Chapter 4

Islamic State as Conceptualised by Maulana Mawdudi

A state is a political organization with a centralized government that maintains a monopoly of the legitimate use of coercive force within a certain territory. The state institutions include the executive, the legislature, the judiciary, the finance and military or religious organizations.\(^1\) The social institution of state carry out all issues which relate to the lives of human civilisation as per the law. From time immemorial man has been carrying out the affair of his life. Thus the state maintains the law and order, the administration and all the institution which relate to the social life.

Unlike the modern state the Islamic state is different in its nature. Maulana Mawdudi clearly differentiates between a Muslim State and an Islamic State. He writes, that if a State is run by the Muslims it does not necessarily mean that it is an Islamic State, because it can be based on National, Secular or any other Ideology. But the Islamic State is one which is administered on the basis of ‘Islamic principles’ laid down in the *Shariah*.\(^2\)

Unlike the western secular democracy in which man enjoy the power to frame the laws, add or delete laws from the constitution, Islamic state has to adhere too and abide by the laws of God. The type of theocracy with which the Europe is acquainted, is different from theocracy in Islam. In European theocracy a

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\(^1\) *Siyashi Kashmakash*, vol.II, p.109. See also *Islami Riyasat*, p. 135, 57:25.

religious class or a class of priests, frames laws and associate themselves with God. In fact they impose their divinity upon the people. Mawdudi, therefore, calls it a devil government instead of theocracy. Theocracy which Islam preaches does not involve any priestly class. It is in the hands of the Muslim and those men who run their affairs as per the laws of God and the Sunnah of the holy prophet. Mawdudi, writes that if he is permitted to coin a new term, he would call it ‘theo-democracy’, because in this form of government, the God is the real sovereign and the implementation of His commands is essential. The executive and the legislator will be constituted as per the opinion of the people after consultations. In matters where the guidelines are not available in the Shariah, such matters would be resolved through consultation or Shura. It is in this sense this form of government is democracy. It is theocracy because neither the religious classes nor the common Muslim can change or alter the laws of God.³

The very purpose of the establishment of an Islamic state is to develop a complete system of social justice for its people. The Islamic state shall establish a government, which will promote the good and eliminate the evil. The chief characteristics of an Islamic state shall be the protection of the freedom of expression of its citizens and save guard their interest. Mawdudi, therefore, writes that an Islamic state shall not be totalitarian and autocratic in its nature like the modern forms of government. There shall not be any dictatorship, which squeezes the freedom of its citizens.⁴

³ Islami Riyasat, pp. 129-130.
⁴ Islami Riyasat, pp. 135-136.
The most fundamental principle based on which an Islamic state can be conceptualised is the sovereignty of the universe, which according to Maulana Mawdudi belongs to God and God alone. To substantiate his argument he quotes the following Quranic Verses:

“All authority to govern vest only with Allah. He has commanded that you serve none but Him”.\(^5\)

“His is the creation and His is the Command”.\(^6\)

“Do they now seek a religion other than that prescribed by Allah even though all that is in the heavens and the earth is in submission to Him”.\(^7\)

To substantiate the sovereignty of God on earth Mawdudi writes, that “Allah is living, self-existent, self-sufficient, eternal, omniscient, omnipotent, and exalted above all flaw, defect, or weakness. His is the supreme authority; everything submits to Him willingly or unwillingly; to Him belong all powers. He can dictate whatever He likes and none has the power to interfere in or review His commandments. No one can intercede with Him save by His leave. Nobody has the power to harm those whom He intends to benefits and none can protect whom He intends to harm. He is accountable to none; everyone else is accountable to Him. He is the guardian of one and all. He can protect against all, but none can give quarters against Him. His are the powers of inflicting punishment or granting forgiveness. He is the supreme Lord over all other rulers. He grants an opportunity to rule on His

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5 12:40. See also Islam ka Nazriya Siyasi, pp.24-26.
6 7:54. See also Islam ka Nazriya siyasi, pp.34-35.
7 3:83. See also 18:26, 12:40, 6:57.
earth to whomsoever He desires and withdraws this privilege whenever he so wills. These essential powers and attributes of sovereign being vest solely in God.” Therefore it is essential to accept Allah’s sovereignty in his political and legal affairs because He only possesses the attributes of sovereignty.⁸

Except Allah none other has any right to claim sovereignty. Only Allah possessed the absolute sovereignty.⁹ Therefore, He only is the Lord possessing supreme authority. Except Allah no other person, family, community or people have any right to make claims to sovereignty. Except Allah’s sovereignty the claim of others to sovereignty is untenable. To accept this and recognize this is blasphemy.¹⁰

According to Mawdudi the Quran and Sunnah constitute the supreme Law of the Islamic State. These laws were revealed by God upon His messenger, Muhammad, who explained these divine commandments through his words and deeds. The Quran says:

