists of their social relationships and the social order in which these individuals exist. These are perhaps the most definitive factors of a society, as different societies are categorized as being just or unjust, developed or undeveloped and complex or plain, according to their social formations and their systems of rights and duties. Financial sources, social advantages and the structure of the prevailing political system, are all part of the complex web of social relationships that contribute to the makeup of society. Therefore, an Islamic society, by definition, is an ideal society in which social order is established and regulated according to underlying Islamic values, teachings and rulings.

An Islamic government is one that accepts and admits the absolute authority of Islam. It seeks to establish an Islamic social order according to the contents of Islam, implementing the *Shari’ah*, while attempting to direct its political decisions and public functions according to the aims and values of Islam.

This understanding of an Islamic state obviously faces criticism, especially from those who adopt more secular political ideologies. The following pages will assess some of the contentious aspects surrounding this theory of Islamic governance.

Rejection of Islamic Government

Opponents of Islamic governance can be divided into two major categories: The first of these are the supporters of secularism, who contend that religion must be completely separate from worldly affairs. In their eyes, the concept of a religious state is backward and outdated. They maintain that this model of political system must be confined to a time when human beings lacked the knowledge or experience to organize their social order and were in need of religion to arrange their legal, economic and cultural relationships.

However, secularism is not a doctrine that merely addresses the relationship between religion and politics. Essentially, it is a radical approach to the role of religion and revelation in shaping human

knowledge. Secular rationality maintains that the human intellect is capable of forming its own knowledge independent of revelation. According to this, reason in itself is self-sufficient and autonomous. Hence, mankind is capable of constructing natural and human sciences as well as philosophy, law and ethics without the aid of God or religion.

Secular thinking, therefore, leaves very little scope for religion. According to secularist thought, every instance in which the human intellect is capable of gaining knowledge exists as part of the exclusive realm of the human being, without any need for faith or revelation. Such reasoning constrains the role of religion to regulating the individual relationship between man and his creator, while isolating it from the social and political order. This is because social relationships form part of “human” affairs and not “divine” affairs; they are “extra-religious” as opposed to “intra-religious”. Law, economy and political decisions as well as the formations of our social structures and systems of rights and duties are all considered as merely dealing with the relationship between man and man, not man and God. Therefore, religion in these cases must delegate everything to human reasoning and science.

This concise overview of secular thinking illustrates that the reduction of secularism to a political doctrine, which purely insists on the separation of faith from politics, is incorrect. The isolation of religion from politics is but one of the many accomplishments of secular rationality. Advocates of this view insist on the disengagement of religion, not only from politics, but also from ethics, art, law, philosophy and the sciences. Consequently, they advocate not only a secular state, but secular laws, a secular culture, a secular science and so on.

Whereas the first approach delegates a limited scope for religion, the second group of opponents have no argument with those who believe it cannot be restricted to merely having a limited, fixed or previously determined capacity. In principle, they agree that no one has the right to confine the contents and the implementation of Islam to private life, or more precisely, to the individual relationship between man and God. The central concern of the second group, however, is that although Islam embodies certain values and ideas, it is not composed of both spirituality and politics. Thus it has not specified any particular form of government and Muslims are free to support any regime they desire.

So the fundamental distinction that arises between these two groups is that, while secularists argue that religion and politics must remain separate, the second faction contend that Islam does not in any way oblige its followers to establish it in the political realm. They attempt to demonstrate that Islam has no connection to politics by concentrating on the Holy Qur'an and early Islamic history, arguing that it is a purely spiritual doctrine, as opposed to a spiritual and political one. Secularists, on the other hand, focus on the demands of modernity, the inability of religion to conduct and organize the contemporary world, and its failure to overcome the complications presented by modernism. Therefore, it is crucial to clarify whether or not Islam compelled its followers to establish an Islamic government, and whether or not Islam is indeed capable of regulating modern society.

No credible Muslim thinker advocates the segregation of religion from worldly affairs, as the secular

tradition would insist, reducing it to little more than a personal relationship between man and God. In fact, very few Islamic intellectuals appeal to secular rationality other than to insist on the separation of religion from socio-political relationships (i.e. restricting the scope of religion and extending the role of reasoning in public life). Although these thinkers do not explicitly call themselves secular, their attitudes towards the issue of Islam and politics obviously have common characteristics with those of secularists.

Having introduced the two main critical attitudes towards Islamic government, the following pages will examine the central arguments presented by adherents to these two schools of thought, beginning with the reasons provided that reject any original connection between Islam and politics.

The First Argument

In his famous book “Islam and the Foundations of Government” (*Al-Islam wa Usul al-Hukm*) Shaykh Ali Abd al-Raziq² (1888–1966) sought to justify the separation of religion and political authority on the basis of religious evidences. He argued that the Prophet Muhammad (pbuh) did not intend to establish a political state in Madina and that Islam did not support the rise of any particular social system.

This assertion totally contradicted the traditional belief, which held that the Hijrah (migration to Madina in 622) marked the beginning of the Prophet’s political activity and the realization of Islamic governance. Abd al-Raziq argued that the Prophet was the bearer of a religious message; he did not have a government, nor did he seek to establish a kingdom in the political sense or anything synonymous with it. Rather, his authority was sacred, derived from God so that he could deliver the divine revelation. According to Abd al-Raziq, this did not entail political leadership; it was the mandate of a Prophet and not of a Sultan.

To justify his view, Abd al-Raziq refers to several verses of the Qur’an. He believes that according to these, the Prophet Muhammad (pbuh) was only a messenger, commissioned to deliver God’s revelation to the people and nothing else.

We have sent you only to give good news and to warn. [Chapter 17, Verse 105]

The duty of the messenger is to convey the message clearly. [Chapter 27, Verse 54]

Yet we have sent you only to give good tidings and to warn. [Chapter 25, Verse 56]

Tell him: I am only a warner. [Chapter 27, Verse 92]

Abd al-Raziq argues that if the Prophet Muhammad (pbuh) had other roles, such as that of a political leader, then the Qur’an would clearly have announced them³.

In order to justify his position, he argues that every state requires a political structure that contains specific institutions and administrations, but that Muhammad’s leadership was devoid of these necessary elements of government. In fact, according to this point of view, political authority only appeared in the

Islamic community following the demise of the Messenger of God. Consequently, striving for the establishment of a government is not considered part of Islamic teachings⁴.

