

Islamic Perspective on Basic Concepts of State

Devletin Temel Kavramlarına İslamî Bakış

MÜCAHİT BEKTAŞ 

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Abstract: With the emergence of nation-states, it is seen that Muslims have started to establish a political union under the roof of Islam, as well. These initiatives brought along the debates on the applicability of the Islamic state. It is understood that these debates, which have been compatible with the search for indigenous administration models, and which have recently been a very lively subject in the public administration literature, are not based on the principles of Islam, but on the historical experience of Muslim states. The fact that historical practices were placed on the foundations of the nation-state instead of Islamic principles directly led to the misconception that theory and practice conflict. However, Muslim states' successful practices arise from their ability to interpret the requirements of the era they live in and the relationship between Islam and the government. In this essay, is suggested that it is necessary to review the current Islamic state debates in line with this perspective.

Keywords: Islamic state, administration, caliph, imamate, legitimacy.



Introduction

Although the concepts of power, legitimacy, authority, sovereignty, and constitution are different, and the points of their emergence differ; they are also at the center of state administration in Islam parallel to the widespread acceptance in the literature. Similarly, the Qur'an is the basis of all religious acts and discourses for Muslims, just as the law of the Church that is the basis of the Christian administration (Lambton, 1991, p. 1). In Islamic law, even the Sunnah as the words of the Prophet Muhammad, his actions, and his approval against a certain word and-or behavior must conform to the Qur'an (Bedir, 2010, p. 150). However, although Khomeini thought otherwise (2010, p. 137), it would not be correct to say that Islamic law; covers all areas of life (Giddens, 1989, 2008) and completely institutionalizes political power (Poggi, 2016, p. 45-46; 2007, p. 33), as in modern legal orders, within the nation-state order (Hamoudi, 2010, p. 295-296). More specifically, it is seen that the Qur'an regulates individual-society and individual-individual relations in detail and draws general principles and frameworks on matters based on the state-individual relationship (Çaylak, 2015, p. 137-138; Özsoy and Güler, 2006, p. 516-517; Lambton, 1991, p. 2).

From these expressions, it should not be considered that Islamic law consists only of the verses of the Qur'an. In addition, according to an opinion based on an authentic hadith, it is known that the Qur'an can be judged first by referring to the Sunnah, then to the mind, and then to the mind in a way that does not contradict them (Aydın, 2001, p. 59). It should be noted that the differences of opinion regarding the relationship between Islam and administration should not be caused by the Qur'an and the Sunnah, but by how they were made out of the historical context of the jurisprudence (Itzhak, 2011, p. 574-75). It is because apart from the basic principles and details on some issues in both the Qur'an and Sunnah, the state administration has not been handled in all aspects (Çaylak, 2015, p. 139; Özsoy and Güler, 2006, p. 516). Even the Prophet Muhammad, as warned in verse 112 of Surah Hud, is subject to the Qur'an. Based on his words, actions, and approvals within the framework of the Qur'an, he performed it by reason as indicated in verse 52 of Surah Ibrahim and in many other verses (Öztürk, 2016, p. 342, 596). Therefore, it should be remembered that there is a vital



difference between the Qur'an and the history of the judgments and practices put forward by the Companions and scholars.

1. Power, Sovereignty, and Authority in Islam; Head of State

It should be reminded that power in the sense of absolute and unlimited action is not possible in a secular context, but it can be mentioned that the power regulates the relations between the state-the individual and the state-the society, that is, the political power (Çetin, 2017; Şengül, 2015). However, from a theological perspective, it should be noted that all types of power, including one type of power in this context, are possible.

