Islamic Concepts of Government and State

The preeminent theories of government in Islam were formulated between the 11th and 14th centuries, beginning from the treatises of Mawardi (d. 1058) to those of Ibn Taymiyya (d. 1328).

The basic assumption of Muslim political thinkers was that the individual believer was primarily interested in being able to lead a life in accordance with 'ibada and hisba - the Quanic commands to do service unto God and to do good and prohibit evil, respectively. (The original, fundamental meaning of jihad as an individual, internal spiritual struggle against evil was closely associated with these dual postulates.) Individually and collectively, fulfillment of these principles together with adherence to shari'a (Islamic law) became prerequisite to being Muslim and, hypothetically, assurance of salvation on the Day of Judgment. Accordingly, these commands became the foremost civic/moral duty of the Muslim individual and of the community (the umma).

Hypothetically, government in Islam, like all else, had a moral mission from which it derived its powers and obligations. That primary mission was to enforce the application of sharia with a view to ensuring that the individual believer performed the duties of 'ibada and hisba, but primarily 'ibada. In principle, therefore, the paramount role of government was to create and maintain those conditions within which 'ibada could be practiced. This task entailed four responsibilities: safeguarding the community from moral and physical danger from without and within; safeguarding the community against schisms and heresy in accordance with the rulings of the 'ulama (scholars of religion and law-sing. 'alim, pl. 'ulama); enforcing the rules of the good moral life as they were set forth in the Quran and sharia and interpreted by the 'ulama in accordance with their various schools of law, and to be just and ensure justice.

On the basis mainly of hisba (doing good and preventing evil), it was considered a command of God that the Muslim community should resist or disobey a government that violated the precepts of sharia. Other than morally sanctioned rebellion or civil disobedience, the only means available to the community to protest wrongful acts of a sovereign were the protests and warnings of religious leaders. These generally took two forms. The first was by fatwas, formal rulings by one or more of the 'ulama based on sharia. But a ruler could get around a fatwa by having a counter-fatwa issued by a mufti under his control or one who simply disagreed with the original fatwa. The second was the judgment and preaching of individual religious zealots, such as Sufis. Unfortunately, neither the Quran nor sharia laid down injunctions against a sovereign from punishing rebellious or critical citizens even when they claimed their actions were motivated by hisba or 'ibada or some other religiously rooted principle. When the Quran was silent about disputable issues for which there was also no clear sunna or hadith that might be reinterpreted and applied as law, then those matters fell within the arbitrary powers of the ruler.

Theoretically, under Islamic notions of government, the sovereign’s judiciary and executive powers, in both the commission and omission of acts, were limited by sharia. For example, when the execution of religiously prescribed punishment was determined by sharia, government authorities were not free to increase, reduce, or cancel a prescribed penalty. Nor, hypothetically, could the ruler issue any decree or legislate any actions that were considered by the religious or legal authorities to be contrary the Quran or sharia. Needless to say, powerful leaders had the means to deal with such restraints as well.

Muslim political theorists did not set out with a definition of the state qua state, rather their thinking was rooted in the idea of the imama, that is, the leadership of the community of true believers. This was one of the legacies of Arabian tribal society and of the life of Muhammad who was himself the imam of the nascent religious community he created, combining in himself, the roles of prophet, moral guide, law-giver, arbitrator, and general. Because he did not allow his followers to believe that he was in any way divine, but only God’s chosen human instrument, he could be succeeded in all those leadership roles except that of prophet.
Owing to the dominant perception among Islamic political thinkers that the umma was the basic collective religio-political unit, the concept of the state was not well delineated until Ibn Khaldun articulated his idea of the state in the 14th century. He did not conceive the idea of “state” in the sense that it was devised by the Romans and later reframed in Europe. Rather, Ibn Khaldun set forth the notion of the umma as a distinctive Muslim polity. In this context, it must be recalled that the umma extended to wherever there were Muslims whatever the prevailing conditions and ideology. Within these terms, the Muslim perception of the state (cum umma as polity) began with the definition of a just state: it was one in which true religion prevailed. Therefore, as Islam was the only true religion, it followed that only an Islamic state was just. The emphasis on the notion of imama (more central to shi’i ideology than in sunni thought) and the umma - reinforced by the morally delineated role of government in Islamic society - was the hallmark distinction between Islamic political thought and that of the Christian successors of the Roman Empire who never divorced themselves from the Roman idea of a territorially defined organization of power. Muslims, until modern times, identified themselves primarily as members of the Islamic community locally and generally, wherever it existed. Until the advent of 19th and 20th century nationalism together with various degrees of secularism in the Muslim world, the idea of an Islamic state in the Western sense remained largely un-crystalized in Muslim thought.