

A disciple of 'Abduh, he studied at al-Azhar and later at Oxford University. In the debate that followed the abolition of the caliphate in 1924, he offered a contribution entitled *Islam and the Bases of Power*, which led to his condemnation by a council of *ulama* of al-Azhar University. He was forbidden from holding any public office, so he devoted his efforts to the Academy of Arabic Language in Cairo.

## The Caliphate and the Bases of Power

### APOSTLESHIP AND GOVERNANCE

We hope that the reader will not be alarmed by this study, which aims at discovering whether or not the Prophet was a king. One should not think that research like this is dangerous for religion or harmful to faith for those who undertake it. Reflection reveals that the matter is not so serious as to push a believer beyond the bounds of faith or to upset anyone's piety.

What makes the question seem grave is its connection with the dignity and rank of the Prophet. Nonetheless, it does not in any way touch the essence of religion or the foundations of Islam.

This research is probably new in Islam. Muslims have never faced the question frankly, and their '*ulamā*' have no clear and well-formed doctrine on the matter. Consequently, if, after study, one concludes either that the Prophet was a king as well as an apostle or that he was an apostle only, it can hardly be branded heresy or heterodoxy with regard to the opinions professed by Muslims. The study falls outside the area of those beliefs which the '*ulamā*' have treated and on which they profess well-established opinions. It belongs more to the area of scientific research than to that of religion. Let the reader follow us without fear and with a tranquil soul.

It is well known that prophecy is something other than royalty: there is no intrinsic connection between the two notions. Prophecy is one sort of dignity, royalty another. How many kings there are who were neither prophets nor apostles. How many prophets God raised up without making them kings. In fact, the majority of known prophets were prophets only.

Jesus, son of Mary, was the apostle of Christianity and head of the Christians, and yet he preached submission to Caesar and accepted his

From "L'Islam et Les Bases Du Pouvoir" [Islam and the bases of power], trans. from Arabic by L. Bercher in *Revue Des Etudes Islamiques*, VIII (1934), pp. 171-73, 185-87, 190-91, 200-208, 211-13, 218-22.

authority. It was Jesus who addressed those profound words to his followers: "Render unto Caesar the things that are Caesar's and unto God those that are God's." . . .

In the history of the prophets we find only rare examples of persons whom God permitted to accumulate the dignity of prophet along with that of king. Was Muhammad one of these, or was he prophet only and not king?

To our knowledge, not one of the '*ulamā*' has expressed a clear opinion on this question: in fact, none has spoken about it. But by way of induction we can affirm this: Muslims in general tend to believe that the Prophet was both prophet and king and that he established with Islam a political government of which he was king and head. This is the opinion that best corresponds to the dominant taste of Muslims and the position to which they most easily relate. No doubt this is also the opinion of the majority of the '*ulamā*' in Islam. When it comes to treating certain points which touch on the question, these people are inclined to consider Islam as a political unity and as a government founded by the Prophet. . . .

### PROPHETIC PRIMACY

Thus we have seen the almost insurmountable difficulties facing those who wish to side with the opinion that the Prophet was both apostle of God, political sovereign and founder of a political government. . . .

There remains only one opinion for the reader to adopt. . . . This opinion holds that Muhammad was solely an apostle. He dedicated himself to purely religious propaganda without any tendency whatsoever towards temporal sovereignty, since he made no appeal in favor of a government. This same opinion maintains that the Prophet had neither temporal sovereignty nor government, that he established no kingdom in the political sense of the word nor anything synonymous with it, that he was a prophet only, like his brother prophets who preceded him, and that he was neither a king nor the founder of a state, nor did he make any appeal for a temporal empire.

This is not a very common opinion. In fact, it is so singular that it may clash with Muslim understanding. However, it is perfectly worthy of consideration and rests on solid reasons.