However, contrary to Abd al-Raziq's opinion, there is a mass of historical evidence that clearly demonstrates the Prophet's role as both a political and religious leader. In fact, many western thinkers, such as Anthony Black, agree that the Prophet's objective was not merely to establish a new identity by replacing old tribal customs. According to these thinkers, he addressed political power as well as spiritual and cultural authority. Black writes:

His purpose was to construct out of tribal confederacies a new people driven by his own sense of moral mission. Judaism had preached an all-embracing (ethnic) law, While Christianity had preached spiritual (universal) brotherhood. But, neither seriously addressed the problem of military power and political authority; both had accepted life under alien, pagan rule. Muhammad preached spiritual brotherhood, plus an all-embracing law, and universal political control to be achieved⁵.

The activities of the Prophet Muhammad following the Hijrah brought about revolutionary changes to the Arabian Peninsula. These cannot simply be interpreted as the ordinary behavior of a religious leader. Included here are concise examples of his political deeds, which could not have been issued without political authority.

He assembled a number of hostile tribes and forged them into a new community (ummah). This is essentially a political endeavor, which is embodied in what Montgomery Watt refers to as the "Constitution of Medina", a document that outlines the nature of the state that the Prophet was intending to establish. The charter incorporates articles concerning the rights and duties of the various tribes and social groupings that formed this new society, including their obligations regarding one another, criminal events and the rights of non-Muslim members of this community⁶.

He delegated both religious and political responsibilities to his companions. Some, such as Amr ibn Hazm, were sent to lead the prayers and teach the people about the Qur'an. Whilst others, such as Abu Musa al-Ashari and Saed ibn Aas, were dispatched as representatives to collect taxes (zakat), arbitrate disputes and punish criminals as well as to educate people about Islam. Sometimes, the Prophet would assign companions to exclusively governmental capacities, such as when he sent Abu Sufyan to gather taxes in Najran, while Amr ibn Hazm remained his religious representative in that region⁷.

The Prophet (pbuh) was a general, a diplomat and a judge. He led the army, entered into treaties and agreements with various tribes, and passed judgment in criminal cases. Issues such war, diplomatic relations and legal arbitration are all obviously included in political authority and have no connection to a specifically spiritual mandate.

Furthermore, it is unreasonable to compare the structures of a modern state and the Prophet's authority in Madina in order to determine whether he established a political state. Dr. Senhoury, for example, argues that the political order established in Madina adequately met the demands of a simple tribal

community, thus there was no need to establish a complex social order when the Prophet's political system was appropriate to the requirements of his age and society⁸.

Some thinkers, such as Abid al-Jaberi, contend that because the word "dawlat" (state) was not adopted as a political term until the beginning of the Abbasid-era, the political concept of an Islamic state did not exist either. According to Al-Jaberi, the Prophet (pbuh) established an "ummah" as opposed to a state. However, although it may be true that the term dawlat was not prevalent in Arab vocabulary at the time of the Prophet, it is not the name that constitutes a state. Rather, it is the nature of the authority that establishes an Islamic government, thus it is irrelevant whether the term "state" was adopted or not.

Although Abd al-Raziq refers to several verses of the Qur'an in order to justify his opinion, which is that the Prophet (pbuh) had no role beside that of a messenger, the verses that he submits as evidence do not confine the character of the Prophet to a single attribute. A clear distinction must be made between a relative restriction and an absolute or definite restriction. The latter confines the character of a subject to one feature, whilst the former refers to a restriction in a limited scope of attributes. For example, someone supposes that x is both a writer and a poet. You correct his opinion by telling him that 'x is only a writer'. However, this does not mean that x has no other qualities apart from being a writer, because your statement restricts his character in relation to only two attributes.

All the verses to which Abd al-Raziq refers fall into the first category, which is that of relative restriction. They are merely emphasizing that the Prophet has no responsibility towards those who disbelieve in his call. Certainly, the Prophet as a human being has many other qualities and duties. Therefore, emphasis upon one issue within a specific context does not nullify the possibility of other tasks or characteristics. Take, for example, following verses:

O Prophet, urge the believers to war. [Chapter 8, Verse 65]

And judge (rule) between them by what Allah has revealed, and do not follow their low desires. [Chapter 5, Verse 49]

Your Wali is none but Allah and his Messenger. [Chapter 5, Verse 55]

And We did not send a messenger except that he should be obeyed.... [Chapter 4, Verse 64]

Second Argument

Aside from those who subscribe to a view similar to that of Abd al-Raziq, other opponents of the Islamic state accept that the Prophet did, in fact, establish a political order following his migration to Madina. However, they also maintain that this does not constitute an intrinsic connection between Islam and politics. The emergence of the Prophet's authority in Madina is considered as little more than a historical event; a specific situation in which the social and political circumstances necessitated this endeavor, rather than a religious duty that was included in divine revelation.

Dr. Haery seems to adopt a similar opinion in the following passage, in which he emphasizes that the Prophet's government was formed upon the consensus of the people and then later endorsed by God. He writes:

Some previous Prophets, especially the Prophet of Islam, besides the exalted position of Prophethood had undertaken governing people and committing political affairs. We have to know that since people compelled them with no anticipate inclination, these political authorities and special circumstances forced them to accept, the Political authority cannot be taken into account as part of God's revelation[9](#).

To support this point of view regarding the Prophet's authority, Haery refers to the following verse of the Qur'an:

Certainly Allah was well pleased with the believers when they swore allegiance to you under the tree. [Chapter 48, Verse 18]

He, and others who adopt a comparable opinion, insist that although God endorsed the pledge of allegiance (bay'a) given to the Prophet, His approval is not enough to make the establishment of political authority an Islamic objective[10](#).

However, the relationship between Islam and politics and the historical events precluding the creation of an Islamic social order are two entirely separate and distinct topics. Studying the latter requires a precise analysis of the historical, social and cultural context in that era. Whereas the former necessitates a comprehensive evaluation of the Islamic ideology to determine whether or not it encompasses a political dimension and if it has the potential to be practically applied. Thus, the correlation of historical stages and circumstances to the process of forming a government is entirely separable from our present debate, which concerns the Islamic political system. Hence, many contemporary Muslim scholars, such as Muhammad Ammareh, who is an advocate of the Islamic state, come to the following conclusion:

Even though the generous Qur'an did not explicitly [make it] incumbent upon Muslims to form a religious government [it obliged them] with some duties [that] would be impossible to fulfil without the establishment of an Islamic State[11](#).