“{O men!} Follow what has been revealed to you from your lord and follow no masters other than Him”.¹¹

“Take whatever the Messenger gives you, and refrain from whatever he forbids you”.¹²

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⁹ Islam Ka Nazria Siyasi, pp. 21-22.  See also Khilafat Wo Mulukiyat, p.20.
¹⁰ Islam Kis Chiz ka Alambardar Hay, p. 9. See also Islami Riyasat, p. 316.
¹¹ 7:3.
¹² 59:7.
“It does not behove a believing man and a believing woman that when Allah and His Messenger have given their decision in a matter, they should exercise an option in that matter of theirs; and whoever disobeys Allah and His Prophet, has indeed strayed in to manifest”.\(^{13}\)

“Prophet (peace be on him) said: I am leaving behind me Quran and my Sunnah, if you holdfast you will not be mislead”.\(^{14}\)

Therefore, the one who has created the universe is the owner, sovereign ruler and the law giver. The absolute obedience should be for God and His law should be followed. To over look obedience to God, His prophet and setting aside the laws of God is nothing but hypocrisy.

Mawlana Mawdudi states that in Islamic legal system, sovereignty is purely and totally for God and His Messenger. This Law (\textit{Shariat}) has been given by Allah to all of His prophets according to their needs. The \textit{Quran} being the last book, revealed upon Muhammad, was elaborately explained to the mankind. Therefore, the \textit{Quran} and the \textit{Sunnah} constitute the ‘Supreme Law’ in Islam. This law is unalterable. It is the ‘final authority’. Neither could it be cancelled nor could it be amended. All that which has been declared legitimate in this law shall continue to be legitimate until the Day of Resurrection. And whatever has been prohibited and

\(^{13}\) 33:36.

\(^{14}\) \textit{Mishkat, Bab al-Itisam bilkitab wa sunnah}. vol. I, p. 69, Hadith No. 170. See also Malik bin Anas, \textit{Muwatta}. 
forbidden shall remain the same till the Day of Resurrection. In Islamic state no body can challenge the ‘Supreme Law’.\textsuperscript{15}

Thus, according to Maulana Mawdudi the two fundamental principles which constitute the backbone of the Islamic state are the sovereignty of God and supremacy of the Quran and Sunnah. These two principles are unique because they do not constitute the basis of any other state including the secular, modern and democratic states.

After having discussed the sovereignty of God and the establishment of His rule, Mawdudi discusses the position of man in an Islamic state. Man according to him is the best of the creatures on this planet because he has been endowed by God with freedom of choice. He has to select between the right and the wrong. He possesses intellect, knowledge and wisdom that is why he is referred to as \textit{Ashraf al-makhluqat}. Therefore, men have been appointed by God as His \textit{khalifa} or vicegerent.\textsuperscript{16} The man exercises the authority delegated to him according to God’s commandments, and he does so in his capacity as His deputy on earth. Therefore, whatever authority he possesses is not inherently his own but is derived from His principles. A vicegerent is not entitled to do whatever pleases him, but is oblige to carry out the will of his master.\textsuperscript{17} The Quran therefore says,

\textit{“Just think when your Lord said to the angels:}

\textit{Lo! I am about to place a vicegerent on earth”}\textsuperscript{18}

\begin{itemize}
\item[\textsuperscript{15}] Islam Kis Chiz ka Alambardar Hay, p. 7. See also 4:65.
\item[\textsuperscript{16}] 2:30. See also 17:70, 14:32-33.
\item[\textsuperscript{17}] \textit{Towards the Understanding of the Quran}, tr. by Zafar Ishaq Ansari, vol. I, pp. 61-62.
\item[\textsuperscript{18}] Maulana Mawdudi, \textit{Khilaft wo Mulukiyat}, p.57.
\end{itemize}
“O David, We have made you vicegerent in the earth, so rule among the people with justice”. 19

Every Muslim according to Mawdudi is a vicegerent of God. For administrative purposes Muslims elect the best person among them and places the custody of his vicegerency in his hands. In other words it can be said that Muslims place their vicegerency in such a person who could implement the laws of God. Thus the elected vicegerent is accountable to Allah on one hand and to the men for his deeds and actions on the other. The Quran therefore says,

“Allah has promised those of you who believed and those righteous deeds that He will surely empower them as the vicegerents in the land even as He empowered those that preceded them, and that He will firmly establish their religion which He has been pleased to choose for them”. 20

By citing this verse, Mawdudi, writes that the whole Muslim community bears the vicegerency of Allah and each of them have equal share in this vicegerency. In Islam, he writes, we have popular vicegerency and not popular sovereignty. The Islamic caliphate is democratic in nature. The Islamic democracy works under the sovereignty of God and the supremacy of Shariah and implementation of His commandment, whereas the western democracy is based on popular sovereignty and man made laws. Therefore, there is no concept of monarchy, oligarchy or theocracy