Before setting forth these reasons, we should put the reader on his guard against an error which anyone lacking sufficient wisdom and caution could easily commit. Actually, the prophetic mission itself demands that the Prophet have a sort of primacy in his nation, a form of authority over his people. But this has nothing in common with the primacy of temporal sovereigns, nor with their authority over their subjects. Therefore, we should not confuse prophetic primacy with that of temporal sovereignty. We must remember that major differences set them apart one from the other. . . .

An effective religious appeal implies that the one making it have a certain perfection which is first of all physical—he should not bear any

physical defect, and his senses should be perfectly sound. There should be nothing about his physical person which would alienate and since he is chief, he should inspire in all a reverential fear and manifest a sympathy which attracts men and women. For the same reasons and because of his constant relations with the other world, he should also possess spiritual perfection.

The prophetic state demands that the prophet have a clearly privileged social rank in his nation. There is a *hadīth* which says: God never raises up a prophet who is not honored by his people and who is not powerful in his family.

The prophetic state demands, moreover, that the prophet possess a power which permits him to see that his injunctions are executed and his preaching followed, for God does not consider the prophetic mission a vain thing. He does not raise up a prophet as carrier of the truth without having decided that his preaching will be effective, that its fundamentals will be engraved on the tables of eternity and that it will be incorporated intimately into the truths of this life. "We sent no messenger save that he should be obeyed by God's leave." (Qur'ān 4:64) . . .

The prophet may have a role similar to that of monarchs in the political direction of the nation. But he has a role which is proper to him and which he shares with no one, namely it is his role to touch the soul which inhabits the body and to pull back the veils covering hearts in order to know them. He has the right or rather the duty to open the hearts of his followers and touch the sources of love and hate, of good and evil, and to know the intimate thoughts, the folds wherein temptation hides, the sources of man's designs and the matrix within which their character is formed. He has an obvious role in governing the masses, but he also accomplishes a hidden work which regulates the relations among associates and allies, masters and slaves, parents and children. . . . He has the right to scrutinize the internal as well as the external aspects of life. It is his business to direct the affairs of the body and of the soul, our temporal and our spiritual relations: his is the governance of this world and all that is concerned with the next world. . . .

### MUHAMMAD'S AUTHORITY

We wish also to draw the reader's attention to another point, for we come across words which are sometimes used as synonyms and at other times are given different meanings. Often this is a cause for debate, divergence and incoherent judgements. These words include "king," "sultan," "chief," "prince," "caliph," "state," "kingdom," "government," "caliphate," etc.

By asking ourselves if the Prophet was or was not a king, we are trying to discover if he had a quality other than that of apostle which would lead us to believe that he effectively founded or at least initiated the foundation of a political unit. . . .

We do not doubt that Islam forms a religious unit; that Muslims as such form a unique community; that the Prophet preached unity and that he realized it before his death; that he was at the head of this religious unit as the unique guide, unrivaled director, and master whose orders were never contested and whose instructions were never transgressed. We know that to make Islamic unity triumph, the Prophet fought with word and sword, that he obtained divine aid and victory, that the angels and the power of God aided him so effectively that he brought his apostolate to term, accomplished the task confided to him and exercised an authority over his nation such as no king before or since has ever wielded. . . .

If we want to call this religious unit a "state," give that unlimited power which was the Prophet's name of kingdom or the dignity of caliphate, and give the Prophet himself the title of king, caliph, sultan, etc., we are free to do so. These are only words, and we should not stop at words. The important thing, as we have said, is the meaning, and we have defined that meaning for the reader.

What is important for us to know is whether the preeminence of the Prophet in his nation was that of an apostle or that of a king: if the manifestations of authority which we notice at times in the life of the Prophet were the manifestations of a political government or those of religious primacy, and whether this unit of which the Prophet was head was a unity of government and a state or a purely religious unity which was not political. In sum, we want to know if the Prophet was prophet only, or both king and prophet.