Both Dr. Haery and Muhammad Ammareh maintain that the pledge of allegiance (Bay'a) given by the tribal representatives of Madina to the Prophet, during the year prior to his emigration from Mecca, was the keystone of his government. However, this theory, which introduces the allegiance (Bay'a) of the people as the root of the Prophet's political authority, confronts two difficulties. The first is that the contract of Bay'a was a prevailing custom amongst the Arabs, which occurred for a variety of reasons; the pledge of Bay'a to a political leader or tribal chief was only one of these. Accordingly, it is essential that we assess the content of these pledges used to support the arguments of Dr Haery and Muhammad Ammareh.

The pledge mentioned in Chapter 18 of the Qur'an, known as "*Bay'a rezwan*", occurred at Hdaybiyah,

near Mecca, in the sixth year after Hijrah. The Prophet Muhammad (pbuh) and a number of his followers were en-route to perform the pilgrimage to Mecca, when Meccan polytheists who wished to prevent them from entering the city confronted them. Under these dangerous circumstances, a number of believers pledged allegiance to the Prophet so as to reassure him that they would remain by his side and protect him from the enemies of Islam. This pledge was merely a reaffirmation of their loyalty in a difficult situation, rather than the acknowledgement of the Prophet's political authority. Furthermore, it took place five years after the establishment of the Islamic state in Madina, thus it seems strange to consider this event the original root of his government.

What is often referred to as the second pledge of allegiance known as "*Bay'a al-Aqabeh*" also has no connection to the nomination of a ruler. Comparing it to the negotiations that took place at Saqifa, prior to the appointment of Abu Bakr, explicitly demonstrates that the pledge of al-Aqabeh was not a recognition of the Prophet's political authority. The negotiations at Saqifa were concerned with leadership following the death of Muhammad (pbuh). Hence, the *Bay'a* at Saqifa merely served as an election, whereas the pledge of al-Aqabeh was regarding the protection and safety of the Prophet; the representatives of Madina promised to resist the polytheists and protect the Prophet as they would their own families.

The second difficulty confronted by the supporters of this argument, arises from several verses of the Holy Qur'an which delegate and approve the guardianship (*Wilayat*) of the Prophet over the believers, with no reference to any anticipated acceptance from the people; therefore indicating that his authority is indeed divine. These verses shall be discussed in greater detail later, but for now we shall mention a few:

The Prophet has a greater claim on the faithful that they have on themselves. [Chapter 33, Verse 6]

Only Allah is your guardian (Wali) and His Apostle. [Chapter 5, Verse 55]

The Third Argument

Another prevailing argument, employed by secularists to undermine the theory of a religious government focuses on the ambitions of those who support an Islamic state (i.e. the establishment of an ideal social order according to Islam and the application of the *Shari'ah* to all facets of society). Secularists, who adopt this line of reasoning, contend that a religious social order is an incompatible thesis because it is confronted by an inherent difficulty known as "the problem of accommodation". To justify this argument, they rely on two premises:

Social, economic and cultural relationships undergo constant change and development: There is a significant difference between our contemporary lifestyles and the lifestyles of previous generations in areas such as transportation, commerce, education and so on. Thus social formation is essentially

variable and no one can expect a society to remain stable for a prolonged period of time.

Religion is fixed, unchanging and stable: Every religion is confined to a specific period of history; as it was founded upon the demands, circumstances and problems of a particular age. Religion is an event that happened in a determined time and place, which cannot be repeated. Consequently, the message of every religion is inflexible and has no capacity for adaptation to new situations.

Thus, a secularist would argue that because religion is a fixed and unchanging set of ideas, it is entirely incapable of accommodating changes to social relationships, which are in turn fundamentally unfixed and variable. It is entirely reasonable to admit that religion is able to form a social order, which is influenced by its conventions and ethics, but only at a time when social circumstances would permit such an influence. For example, in the time when Islam emerged, it was able to adequately meet the demands of the historical period. Thus, Islam succeeded in establishing a civilization during that era. However, it seems paradoxical to suppose that Islam is capable of effectively shaping social order under any circumstances and at any time. The core of this reasoning is that social associations and relationships are fluid and open to regular changes; no one is able to prevent these social alterations and thereby narrow them to a fixed religious form and structure. In summary, secularists assert that although *Shari'ah* has within it the competence and capability to deal with social formations similar to those existing at the time when Islam appeared, there are serious obstacles for the application of *Shari'ah* to contemporary social configurations.

Such an assessment is based on the presupposition that the conception of a religious state leaves no room for adaptation or the endorsement of social changes. Therefore, the response to this argument will discuss three significant points;

- (a) An evaluation of this interpretation of social changes.
- (b) Aspects of the Islamic legal system, which have been overlooked by secularists who subscribe to this opinion, that render it both dynamic and flexible.
- (c) A clarification of what is meant by the accommodation of *Shari'ah* and the precise definition of the establishment of "Islamic social order".

Categorizing Social Alterations

No one can dispute the fluidity and variable nature of social relationships. Changes occur both radically over a short period of time, and gradually over a more prolonged period. They have numerous dimensions and affect various aspects of human life. As far as the present discussion is concerned, which is the role of religion in a well ordered society; the legal and moral dimensions are the most important ones that should be considered.

From a legal perspective, every social order and its assorted characteristics confront many questions.

An efficient legal system must be able to overcome these problems and introduce a competent framework, which is able to respond to new developments that are the result of social alterations. In order to practically implement a religion that encompasses social interactions, it becomes crucial to institute a dynamic legal structure that is able to organize their juridical aspects. Because the aim of a religious state is to harmonize social order according to a religious legal system, it is therefore essential to understand the nature of the legal aspect of social alterations.