From an Islamic perspective, the most comprehensive form and power belong only to Allah. Looking at this view, which is also directly related to the faith of fate, it is not accepted as correct according to the Sunni belief (*Maturidism and Ash'arism*), at least to be thought that a person in the wind was blown completely unconsciously and under the power of Allah (Yavuz, 2001, p. 58). The distinctive point here is in which issues Allah has the discretion and what he forbids and orders besides the fact that Allah has absolute power. As it is mentioned in the relevant studies (Çaylak, 2015; Yücesoy, 2011), it is seen that while the Qur'an contains detailed provisions on some issues such as family, heritage and trade (An-Nisa; 11, 12, 29, 92), only general principles and procedures are included in the issues concerning the state administration (An-Nisa, 58, 83; Sad, 26; Ash-Shura, 38; Ali 'Imran, 159; Al-Ma'idah, 8; Al-Mumtahanah, 8).

Defining the concept of absolute divine power in the meaning of verse 31 of Surah Tawba, that is, as the authority to impose strict orders and prohibitions on people, seems useful for the easy understanding of the distinction between political power and divine power. In accordance with its use in the verse, it is possible to gather absolute power under the word *Rabb*. The word of the Lord, which is accepted as one of the names of Allah, is mentioned in many verses in the Qur'an in the meaning of the orders and prohibitions and the last word (Topaloğlu, 2007, p. 372). Again, in the 31st verse of the repentance of the Tawba, it is very clearly stated that the Lord belongs only to Allah and that it is not shared with any being, and the contrary claim is strictly prohibited (Öztürk, 2016, p. 1047).

If the right to use the only power is conceptualized as sovereignty, it



would not be wrong to say that the sovereignty of the absolute ruling God is absolute sovereignty and covers the entire universe and its contents (Campanini, 2011, p. 37-38). This situation has been institutionalized in the Qur'an with the belief of *tawhid*. The belief in *tawhid*, which means being one and one, means that it is a partner of the power and might of God - that is not equivalent, that is, the absolute and only sovereign is God (Moten, 1996, p. 20). In the seventh century, the Pagan Arab tribes also believed in God. However, they attributed divine powers to idols besides God (Özsoy and Güler, 2006, p. 179; M. Özler, 2012, p. 18). As it is clearly stated in the 9th verse of Muzammil, when Allah is the Lord of the east and the west, man is commanded by holding a deputy/taking refuge in Him (Öztürk, 2016, p. 43).

It is not correct to say that the above statements are accepted in all Islamic societies. For Instance in Shiites (like as Catholics), it seems that there is a slightly opposite belief (Öz, 2010, p. 111). In the last quarter of the nineteenth century, the Catholic Church claimed that the spiritual and body leader Pope had the highest power and *infaillibilité* (Tierney, 1972, p. 115-122) according to the opinion that was based on the Bible Luka (2015, p. 123). Although institutionalization took place in the nineteenth century, the basis of this claim goes back to the conceptualization of "the body of Jesus (Corpus Christie)" (Çavuş, 2017, p. 206), meaning God's incarnation (Cilacı, 1997, p. 516).

Although it is not exactly the same, a religious hierarchy was created among scholars in line with the belief of *Ayatollah Khomeini*, which was based on the principle of "being the translator of divine truths" (likewise infallibility - Namazi, 2019, p. 115) in Shia school (Muhakkık, 1991, p. 244; Walker, 2011, p. 93), like the clergy in Christianity (Gürkan, 2008, p. 205). In addition to this, it is possible to make the interpretation that the priesthood is institutionalized by being named the supreme authority *Marja'i taqlid* (Algar, 2004, p. 172) among the scholars included in the class of *Ayatollah* (Sanasarian, 1995, p. 191).

Of course, it would not be correct to accept for equivalent the authority of Papacy with *Marja'i Taklid*. But with the leader of the Iranian Islamic Revolution *Ayatollah*, *Marja'i taqlid* understanding gained a political meaning. In his sermons, he often emphasized the word "*wa la'd-dallin*"



(not from heretics) at the end of Surah al-Fatihah (Khomeini, 2010, p. 130-131), and interpreted the word “تَقُومُوا” in the 46th verse of Saba Surah meaning of a “stand up” as political resistance and, called all people, especially the scholars, to the resistance for the improvement of Iran (Algar, 1998, p. 359). Against this interpretation of Khomeini, it should be emphasized that there are also comments that the concept mentioned in verse is to consult and give opinions (Öztürk, 2016, p. 447).