The Qur'ān clearly confirms the opinion that the Prophet had no connection with political royalty. The verses of the Holy Book reinforce one another in affirming that the heavenly work of the Prophet did not surpass the limits of the message which was completely foreign to the notion of temporal power. "He who obeys the Prophet obeys God. As for those who turn away, we have not sent you to be their guardian." (Qur'ān 4:80) "Your people have denied it, though it is the truth. Say, 'I am not in charge of you.' For every announcement there is a term, and you will come to know." (Qur'ān 6:66-7). . . .

Thus it is seen that it is not the Qur'ān alone that forbids us to believe that the Prophet, besides his religious preaching, engaged in propaganda with a view to constituting a political government. Nor is it the Sunna alone which prohibits a similar belief. It is reason and the true significance and nature of the prophetic mission which join with the Qur'ān and the Sunna to reject this opinion.

The authority of Muhammad over the believers was the authority of apostleship; it had nothing in common with temporal power.

No, there was neither government, nor state, nor any type of political aspiration, nor any of these ambitions proper to kings and princes.

Perhaps the reader has now succeeded in finding the answer to the question he posed touching the absence of every manifestation of temporal

authority and of established government in the time of the Prophet. No doubt he will have understood why there was no governmental organization, no governors, no judges, no ministers. . . .

### A UNIVERSAL RELIGIOUS MESSAGE, NOT AN ARAB STATE

Islam, as we have seen, is a sublime appeal enunciated by God for the good of the entire world, East and West, Arab and non-Arab, man and woman, rich and poor, learned and ignorant. It is a religious unity by which God wished to unite humanity and which he willed to extend to all the countries of the earth. . . .

Arabia, as is known, contained Arab groupings belonging to different tribes and peoples, speaking different dialects, living in different regions and tied to various political groupings. . . .

These nations, divided though they were, all rallied to the call of Islam in the time of the Prophet and gathered under his standard. These peoples, by God's grace, became brothers, joined together by the sole bond of religious feeling, held in check by one factor only: the primacy of the Prophet and his goodness and mercy. They became one nation with but one chief: the Prophet.

This unity which existed from the time of the Prophet was in no respect a political unity. It had none of the aspects of a state or a government. It was never anything other than a religious unity free from any admixture of politics. It was based on a unity of faith and religious dogma, not on a unity of state or a system of temporal authority.

What proves this is the conduct of the Prophet. We have no knowledge indicating that he sought to interfere in the political direction of the various nations, or that he changed anything in their mode of government or in the administrative or judicial regime of their tribes. Nor did he try to change the social and economic relations existing among the peoples or between them and other nations. We never hear that he deprived a governor of office, named a judge, organized a police force for these peoples, or regulated their commerce, agriculture or industry. On the contrary, the Prophet left to them concern for all these interests, saying: "You know better than anyone." Thus, all these nations with the civil and political unity which they respectively enjoyed, with the anarchy or the order found among them were joined together only by the tie to which we referred, namely, the unity of Islam, its precepts and its morals.

The following objection, however, could be raised: these fundamental precepts, these moral rules, these laws which the Prophet brought to both Arab and non-Arab nations were very numerous and had considerable effect on most aspects of life in these nations. . . .

However, if we reflect attentively, we note that all the rules prescribed by Islam, all the obligations imposed by the Prophet on Muslims, all these rules, precepts and moral injunctions had nothing in common with the

methods of political government or the civil organization of the state. All these taken together do not form even a feeble part of the political principles and legislation indispensable for a civil government. All that Islam brought in the areas of dogma, juridical relations, customs, and penal law belongs to the religious domain; its intention is God alone and the service of the religious interests of humanity, nothing more. . . .

The Arabs, though reunited by the law of Islam, remained divided both politically and in their civil, social, and economic life. That is to say, the Arabs were formed into many different states, if we may be allowed to call the manner of life of the Arabs at that time by terms such as "state" or "government."

Such was the situation of the Arabs at the death of the Prophet. They formed a general religious unity embracing, with rare exceptions, completely different states. This is an indisputable truth. . . .

The Prophet went to his celestial repose without having named anyone to succeed him and without having indicated who might take his place in the nation.