Establishing a truly Islamic society and regulating social relationships according to the Islamic ideology cannot, however, be confined to merely the legal aspects of this transformation. The moral and cultural outcomes of such a revolution are fundamental as well. An Islamic government must maximize the role of moral virtues, Islamic values and true humanity in social relationships. Advocates of the Islamic state believe that religious aims and values, stemming from moral virtues and true humanity, can lead human society towards a higher level of existence. However, the argument that denies the possibility of harmonizing social order according to Islamic laws and values usually attempts to reduce the discussion to a purely legal one, attempting to illustrate that the Islamic legal system is incapable of accommodating social changes.

Those who subscribe to this argument presuppose that social alterations result in entirely new legal problems that have no previous precedent. Hence, they argue that a religious legal system, because of its unchanging nature, cannot deal with the problems that it will be frequently confronted by.

Social changes ultimately give rise to two areas of legal discourse. The first stems from an entirely new social phenomenon, of which there is no previous record. Every legal system must define its position with regard to these. For instance, the invention of computers and the development of information technology require fresh legislation. Another example is transplantation, a new technique in medicine that requires jurists to clarify the legal aspect of this new medical ability, such as the laws regarding the exchange of natural organs between human beings. The significant factor with this first group, is that they require more than merely the application of old and current laws to new situations, rather, they require a set of absolutely new laws and up-to-date legislation.

Secondly, there are those social transformations that, despite the fact they are new, have emerged from pre-existing relationships and associations, consequently these social phenomena are new in form and not in content. Accordingly, they do not require totally new legislation or a fresh set of laws; jurists could and would categorize them according to previous legal precedents. For instance, previously there existed only a few types of companies, whereas at present there are many forms of commercial relationships. However, these are not new legal phenomena. They are distinguished from previous kinds of companies essentially in form, because they are merely new structural designs.

In short, with regard to analyzing social alterations, we must adopt the following conclusion. From a juridical perspective, social changes cannot be restricted to a single definition. Generally speaking, two streams of social transformation can be identified in this regard. On the one hand, there are the cases of

completely new legal phenomena that are without previous record, while on the other there are those that possess obvious connections or similarities to previous and familiar elements within the existing legal framework, though they may have each adopted a partially, or entirely new form.

Flexibility of the Islamic Legal System

The precise criticism introduced by this argument against the concept of an “Islamic state”, when we are confined to the juridical aspect, is that the Islamic legal system is incapable of coping with social transformations. Hence, because it is inflexible and unable to meet the juridical requirements of new circumstances, it cannot possibly satisfy the legal demands of human society.

In order to efficiently cope with the various societal relationships it will inevitably encounter, every legal system preresquires the existence of flexible elements in its methodology and basic foundations. Although the Islamic legal system does not contain these factors, it is essential that we realize that it has aspects that provide it with the capacity to meet and fulfil all the juridical requirements presented by the two aforementioned categories of social change.

The Islamic legal system is fully equipped to deal with the first category of social changes. Even though the historical advent of Islam occurred during a specific time and in a specific place, it is quite reasonable to extrapolate a universal, ahistorical and timeless legal framework for different aspects of social relationships. Many legal aspects of social alterations can, in fact, remain stable in spite of their formal changes. This enables Islamic law (*Shari'ah*) to form a general juridical framework for the various categories of social associations. In reference to different sections of Islamic law, there exist a selection of unchanging, absolute and general rules that, at any time and place, all Muslims are obliged to respect; they are required to harmonize their public and private relationships with these rules. For example, in commercial affairs there are some general rules as follows:

It is incumbent upon believers to fulfil their contracts and obligations:

O you who believe! Fulfil the obligations. [Chapter 5, Verse 1]

Some types of contracts and commercial agreements are prohibited because they include unlawful profit such as usury:

Allah has allowed trading and forbidden usury. [Chapter 2, Verse 275]

Lawful commercial and financial contracts and covenants must fulfil some general conditions such as mutual consent without coercion and must not be subject to false methods of attaining wealth, for example, gambling:

O you who believe! Do not devour your property among yourselves falsely, except that it be trading by your mutual consent. [Chapter 4, Verse 29]

These examples of obligations, prohibitions and conditions concerning one aspect of social life, even though they do not embrace all the Islamic edicts in this field, help us to confront developing models of contracts. New forms of contracts, whether they are altered versions of familiar and prevailing models or entirely original ideas without previous record, can be categorized as either lawful or unlawful according to these three principals and so on. For instance, “insurance” is an example of an entirely new contract, while purchasing books via an online bookstore is merely a new method of trading which, although formally different, is a continuation of a particular category of business. When all these new forms of contracts adopt and fulfil the framework that has been drawn by *Shari’ah*, they are considered lawful. The other important aspect concerning the flexibility of Islamic law emerges when we take into consideration the role of covenant and promise in this context. Some verses of the Qur’an order Muslims to fulfil their promises when they enter into a covenant or agreement:

And fulfil the promise, surely every promise shall be questioned about. [Chapter 17, Verse 34]

This Islamic principle enables an Islamic state to enter into international conventions, in order to make use of their advantages, even though some of these conventions are concerned with completely new forms of social relationships, such as maritime laws or laws governing airlines and international trade, of which there is no previous record in the *Shari’ah*.

The doctrine of “*Ijtihad*”, which is the deduction of laws through reference to Islamic sources, enables a qualified Jurist (*faqih*) to deduce responses to both old and new questions. Every qualified *faqih* is free to issue new decrees with regards to subjects that have no previous record amongst other Imami jurists; thereby providing the Islamic legal system with a high degree of flexibility, which enables it to confront new situations and circumstances. This potential is reinforced in view of jurists who subscribe to a doctrine that advocates the absolute guardianship of the well-qualified *faqih* (*Wilayat-a-mutlaqih*). This doctrine insists that the trustworthy jurist, who is responsible for Muslim society, has the right to legislate according to specific conditions. This subject will be discussed further in the next chapter.

Rational Management versus Juristic Management

Misconceptions surrounding the implementation of *Shari’ah* and the role of *fiqh* (Islamic jurisprudence) in governing a state and its society, have given rise to two opposing groups, who erroneously come to the conclusion that the Islamic method of governance is completely incompatible with “rational management”, which prevails in most modern states. This group is divided into two categories; the first of which insists that Muslims in the modern world must submit to the organization of their economic, political, social and cultural affairs through rational and technical management. In this model of regulation, the human intellect, technology and the sciences have authority, while religion remains separate from worldly affairs. Therefore all public decisions and the organizing of the fundamental structures of society are fulfilled according to the rational form of authority.