20 24:55.
in Islam.\textsuperscript{21} It can be said briefly that the Islamic vicegerency is an agency on behalf of the Muslims to enforce the sovereignty of God on earth and His law.\textsuperscript{22}

Islamic democracy is based on consultation because the Quran says,

\begin{quote}
“And (Muslims) conduct their affairs by mutual consultation”\textsuperscript{23}
\end{quote}

It is reported that a companion of the holy prophet approached him and asked,

\begin{quote}
“According to a tradition a companion said O! Messenger of Allah what should we do if after your demise we are confronted with a problem about which we neither find any thing in Quran nor have any thing from you. He replied. Get together the obedient (to God and His laws) people from amongst my followers and place the matter before them for consultation. Do not make decisions on the opinion of any single person.”\textsuperscript{24}
\end{quote}

The second caliph Hazrat Umar is reported to have said,

\textit{La Khilafata Illa An Mashwarah}

“Consultation is the essence of the Caliphate”.

\textsuperscript{21} Khilafat wo Mulukiyyat, pp. 33-34. See also Tafhim al-Quran, vol.III,pp. 416-419.
\textsuperscript{22} Islami Riyasat, pp. 32, 370-372. Regarding the condition that a Quraish only can hold the caliphal office, Mawdudi writes that the day a Quraish lose their capability, they would ceased to hold the caliphal office. Mawdudi, Rasail wo Masail, vol. I, pp. 76-83.
\textsuperscript{23} 42:38. See also Islam ka Nazriya Siyasi, pp.36-38.
\textsuperscript{24} Shaikh Shaukat Hussain, Human Rights in Islam, p. 28. See also Islam ka Nazriya Siyasi, pp.37-38.
Based upon the above mentioned Quranic verse and the saying of the holy prophet, Mawdudi concludes that whenever clear cut injunctions were available in the Quran, the prophet followed it, but when guidance was not available through the revelation he made it a practice to consult his companions.\textsuperscript{25} In the light of this guidance available to us, Mawdudi writes that all the affairs of the Islamic state like its constitution, its administration, election of the members of the parliament, president and other offices must be on the basis of consultation.

According to Maulana Mawdudi, the government of the righteous caliphs was a consultative government because all the four caliphs consulted the companions of Madinah in legislative, administrative, and all other matters of the state. The members of the consultative body were free to express their opinion whether for or against the caliph. Mawdudi, considers consultation an important pillar of Islamic socio-political system. He was of the view that its negligence amounts to disobedience of the divine commandment and the \textit{Sunnah} of the prophet. Justice demands that when the matter is collective in nature, all people involved in it shall be consulted and in case of their absence their authorised representatives shall be invited for talks. Mawdudi is of the view that imposing once own view point amounts to intrusion into their rights.\textsuperscript{26}

\textsuperscript{25} \textit{Khilafat wo Mulukiyat}, pp. 64-65. For instance Prophet consulted his companions before proceeding to the battle of Badr, Uhad and Alzab. He also consulted them before and after the agreement which he signed at Hudaybiyah.

\textsuperscript{26} \textit{Tafhim al-Quran}, vol. IV, pp. 508-510. See also \textit{Khilafat wo Mulukiyat}, vol. I, pp. 65, 80-81.
Mawdudi explains that the Islamic government is not a theocratic government in the European sense wherein the priestly class implements laws made by man in the name of God, because Bible does not contain any political, social or economic laws except moral teaching. He cites the following Quranic verse,

“So woe to their learned people, who write the law with their own hands and then say to the people, ‘This is from Allah’, so that they might gain some worldly end”.27

Having cited the above verse he writes that instead of calling such a government the ‘kingdom of God’ it will be appropriate to call it the ‘government of evil’.

According to Mawdudi, Islamic democracy is not like the ‘western democracy’ where people are free to legislate without any restriction. People are empowered to make laws, to amend the laws and to delete the laws from their constitution. But whereas ‘Islamic democracy’ firmly believes in the absolute sovereignty of God, where in the executive comes into existence through election. In such a form of government, the Muslims are also entitled to depose the caliph if he fails to implement the commandments of God, fails to protect their life, honour and dignity. Thus, according to him in an Islamic political system there is no place for monarchy or dictatorship.28

27 2:79.
28 Islam ka Nazariyah-i Siyasi, pp. 24-25. See also Islami Riyasat, pp. 373-375.
The modern concept of human rights in the western world is as old as three hundred years only. According to Mawdudi when the world had no idea about the human rights, Islam confirmed the concept of human rights more than fourteen years back. In fact according to Mawdudi, Islam is the first religion to confirm the concept of universal fundamental rights. He cites several Quranic verses which guarantee of the life, honour, dignity, property, freedom of faith, right to criticism, freedom of speech, protection against injustice and discrimination against caste, creed and religion.\textsuperscript{29} It is the incumbent duty of the Islamic state to extend these rights to its citizens, either Muslims or non-Muslim without any discrimination of religion, nation, colour or race, because these are the rights bestowed upon them by the Creator.\textsuperscript{30}