There is no doubt about this. During all his life the Prophet made no allusion to anything which could be called an "Islamic State" or an "Arab state." It would be blasphemy to think otherwise. The Prophet did not leave this earth until he had entirely accomplished the mission given him by God and had explained to his nation the precepts of religion in their entirety without leaving anything vague or equivocal. How, then, if his work comprised the creation of a state, could he have left the Muslims without any precise directions concerning that state, especially since it was fated that after his death they would slip back into their old contentions and start killing one another? How could he have failed to concern himself with the question of succession to power when this has always been the primary concern of those who have founded governments? How could he have left the Muslims with nothing to guide them in this domain, abandoning them to incertitude? How could he leave them to grope in the darkness and to massacre one another while the body of the Prophet was still in their midst and his funeral had scarcely been held? . . .

The Prophet went to his celestial repose only after the religion had been completed, when grace had reached its fullness and the preaching of Islam had become a solid reality. On that day only did he die. His mission was accomplished, and that sublime union which in his august person joined heaven and earth came to an end.

### THE CONFUSION BETWEEN PROPHETIC PRIMACY AND CALIPHAL RULE

The primacy of the Prophet was, as we have said, a religious primacy attributable solely to his prophetic mission. The prophetic mission finished with the death of the Prophet and, at the same time, the primacy ceased. It

was not given to any person to succeed him in that primacy nor in his prophetic mission.

If it was absolutely necessary that one of the followers of the Prophet take a position of preeminence after his death, then that preeminence would have to be entirely new and different from that which we recognized in the Prophet. . . .

The Muslims knew then that they were instituting a civil or temporal government and nothing more. This is why they allowed themselves the liberty to revolt against this government and oppose it. They knew full well that their lack of accord centered on a question of the temporal order only and that their disagreement touched a question of political interest which did not affect their religion nor upset their faith. . . .

We do not hesitate for an instant to affirm categorically that the major part of what is called the "war of apostasy" in the first days of the caliphate of Abū-Bakr was not a war of religion but a purely political war. The masses believed it was a religious struggle, but, in fact, its goals were not entirely religious. . . .

There were circumstances particular to Abū-Bakr which aided the masses to fall into the error of attributing a religious character to the leadership of Abū-Bakr. For instance, there was the fact that Abū-Bakr enjoyed an elevated and privileged rank alongside the Prophet. He had a reputation for religious proselytism and was highly esteemed by the Muslims. . . .

Thanks to these explanations, the reader can understand that this title of "Caliph of the Prophet of God" given to Abū-Bakr was one of the sources of the error which spread among the mass of Muslims, leading them to believe that the institution of the caliphate was a religious dignity and that he who was charged with the direction of Muslims' affairs held the place occupied by the Prophet.

Thus it is that since the first days of Islam the opinion has been propagated that the institution of the caliphate is a religious office occupied by a successor to the Prophet, author of the law.

It was in the interest of monarchs to give credence to this error in public so that they could use religion as a shield protecting their thrones against the attacks of rebels. They maintained this policy in diverse ways, and anyone who looks into the matter will find how numerous were the means they employed. They let it be understood publicly that obedience to the imāms was part of obedience to God and a revolt against them was rebellion against God. That was not all. The caliphs were not the sort of men who would rest content with that nor would they be satisfied with what satisfied Abū-Bakr. That appellation which provoked his anger would not upset them; they went further and made the sovereign "the successor of God on earth and his shadow over his servants." But the "glory of God is too high to be affected by that which they wanted to associate with Him." (Qur'an 9:31). . . .

And so the question of the office of caliph was added to religious studies and came to be integrated into the dogmas of theology. Muslims

studied it along with the attributes of God and the prophets; the theory of the caliphate became as much a part of dogma as the profession of Muslim faith: "There is no God but God and Muhammad is the Prophet of God."

Such was the crime that kings in their tyranny committed against Muslims. They concealed aspects of the truth from them and made them swerve from the right path. In the name of religion they barred their way from the paths of light, treated them arbitrarily, humiliated them and prohibited them from studying political science. Also, in the name of religion they betrayed them and snuffed out their intelligence in such a way that they could find no recourse other than religion even in questions of simple administration and pure politics. . . .