The second group, however, advocates the total authority of religion and attempts to organize social

affairs by presenting absolute “juristic management”. This model of management, according to them, ignores the role of humanistic sources of knowledge and instead insists that the solution to all problems must emanate solely from Islamic jurisprudence (*fiqh*). In other words, this school of thought endeavours to replace rationality and reference to scientific means, with religion and purely juristic solutions.

It was indicated previously that this misleading interpretation for the role of Islamic jurisprudence with regards to social management and the making of political or economic decisions, arises from a misunderstanding of the term “religious state” and “religious social order”. This misconception of a religious society and state grants a foothold to the critics who wish to portray the Islamic state as backward and ignorant of the demands of the contemporary world and who depict Islam as a system that denies human knowledge, rationality and progress.

Adopting the Islamic ideology and applying its laws and aims in order to harmonize different aspects of life is one thing, and ignorance of human knowledge and rationality is another. Drawing such a sharp and distinctive line between juridical and rational management is purely fictitious, as it overlooks any possible cooperation between these two methods, while incorrectly assuming that a religious state’s model of government does not overlap with that of a non-religious state’s in any way, shape or form (When in fact all states are burdened with similar responsibilities). Consequently, this third model would enjoy the advantages of both methods of management and combine rationality with respect to the ultimate authority of religion. The unusual, and irrationally narrow distinction between the two models of management, fails to provide any definite reason to suppose that the integration of religious authority and rationality is either impossible or incompatible. According to the history of Islamic thought, the Shi’a and Mutazali schools have always believed in rationalism. They endorse the role of the human intellect as a significant source of religious knowledge alongside Islamic evidence (Qur’an and hadith).

Rationality is included with Islamic sources and reasoning is taken into account as a part of religious knowledge.

It is necessary to emphasize that organizing social relationships, in its full scope, involves many facets. These include legislation, politics and policymaking as well as industrial-economic planning, social services and education. It is incorrect to suppose that, under an Islamic government, these functions and tasks would be undertaken exclusively by jurists and that all types of social, economic and cultural difficulties would be resolvable by jurisprudence.

In fact, the fundamental distinction between an Islamic state and a secular one should be based on the acceptance or denial of the authority of Islam in social affairs, rather than the denial of rationality and scientific knowledge. An Islamic authority would address the needs of a society according to the criteria laid down by Islam; the extent to which jurisprudence and *Shari’ah* influence this depends on the depth to which Islam has defined the subject matter. For instance, the role of *Shari’ah* is greater in legislation than in policy making or international politics. The various elements of an Islamic government must harmonize and adapt their functions, policies and decisions to the contents of Islam, though they are

able to employ their reasoning and scientific knowledge wherever it is required.

In conclusion, the allegation that Islam is somehow unable to cope with social progress or changes to various aspects of human existence is false. Islam cannot be confined to a specific time or set of circumstances, as it has within it the capacity to guide humanity towards happiness at all times. However, Islam's ability to adapt to the demands of various social formations and situations should not be taken to mean that Islam has a passive attitude towards alternative lifestyles. It is illogical to assume that every kind of cultural, social or economic relationship can be universally endorsed by Islam, for it has timeless rules, values and objectives that disagree with certain types of associations and lifestyles. This approach is not the product of essential links to a specific model of social formation or a particular social order. Rather, it is an active and dynamic attitude that emerges from a set of unchanging rules and principals that are not restricted to a specific age or generation.

Objectives of an Islamic State

Ideological aims and functions are an essential part of any political system, as they serve to distinguish and separate it from alternative doctrines. Objectives such as creating a welfare state and extending education or promoting prosperity and defending a nation's borders are not specific to any one model of political system. In fact, almost all political theories commonly emphasize upon these targets. Therefore, it is necessary that we define the unique objectives of a religious government and discuss how they set it apart from other political systems.

Implementation of the Shari'ah

The application of Islamic laws and rulings is a fundamental aspect of the religious state. A government that neglects the *Shari'ah* cannot be considered a legitimate Islamic authority; as such a notion is paradoxical and ultimately self-contradicting. The Holy Qur'an obliges the believers to implement, protect and respect Islamic laws in all spheres of their public and private lives. For example, take the following verses:

And we have revealed to you the Book with the Truth, verifying what is before it of the book and a guardian over it, therefore, judge between them by what Allah revealed. [Chapter 5, Verse 48]

And whoever does not judge by what Allah has revealed, they are the unbelievers. [Chapter 5, Verse 44]

Allah raised prophets as bearers of good news and warners, and He revealed with them the book with truth, that it might judge between people in that in which they differed. [Chapter 2, Verses 2 & 3]

These are the limits of Allah, so do not exceed them, and whoever exceeds the limits of Allah, these it is that are the unjust. [Chapter 2, Verse 229]

And if you differ in anything amongst yourselves, refer it to Allah and His messenger. [Chapter 4, Verse 59]

For the government and citizens of the Islamic state to fulfil this duty, it becomes essential for the state's laws to be consistent with the *Shari'ah* and its ruling system to be founded upon the principals of Islamic jurisprudence (*fiqh*). As pointed out, many modern Muslim intellectuals have criticized this jurisprudential conception, insisting that *Shari'ah* must be separated from governance, public affairs and the shaping of the system of human rights and duties that regulate society. They maintain that these should be governed according to human sciences, rationality and an extra-religious conception of human rights, rather than through Islamic jurisprudence. This ultimately secular approach belittles the importance of the *Shari'ah* and its practical necessity in an Islamic state. This approach shall be further assessed in the final chapter when considering the arguments of those who seek to reconcile Islam with liberal democracy.

To Enjoin the Good and Forbid the Evil

Islam has made it incumbent upon believing men and women to establish a healthy society, which is purified of corruption and wrongdoing and conducts itself correctly and avoids injustice. This duty is embodied in the principal of “al-amr’ bi’l maruf’ wal-nahi an al-munkar” (Enjoining the good and forbidding the evil) that is mentioned in the following verses of the Qur’an:

And from among you there should be a party who invite to good and enjoin what is right and forbid the wrong and these it is that shall be successful. [Chapter 3, Verse 104]

And (as for) the believing men and the believing women, they are guardians of each other; they enjoin good and forbid evil. [Chapter 9, Verse 71]

Calling people to what is right and preventing injustice is the joint responsibility of the state and its citizens. An Islamic government cannot remain neutral concerning the moral- religious conditions of society. Also, as well as being accountable for affairs such as security, welfare and social order, the government is also charged with maintaining human virtues, common good, morality and religious commitment.