Discussing the issue of the rights of the non-Muslims living in the Islamic state, he writes that the terms majority and minority are being used in modern democratic state. Islamic state being an ideological state such term cannot be used but they should be referred to as Muslims and non-Muslims. According to Mawdudi, Islam clearly defines the rights of the non-Muslims living in an Islamic state. It is the duty of the Islamic state to protect their life, honour and dignity, freedom of religion, equality before the civil laws for both Muslims and non-Muslims, freedom in matters of personal law, liberty to carry out their religious rituals and

\textsuperscript{29} 17:33; 2:118; 4:29; 49:11-12; 24:27; 2:256; 10:99; 29:46; 5:78-79; 7:165; 3:104-105, 110; 4:148, 164; 17:5; 35:18; 17:36; 41:19; 28:4. See also the Khutbah-i Hajjat al-Wada’ or the farewell speech of prophet Muhammad delivered while performing the last pilgrimage which is also referred to as the first charter of the fundamental rights.

\textsuperscript{30} Islami Riyasat, pp. 570-571.
maintenance of their religious places on payment of poll tax. Mawdudi was of the view that the government of Pakistan may exempt the non-Muslim from the payment of poll tax.\(^{31}\)

Islam being a universal religion, guidelines are available not only in the internal matters of the state but also the external affairs. According to Mawdudi, an Islamic state required to not only look into its internal matters but also external. An Islamic state according to Mawdudi must strive to remove oppression and establish peace and harmony on the earth.\(^{32}\) An Islamic state is required to honour the sanctity of the treatises and pledges.\(^{33}\) An Islamic state is required to maintain honesty in all its transaction with other nations.\(^{34}\) The Islamic state must promote love and peace and restrain from oppressions. They should treat hostile powers on friendly basis.\(^{35}\)

The purpose of establishing an Islamic state according to Mawdudi is to establish social justice and equality to maintain the law and order and peace. The state is required to establish a system to collect the zakat and disburse it to the poor and the needy. The Islamic government is required to implement the good and forbid the evil. It is required to eradicate the evil and protect the state from the foreign aggression.\(^{36}\)

\(^{31}\) Tarjuman al-Quran, vol. 31, No. 4, August, 1948, pp. 211-235. See also Islami Riyasat, pp. 575-595 and Islamic Way of Life, pp. 33-34.


\(^{33}\) Tafhim al-Quran, vol. II, pp. 162 and 616. See also 8:58,72 and 17:34.

\(^{34}\) Tafhim al-Quran, vol. II p. 569. See also 16:94.


\(^{36}\) 57:25, 22:41; 8:60. See also Khilafat wo Mulukiyat, pp. 41-42; Islami Riyasat, pp. 380-381. See also Islam ka Nazriya siyasi, pp.32-34.
The Quran says

“We have sent our messengers with clear signs and instructions and sent down with them the Book and the Balance so that the people may stand with justice.”  

“(Muslims) are those if We give them power in the land, they establish the system of Salat and Zakat, enjoin the right and virtue and forbid wrong and evil”.

“And to encounter them, provide whatever force and trained ever-ready horses you and afford whereby you may strike terror into the enemies of Allah and you enemies as well and others besides them whom you do not know but whom Allah knows.”

The executive of Islamic state will use all lawful resources to attain the purpose of the state.

Based on his study of the Quran, the life of prophet Muhammad and the righteous Caliphs, Maulana Mawdudi propounded the following salient features of an Ideal Islamic state:

1) Sovereignty (political and legal) vests with God Almighty.
2) Man is the vicegerent of God, who exercises the delegated powers.

\[37\] 57:25.
\[38\] 24:41.
\[39\] 8:60.
3) Quran and the Sunnah is the supreme Law of the country, which can not be challenged.

4) The Head of the State will be elected. He will be supported by the elected members of the Parliament which will be the consultative body.

5) It will be an ideological state, hence it will be run by those who accept this ideology and principles of the Islamic state.

6) There will be no discriminations in the state on basis of race, color, language and region.

7) In Islamic State all fundamental rights will be given to the citizens. Non-Muslim minorities also are given their rights.

8) It will be a welfare state; all citizens will be provided the fundamental needs.

9) This State will be run by: honest, trustworthy, pious and competent Muslims.

10) In this state a balance will be maintained between the individual and the society.

11) The people will extend their full co-operation and obedience to the government in carrying out Amr bil Maaruf and Nahi anil Munkar.

12) The Foreign policy of the state will be based on justice and honesty. Respect for the non-aligned countries is also kept in view.  

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