The final result of all this was the death of the spirit of scientific research and intellectual activity among Muslims. They were stricken with paralysis in the area of political thought, incapable of examining anything connected with the institution of the caliphate or the caliphs.

The truth is that the Muslim religion is innocent of this institution of the caliphate such as it is commonly understood by Muslims. It is innocent of all the apparel of seduction and intimidation, and the pomp of force and power with which they surrounded the institution of the caliphate. This institution has nothing in common with religious functions, no more than the judiciary and the other essential functions and machinery of power and state. All these functions are purely political; they have nothing to do with religion. Religion neither admits nor denies them. It neither orders nor forbids them. It simply leaves them to our free choice so that we will have recourse to rational judgement in their regard and base our judgement on the experience of the nations and the rules of politics. . . .

There is nothing in religion which prohibits Muslims from rivaling other nations in all the political and social sciences. Muslims are free to demolish this worn-out system (of the caliphate) before which they have debased and humiliated themselves. They are free to establish the bases of their kingdom and the organization of their state according to more recent conceptions of the human spirit and according to the principles of government whose excellence and firmness have been consecrated by the experience of the nations. . . .

Born and raised in Salumbar, India, Asghar Ali Engineer received an Islamic and secular education, graduating in civil engineering. A longtime rights activist and scholar of Islam, he has been especially concerned with communal violence. He is head of the Institute of Islamic Studies and the Centre for the Study of Society and Secularism; his many books include *The Rights of Women in Islam*, *Islam and Revolution*, and *A Rational Approach to Islam*.

## Islam and Secularism

Many people feel that Islam is quite incompatible with secularism. Some even maintain that as long as one is Muslim he cannot be a secularist. This is further reinforced by the propaganda by some Muslim countries like Saudi Arabia that secularism is *haram* [forbidden] and that all secular nations are enemies of Islam. Maulana Maududi, the founder chief of Jamat-e-Islami also said while leaving for Pakistan in 1948 that secularism is *haram* and all those who participate in secular politics in India will be rebels against Islam and enemies of the messenger of Allah.

How far is it true? Are Islam and secularism really incompatible? Is Saudi propaganda against secularism justified? Was Maulana Maududi right? These are important questions and we must search for answers. We must bear in mind that in every religion there are different intellectual trends—both liberal as well as conservative. Both quote scriptures in support of their respective positions. Since a scripture or religious tradition for that matter has to deal with complex social situations, one finds differing or even contradictory statements responding to the differing or contradictory situations.

In scriptural hermeneutics one has to take the situation in totality and develop certain keys to deal with the evolving situation. The commentators often deal with the situation as if it is static. Social situations can never be static. It continually evolves and changes. The way scriptural statements were understood by early commentators conformed to their own socio-cultural situation. Their hermeneutics should not be binding on the subsequent generations as it will not conform to the changed situation. For every age there are some keys which help us understand the scripture in our own age. Also, a commentator should have a vision of society and this vision

From *Rational Approach to Islam* (New Delhi: Gyan Publishing House, 2001), pp. 43–52.

evolves from one's own social situation. Allah's creative power cannot be treated as static anyway. The Qur'an also refers to His dynamism when it states "every day He manifests Himself in yet another (wondrous) way. Which, then, of your Sustainer's powers can you disavow?" (29:55). This Allah manifests Himself every day in a new state (*sha'n*). And the word *yaum* literally means day, but figuratively it can also mean a whole epoch, a period. Taking the word *yaum* in this sense, the verse will mean Allah manifests His Glories in new ways from period to period, from epoch to epoch.

The early commentators of the Qur'an, on which depends the conservative view of the *'ulama*, were a product of their own socio-religious and socio-cultural situation. In the early days of Islam, particularly in the period of four caliphs succeeding the Holy Prophet, state was very closely identified with religion of Islam. In the Arabia of those days there did not exist even a state before advent of Islam, let alone any laws associated with the state. But a state came into existence when Islam united people of Arabia, transcending tribal bonds.