Unlike most contemporary political theories, especially those formed upon the traditions of liberalism, Islam does not support the concept of a ‘limited state’. According to this liberal approach, the authority of a government is limited by the scope and framework defined by liberalism and its interpretation of human rights and social justice, which are connected to the underlying values of liberal doctrine. Consequently, the government is rendered unable to adopt a partial position with regards to morality, religion or ethics. Whether someone is moral or immoral, religious or irreligious, these are regarded as individual matters that the individual is able to choose as he pleases. Only if the individual break the law or violates the rights of others is the liberal government allowed to interfere in their affairs.

However, it must be pointed out that the duty of a religious government, regarding the moral–religious position of society, does not allow Muslim rulers or citizens to impose Islamic beliefs and values upon others. Religious tolerance is a significant characteristic of the Islamic ideology; a fact to which history testifies. For example, the Jews and Christians of the Spanish Peninsula enjoyed the same rights, security and prosperity afforded to all citizens of the Islamic state, as did many other ethnic and religious minorities throughout the domain of Islam at that time.

The nature of a religious government’s responsibility regarding the moral condition of society is concerned primarily with decision–making, legislation and government policy. An Islamic state is obliged to maximize the opportunities to promote spirituality, moral values and individual virtues, while providing the people with a stable environment in which to attain a comfortable, safe and fruitful existence. Essentially, its role is to maintain a healthy social atmosphere. People are free to adopt their own beliefs and opinions, but in public they must respect and abide by Islamic laws. For instance, it is not the duty of an Islamic government to monitor the private lives of its people to discover whether or not they drink alcohol, but no one is allowed to publicly consume the substance, as this would damage the social environment, and it is the responsibility of an Islamic authority to protect society from corruption and immorality.

From the Islamic view the problem of happiness and wickedness eventually rests on the choice made by the individual. Almighty God says:

Surely we have shown him the way; he may be thankful or unthankful. [Chapter 76, Verse 3]

That is because those who disbelieve follow falsehood, and those who believe follow the truth from their Lord. [Chapter 47, Verse 3]

Therefore an individual is allowed to adopt his or her personal wishes and ideas in private, but these cannot be allowed to infringe upon the moral health and stability of society. Nothing must prevent the government and believers from striving to create desirable social circumstances, or promoting Islamic values in order to remove the obstacles in the path of a truly correct and fulfilling lifestyle.

Modern political doctrines tend to emphasize human rights, rather than human goods. For them, it would be more desirable and practical if we concentrated on defining the mutual duties of the rulers and the ruled according to the rights of human beings. This is because other concepts such as happiness, virtue and social good are often ambiguous, subjective and controversial. For example, there is a strong tradition in political thought that amongst the members of any polity there is a common good and the function of the government is to determine and actualize this. However, adversaries argue that there are a number of significant difficulties regarding the idea of a “common good”. Modernist political thinkers usually ask “what is a common good? and how are we to know what it is?” Robert Dahl says:

Every attempt I have seen to prescribe the common good is either too limited to be generally accepted or too general to be very relevant and helpful[¹²](#).

The Islamic doctrine approaches this problem of “common good” by extending it beyond the boundaries of a community. Not only do the members of a community have a common good but also all human beings have a common good. Islam believes that human beings share common inclinations and needs, which they are able to fulfil correctly through their own actions with the aid of a desirable, just and true Islamic government.

To Protect True Freedom of Human Beings

Liberty is arguably one of the most important underlying values upon which contemporary western political thought is founded. Although there are contending analyses regarding the nature of freedom amongst western thinkers, liberals traditionally recognize individual freedom as the most fundamental human value and they define and evaluate all other values according to their relationship with it¹³.

Because most people, especially in the west, adopt a liberal conception of liberty, they often have reservations about whether a truly religious government can promote the freedom of its subjects. At a glance, it may seem strange to suppose that Islam, with its binding nature and limitations, could act as an effective safeguard of human freedom. But before proceeding with this discussion, it is appropriate to explore and assess the liberal theory of freedom.

Also known as the negative view of liberty, the liberal conception of freedom has come to be understood as the absence of coercion. This definition of freedom emanates from the works of thinkers such as Hobbes and Bentham, who envisaged it merely as the absence of external, physical or legal impediments. However, this theory fails to acknowledge less immediate or obvious obstacles to freedom, such as lack of awareness, false consciousness, repression or other inner factors of this kind. In fact, it insists that to speak of such inner factors as relevant to the issue of freedom, is to abuse words. The only clear meaning that can be given to this perception of freedom is the absence of external obstacles¹⁴.

Alternatively, the positive view of liberty asserts that freedom involves the realization of some specific capacities, abilities and powers. And it implies that if these are not realized, then the individual is not truly free, even if he or she is not subject to external coercion. Whereas negative freedom is best described as ‘freedom from’ (compulsion), positive freedom can be termed as ‘freedom to’, meaning that an individual must be free to realize his capabilities. Therefore, it is necessary for positive freedom to adopt a theory concerning human nature and a set of ideas about human needs and abilities¹⁵.

Taylor maintains that the positive perception of freedom concerns the exercising of control of one's life:

*Doctrines of positive freedom are concerned with a view of freedom which involves essentially the exercising of control over one's lives; one is free only to the extent that one has effectively determined oneself and the shape of one's life. The concept of freedom here is an exercise-concept*¹⁶.

According to the Islamic conception of human nature, we are subject to various desires and capacities.