The state needed laws to deal with the fast evolving situation. First they took help of the Qur'an and then Sunnah of the Prophet. Even then if they could not solve the problem, they held the assembly of the companions of the prophet and tried to solve the problem in consultation with them. Their collective wisdom was often of great help. But it is quite obvious that they heavily drew from their own experiences in the social milieu they lived in. This social milieu also heavily influenced their understanding of the Qur'anic verses. And some Qur'anic verses were integrally related to the situation obtaining there.

The problem really arose when the subsequent generations treated the understanding of the Qur'anic verses by the companions of the Prophet or the early commentators who drew their own understanding heavily from the pronouncements of these companions and their followers (*tabi'in*). The companions were thought to be—and rightly so—as great authorities as the Qur'an was revealed during their life time and in their presence and who could understand it better than these companions. Most of the subsequent commentators simply referred to these companions, and their followers' pronouncements became the only source of understanding the Qur'anic verses. Until today the commentators of the Qur'an are repeating those very ideas and these ideas have become sacred and any deviation is considered heresy by most of the orthodox commentators of the Qur'an.

The Islamic state which came into existence after the death of the Prophet, as pointed out above, also became a model for the subsequent generation though this model was hardly followed even in the early period of Islamic history. The Umayyad and the Abbasid empires which came into existence after what is called khilafat-e-rashidah (i.e., the rightly guided period of khilafat, Islamic state) never followed this religious model. Both the empires were based on personal and authoritarian rule and were Islamic

only in name. The Umayyad and the Abbasid Caliphs followed their own personal desires rather than the Qur'anic injunctions or the Shari'ah rules. They just symbolically made their obeisance to religion and followed what was in their personal interest. Thus theirs were what we can call "semi-secular" states.

And the states which came into existence after the Abbasid state were even more secularised except the Fatimid state which was more or less based on the Isma'ili theology. Even the Fatimid Imams had to face serious problems as their Isma'ili followers were very few in their domain and the vast majority belonged to the Sunni faith. Thus they often separated affairs of the state from Isma'ili theological considerations. A separate department of Isma'ili theology (Fatimi Da'wah) had to be established.

Though the Khilafat model was never repeated in the history of Islam, in theory it remained the objective of all the Islamic theologians to establish the state on the model of early Khilafat, and any state which did not follow that model came to be condemned as un-Islamic and it was even more strongly condemned if the state claimed to be secular. Maulana Maududi opposed Jinnah [Ali Jinnah, the founder and first leader of modern Pakistan] vehemently because his vision of Pakistani state was based on the secular concept giving all citizens equal rights irrespective of their religious faith. The Maulana refused to support the Pakistan movement as Jinnah would not agree to set up an Islamic state.

Now the question is whether Islam as a religion is compatible with secularism? Does it aim at setting up an Islamic state and nothing less? Can there be a Muslim country with a secular state? These are some of the crucial questions one has to answer in order to deal with the subject of Islam and secularism. Of course, we should remember that there cannot be uncontested answers. Every answer that we attempt would be, and could be, contested by those with differing viewpoints. Ours is a liberal and inclusive approach and we will, of course, attempt to answer from this viewpoint. . . .

Now the important question is can Islam and secularism go together? We have already said above that religion and secularism can go together or not, depending on the interpretation of both religion as well as secularism. If religion is interpreted in keeping with very conservative traditions, it may be difficult for it to go along with secularism which demands more liberal disposition and not only tolerance but also promotion of pluralism. On the other hand, if secularism is interpreted too rigidly (i.e., if it is equated with atheism), as many rationalists do, then also the two (i.e., religion and secularism) will find it difficult to go together.

Islam too, as pointed out above, can be interpreted rigidly, or liberally. If both Islam and secularism are interpreted liberally, there should not be any problem with Islam in a secular setup. In fact if one studies the Qur'an holistically one can find strong support for "liberal or non-atheistic secularism." No religion will support atheistic secularism for that matter. If we

talk of liberal secularism, what do we mean by it? We must clearly define it. Liberal secularism does not insist on belief in atheism. Secondly, it promotes pluralism and respect for all faiths, and thirdly it guarantees full freedom of religion for all citizens. Also, secularism guarantees equal rights for all citizens irrespective of one's caste, creed, race, language or faith.

Islam can hardly clash with this liberal secularism. The Qur'an, in fact, directly encourages pluralism (its verse 5:48). This verse clearly states that every people have their own law and a way (i.e., every nation is unique in its way of life, its rules, etc.). It also says that if Allah had pleased He would have created all human beings a single people, but He did not do so in order to test them (whether they can live in harmony with each other despite their differences in laws and way of life). Thus it is a clear assertion of pluralism. One must respect the other's faith and live in harmony with him/her.

The Qur'an also asserts that every people have their own way of worshipping God (see 2:148). One should not quarrel about this. Instead one should try to excel each other in good deeds. In the verses 60:7-8 we find that Allah will bring about friendship between Muslims and those whom you hold as enemies. And Allah does not forbid you from respecting those who fight you not for religion, nor drive you forth from your homes and deal with them justly. Allah loves doers of justice.

The above verse is a good example of secular ethos. If others do not fight you in matters of your faith and allow you to profess, practice and propagate your faith, you should respect them and deal with them justly. This is precisely what our own secular constitution says and this is what secular constitutions world over emphasise. Also, in 6:109 the Qur'an prohibits Muslims from abusing people of other faiths or their gods as in turn they will abuse Allah. This verse also makes a much more significant statement that Allah has made for every people their deeds fair-seeming (i.e., every community thinks its beliefs and deeds are fair and good and social harmony lies in accepting this situation rather than quarreling about each other's beliefs and practices).

The Qur'an also states in 22:40 that no religious place should be demolished as in all religious places, be it synagogue, or church or monastery, name of Allah is remembered and hence all these places should be protected. This is another tenet of liberal secularism which is upheld by the Qur'an.

The Islamic tenets, it will be seen, do not disapprove of a composite or pluralistic way of life. Even the Covenant of Madina (called Mithaq-i-Madina) clearly approves of pluralistic setup. When the Prophet migrated from Mecca to Madina owing to persecution in Mecca at the hands of Meccan tribal leaders, he found Madinese society a pluralistic society. There were Jews, pagans and Muslims and also Jews and pagans were divided into several tribes, each tribe having its own customs and traditions. The Prophet drew up a covenant with these tribes guaranteeing them full freedom of their faith and also creating a common community in the city of Medina with an obligation to defend it, if attacked from outside.



This was in a way a precursor of a modern secular nation, every citizen free to follow his/her own faith and tribal customs and their own personal laws but having an obligation towards the city to maintain peace within and defend it from without. The Prophet clearly set an example that people of different faiths and traditions can live together in peace and harmony, creating a common bond and respecting a common obligation towards the city/country.

Yet another question which remains to be answered is about equal rights to all citizens in a country with Muslim majority. It is often argued that Muslims are reluctant to accord equal citizenship rights to religious minorities. No doubt there is some truth in this assertion but not the whole truth. Some Muslim majority countries certainly do not allow non-Muslims equal rights, but many other countries do. We have already given examples of countries like Indonesia and Malaysia. Both countries, though Muslim majorities, do allow all their citizens, including the non-Muslims, equal political rights. Pakistan too, until Zia-ul-Haq's time, enjoyed equal citizenship rights and joint electorate. It was Zia who created a separate electorate for non-Muslims.