Those who follow merely their natural instincts will remain in the prison of their low desires, unable to realize their potential. But those who exercise control over themselves and strive for self-purification, rather than merely obeying their impulses, are truly free. The Qur'an says:

Have you considered the one who takes his low desires as his Master; Allah has made him err having knowledge and has set a seal upon his ear, his heart and placed a covering upon his eyes. Who can then guide him after Allah? Will you not then be mindful? [Chapter 45, Verse 23]

Then know that they only follow their low desires, and who is more erring than he who follows his low desires without any guidance from Allah? Surely Allah does not guide the unjust people. [Chapter 28, Verse 50]

From this perspective, namely the positive interpretation of freedom, Islam should be recognized as a perfect form of guidance from Allah and a divine means to achieve true human freedom. The Qur'an says:

Those who follow the Apostle Prophet, the ummi, whom they find written down with them in the Taurat [Torah] and the Injeel [Gospel], (who) enjoins them good and forbids them evil, and makes things lawful to them the good things and makes unlawful to them impure things, and removes from their burden and the shackles which were upon them, so (as for) those who believe in him and honour him and help him, and follows the light which has been sent down with him, there is it that are the successful. [Chapter 7, Verse 157]

This verse among many others like it, state that the revelation received by the Prophet was sent as guidance to all mankind. That Islam is able to free human beings from the shackles placed upon them by their low desires, to raise them from a state of ignorance (concerning God and the hereafter) and to elevate them to a position of enlightenment and progress. By submitting oneself to the divine revelation and teachings of the Prophet, the individual is making an obvious commitment to worship and obey God, to control oneself and to accept certain limitations. In other words, Islam is a religion; a way of life that encompasses both spiritual and worldly aspects, thus obliging its followers to follow a specific lifestyle. This disagrees with the liberal 'negative' conception of human liberty, because it establishes boundaries and limitations upon freewill. But according to the Islamic point of view, these limitations help them to attain true freedom embodied in spiritual life and nearness to Allah.

In conclusion, one of the key objectives of an Islamic state is to prepare a desirable social condition, so that people are able to realize their full capacities, and thus free themselves from burdens. This self-realization means that people can promote their individual virtues and prepare themselves for the ultimate salvation.

Establishing a just society and respecting human equality Justice (Adl) and Equality (Qest) are two of the most important aspects of the Islamic ideology. There are many verses of the Qur'an that oblige the believers to treat people equally and to deal with them justly.

Certainly we sent our apostles with clear arguments, and sent down with them the book and the balance that men may conduct themselves with equity. [Chapter 57, Verse 25]

Surely Allah commands you to make over trusts to their owners and that when you judge rule between people you judge with justice. [Chapter 4, Verse 58]

O you who believe, be maintainers of justice, bearers of witness of Allah's sake, though it may be against your own-selves or your parents or near relatives, if he be rich or poor, Allah is nearer to them in compassion; therefore, do not follow low desires, lest you deviate; and if your swerve or turn aside, then surely Allah is aware of what you do. [Chapter 4, Verse 135]

These concepts of justice and equality encompass many different aspects of individual and public affairs. With specific regard to politics, they require the government to ensure that all people are granted an equal entitlement to citizenship, protection, the rights granted by Islam, and the benefits that accompany it, regardless of their ethnicity, beliefs or talents.

However, the establishment of a society upon justice and equality does not require 'legal equality'. Meaning that it does not need to adopt a legal system that endorses universal and indiscriminate rights and duties for all members of that society. In fact, in its most precise definition, legal equality is clearly impractical. All contemporary legal systems adopt legal inequalities within their structures of rights and duties. In politics for example, no democratic state allows children to vote, while in economics the salary of a qualified expert is greater than that of a labourer. Equally so, the Islamic legal system, which was revealed as divine law, includes legal inequalities. These arise in cases such as that of inheritance, where the share of a woman is less than that of a man. Therefore, social justice and fair governance cannot be defined as merely overlooking all categories of inequality. Instead, Islamic social justice is realized by the correct and complete implementation of the Islamic laws (*Shari'ah*) and values without exception.

Thus an Islamic state is distinguished by the objectives stated above, which have been laid down by the Qur'an and Islamic traditions. Other objectives include the eradication of tyranny, the promotion of tolerance and peaceful co-existence with non-Muslims in Islamic territory, the dissemination of knowledge amongst the people and the creation of a welfare society in order to decrease the economic divide between the rich and the poor. Finally, it is also essential that the Islamic government should be led by a just and well-qualified leader, so that it may realize its fundamental aims. This is emphasized in the following tradition of Imam Rida (peace be upon him):

Some of the reasons behind appointments of lawful amirs (holders of authority) by God and making their obedience obligatory are as follows: Firstly, people would feel duty bound to follow certain rulers that would rescue them from corruption. It is not possible to follow such rulers unless power is entrusted on a trustee ruler. Secondly, prosperity of nations depends on the existence of rulers who try to solve their temporal and spiritual problems. God, the Wise, never leaves His creatures without a guide. The third

*reason is that, in the absence of a right leader and guide, the religious commandments and orders would be ruined*¹⁷.

Spheres of Islamic Political Thought

At present, there is a significantly broad scope for political debates. Many scholars and intellectuals examine various spheres of political thought such as political philosophy, political ideology, political science and political systems. Thinkers who explore the relationship between Islam and politics are usually interested by what sort of political knowledge Islam provides, whether or not Islam supports political philosophy or advocates a specific political ideology and whether or not Islamic sources support a particular form of political system.

Historically, Islamic political thought has been concerned with leadership; the means of appointing a political authority and the qualities that a ruler must possess. One might suppose that Islam has restricted the discussion to a particular area of debate, and that it therefore overlooks many serious political concerns. However, it is necessary for us to distinguish between the political heritage of Muslim thinkers and what is provided by the contents of Islam. The political heritage of Muslims is embodied in the works of a selection of prominent Shi'a and Sunni jurists, philosophers and theologians, whose disciplines can be placed into four major categories: "political theology", "political philosophy", "political jurisprudence" and "political ethics". It is essential that we briefly review these aspects of Islamic political thought in order to clarify the perspective and nature of the discussions in the following chapters.

i) Political Theology

The nature of Islamic political debates has been deeply influenced by a long history of theological (kalam) disagreement between Shi'a and Sunni scholars. Shi'a political thought, the original and oldest Islamic political theory, is essentially theological because its primary concern is leadership; the characteristics of the rightful leader and the correct method of identifying and appointing him. The Shi'a school of thought does not restrict these issues to a solely political or juridical (*fiqh*) discussion, rather they are considered a fundamental component of the Islamic ideology. Imamate is the focal point of this aspect of political thought and many books have been written by an assortment of thinkers from different sects on this topic.

ii) Political Philosophy

Political philosophy refers to a set of political consequences that are inferred from fundamental metaphysical-moral issues. The political writings of Al-Farabi are a typical example of Islamic achievements in this field. By definition, political philosophy should remain independent of any particular religious system or set of beliefs, as it is based upon metaphysical and rational foundations. However, Islamic political philosophers have formed deeply rational grounds for many Islamic doctrines before applying these as religious-philosophical premises in their political philosophy.