In the Qur'an, as pointed out elsewhere, there is no concept of state, nor of territorial nationalism. In fact religious scriptures are hardly supposed to deal with such questions. It nowhere states that it is obligatory for Muslims to set up a religious or a theocratic state. The Qur'an does not refer, not even indirectly, to any concept of state. Its whole emphasis is on truth, justice, benevolence, compassion, tolerance and wisdom as far as life in this world is concerned. As long as people conform to these values, it does not matter what religious faith they belong to. They can coexist in peace and harmony. Thus the concept of a purely Islamic state is a historical construct attempted by Muslim jurists over a period of time. It is these jurists who laid down detailed rules of Shari'ah and also drew up a configuration of an Islamic state defining the rights of non-Muslims in such a state. Moreover it was a very different historical situation and the Qur'anic verses were interpreted under the influence of their own social and religious ethos.

The rights of non-Muslims, in other words, will have to be rethought and reformulated. The Qur'an nowhere states that religion can be the basis of political rights of the people. This was the opinion of Muslim jurists of the medieval period when religion of the ruler determined the status of the ruled. Such a formulation cannot be considered a necessary part of the political theory of Islam. The only model for this purpose can be the Mithaq-i-Madina and this Covenant, as pointed out above, did not make any distinction between people of one religion and the other in matters of political rights. This Covenant, at least in spirit, if not in form, provides a valuable guidance for according political rights to citizens of a modern state irrespective of one's religion. It is unfortunate that the later political theorists of Islam almost wholly neglected this significant political document drawn up by the Prophet of Islam. In fact he was far ahead of his

time in according non-Muslims equal religious and political rights. The theory of political rights in the modern Islamic state should be based on this document.

There is a great deal of emphasis on freedom of conscience and human rights in the modern civil society. It is highly regrettable that most of the Muslim countries do not have a good record in this field. Freedom of conscience, human rights and democracy are quite integral to each other. In most of the Muslim majority countries today which have declared themselves as "Islamic countries," even the democratic discourse is banished, let alone human rights discourse. It is not right to maintain that an Islamic society cannot admit of human rights. The lack of democracy and human rights is not because of Islam or Islamic teachings but due to authoritarian and corrupt regimes which totally lack transparency in governance. Again, if we go by the sunnah of the Prophet and record of governance of the rightly guided caliphs, we see that the principle of accountability and transparency in governance was quite fundamental. The people who had experienced the conduct of the Prophet were so sensitive to the doctrine of accountability that there was a great uprising when the regime of the third Caliph deviated from this doctrine for various reasons not to be discussed here. The Prophet of Islam and his companions had sensitised the Muslims to such an extent in respect of accountability and transparency in governance that any deviation from it was strongly protested. But when authoritarian regimes came into existence and khilafat turned into monarchy beginning with the first Umayyad monarch Yazid, this doctrine vanished into thin air. . . .

From all this will be seen that Islamic teachings as embodied in the Qur'an and Sunnah of the Prophet (and not opinions of the jurists) are not against the concept of human rights and individual freedom (freedom of conscience). It is authoritarian rulers of some Muslim countries who denounce the concept of human rights as alien to Islam. Islam, in fact, is the first religion which legally recognised other religions and gave them dignified status and also accepted the concept of dignity of all children of Adam (17:70) irrespective of their faith, race, tribe, nationality or language (49:13).

The verse 2:213 is also quite significant on the unity of all human beings which is what is the intention of Allah. All differences are human and not divine and these differences should be resolved in a democratic and goodly manner (29:46). These are the norms laid down by the Qur'an, but the rulers of Muslim countries deviate from these norms to protect their hold on power and blame it on Islam.

Islam upholds pluralism, freedom of conscience and human and democratic rights and thus does not clash with the concept of secularism. It is also interesting to note that in a secular setup like India's the *'ulama* accepted secular principles of governance and never objected to it. In fact, the *'ulama* in India stress secularism and urge upon Muslim masses to vote

for secular parties. . . . Of late the Jama'at-e-Islami-i-Hind has also accepted secular democracy and has even set up a secular democratic front of its own, particularly after demolition of Babri Masjid and the riots that followed it. Thus it will be seen that the Indian '*ulama*' have shown a way in this respect by accepting secularism. Islam and secularism can and should go together in the modern world.