To deny the validity of Islamic political philosophy is to ignore the philosophical and ideological aspects of political issues. Many philosophical problems in politics have a close relationship with religion. And there are many Islamic teachings that offer, either directly or indirectly, suitable answers to some essential questions in political philosophy.

iii) Political Ethics

Political ethics (or the morals of politics) refers to a series of writings from Muslim scholars, who have attempted to advise and guide rulers to a successful and just method of government. These prescriptions were usually accompanied by stories of previous kings and rulers. They were collections of Islamic teachings, Greek philosophy and some elements of Persian literature. Examples of these include “*Siyasat Nameh*” (Book of Government) of Nidham al-Mulk (1020–1092), and “*Nasihah al-Mulk*” (Advice to King) of Ghazzali (1058–1111).

iv) Political Jurisprudence

Muslim jurists (fuqaha) adopted the method of political jurisprudence (or “*fiqh ul-siyasi*”) to explicate and define the Islamic political system and juridical aspects of political affairs. They discussed the duties of rulers over their subjects, the means for appointing and the grounds for dismissing of political leaders, the personal qualities that an Imam or Deputy (caliph) should possess, and the relationship between different elements of the government to one another. Political jurisprudence overlaps political theology in several areas, such as the discussion concerning leadership. However, political jurisprudence is distinguished by its methodology and the large scope of its subject matter.

“*Al-ahkam as-sultaniyya*”, written by the jurist Al-Mawardi between 1045 and 1058, is a good example of this facet of Islamic political heritage.

The assumption that Islam has a political ideology implies that it is impossible for one of these disciplines of political thought to illuminate its dimensions in isolation from the others. Ideology, as a political term, refers to a collection of ideas and instructions that are capable of directing political action. Every political ideology includes ultimate aims and offers a particular form of political regime that emphasizes upon specific norms, values and rights in order to draw a framework for all political affairs. In summary, a political ideology is a set of ideas that is considered as a decisive solution for the political aspects of human life. It attempts to adjust and arrange political relationships according to determined ideas and directives. Every political ideology ultimately relies upon political philosophy, because it must express its position according to fundamental political– philosophical issues, namely questions concerning human nature, the concept of justice, freedom and its limitation and the relationship between liberty and equality and so on.

From this brief exploration of political ideology, it becomes clear how extensive the dimensions of a comprehensive political theory might be. Thus, any explanation of Islamic political ideology must develop

all four aspects of Islamic political heritage; especially regarding political philosophy and jurisprudence.

However, it is not the intention of this book to explicate the entire Islamic political system, including the wide disputes and disagreements amongst the various Islamic sects and movements. The focus of the following pages will be on Imami political theory, which is known as the doctrine of Imamate in the age of the present, infallible Imam, and as “*Wilayat al-Faqih*” in the age of the absent Imam. Although, in order to keep this book concise, the political ideology shall not be discussed in great depth, the most important aspects of it will be clarified. The content and debate of the next chapters will be a composition of theological, philosophical and mostly Islamic juridical (*fiqh*) discussions.

- [1.](#) Oliver Leaman, A Brief Introduction to Islamic Philosophy, Polity Press, 1999, p. 134.
- [2.](#) Born in Egypt, a disciple of Shaykh Abduh, Abd al-Raziq studied at Oxford University and was a senior member of al-Azhar University, an authoritative centre of Sunni learning. His short, but controversial book caused many debates in religious and political circles. Al-Azhar immediately condemned Abd al-Raziq's work; he was thrown out of the university and dismissed from his position as a religious judge.
- [3.](#) Islam wa Usul al-Hukm, Cairo 1925, p. 73.
- [4.](#) Islam wa Usul al-Hukm, Cairo 1925, pp. 62–64.
- [5.](#) Anthony Black, The History of Islamic Political Thought, Edinburgh University Press, 2001, p. 10.
- [6.](#) Montgomery Watt, Islamic Political Thought, p. 5.
- [7.](#) Tabary, Tareekh al-Rasul wa al-Malik (History of Messengers and Kings), volume 3, p. 318.
- [8.](#) Ahmed Abd al-Razig al-Senhoury, Fiqh ul-Khilafah wa Tataworeha (The Jurisprudence of Caliphate and Development), Cairo, 2nd Edition, 1993, p. 82.
- [9.](#) Mehdi Haery Yazdi, Hekmat wa Hokumat, London: Shadi Publication, 1995, p. 143.
- [10.](#) Mehdi Haery Yazdi, Hekmat wa Hokumat, London: Shadi Publication, 1995, p. 152
- [11.](#) Muhammad Amareh, Al-Elmaniya wa Nehzatona, Cairo: Dar al- Shorugh, 1986, p. 35.
- [12.](#) Robert Dahl, Democracy and its Critics, Yale University Press, 1989, p.283.
- [13.](#) For instance Immanuel Kant in ‘Theory and practice’ defines justice as ‘the restriction of each individual’s freedom so that it harmonizes with the freedom of everyone else’. For him justice is more than a condition in which external freedom is guaranteed to all, it is a condition of maximum liberty for all. Allen Rosen, Kant’s Theory of Justice, Cornell University Press, 1993, pp. 9–11.
- [14.](#) Charles Taylor, “What’s Wrong with Negative Liberty?” in Contemporary Political Philosophy, Robert E. Goodin (ed), Blackwell, 1997, p. 418.
- [15.](#) Rymond Plant, Modern Political Thought, Blackwell, 1991, p. 222–3.
- [16.](#) Charles Taylor, Contemporary Political Philosophy, Blackwell, 1997, p. 419.
- [17.](#) Muhammad ibn Ali ibn Babwayh (al-shaykh al-Saduq), Ellal al- Shariah, Qom: Maktiba Davari, p. 253.

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