The political views of Khomeini, which became systematic over time, took its final structure in the form of *Wilayat al-faqih* (Goudarzi, Jawan, & Ahmad, 2009, p. 106). In this theory, which has been discussed in certain proportions by its predecessor Shiite scholars (Namazi, 2019, p. 117), Khomeini carried the powers of the immigrant to a great extent contrary to previous discussions (Kadivar, 2011, p. 219) and in the words of Üstün, “*this authority of the innocent imams, who had a full religious and worldly administrative power with the custodial power they took over from the Prophet, was passed to just faqih in the period of war*” (2013, p. 19).

Although the importance of *Wilayat al-faqih* for the Shiite world has been handed over, when the focus is on the presidency in Islam in general terms, the debate of destiny and caliphate is on the agenda. In this context, *the Imamate*, which means the administration and leadership of the ummah after the death of the Prophet Muhammad, is an institution that undertakes the protection of Islam in the Sunni school and the Zeydiyye branch of the Shiite school and represents worldly power. In the Shiite opinion, imaming is seen as a continuation of prophethood in all aspects (Baffioni, 2011, p. 77; Khomeini, 2010, p. 59; Siddiqui, 1986, p. 123). This situation has argued that Shiites use the concepts of imamate-imam rather than the concepts of caliphate-caliph, by defending the view that imam covers the caliphate (Öz and İlhan, 2000, p. 201; Walker, 2011, p. 94-95, p. 107).

The caliphate is the transfer of the Prophet Muhammad’s possession besides his prophecy after him and institutionalization in this way. Contrary to the misinterpretations of today, it was accepted that the distinction between the hypocrisy and prophethood (Yavuz, 2007, p. 279) was drawn quite clearly in the early periods of Islam and that the caliph did not have divine authority and representation, but corresponded to worldly authority. In fact, it is known that the first caliphs were not the successors



of Allah, but only the successor of the Prophet and the command of Muslims (Campanini, 2011, p. 36; Afsaruddin, 2011, p. 142). The reason for this is the belief that the owner of absolute power is only God. In fact, the worldly power also belongs to the ummah, not to the caliph. The caliph is among the opinions that are claimed to be the servant of the ummah (Avcı, 1998, p. 539-540).

2. Legitimacy of the President and the Constitution in Islam

Legitimacy, another important issue of the state administration, makes it necessary to evaluate the concepts of poverty and caliphate when considered from an Islamic perspective. The acceptance of the Ummah or the Muslim people in a certain area as the head of state and compliance with their orders is of course dependent on the provision of certain conditions. In short, although the bases are different, in the Islamic sense, as in the secular sense, the presidency needs a legitimacy point.

Apart from the Zeydiyye branch, a distinction is also made between imamate and caliphate in line with the disparity and the rhetoric in all sects except the Shia school. In this distinction, imamate corresponds to an abstract power, while the caliphate corresponds to concrete action (Öz and İlhan, 2000, p. 201). If it is compared to contemporary political science terminology, it is not wrong to identify imitation with the concept of power, and caliphate with the concept of authority. Especially in Sunni belief, it should be said that this identification is very useful in terms of making the state administration viable by making it suitable for the age. Moreover, despite the single prophet of Islam, the rule of multiple caliphs at the same time throughout the history of Islam, with the exception of Khulafa al-Rashidun (The First Four Caliphs), is even more understandable on the basis of this distinction.

The owner of worldly power in the Sunni school is the ummah (Bulut, 2012, p. 308), which is defined as a community that comes together on the basis of religion. Since it is not possible for the Ummah to perform this power as a whole, this authority should be transferred to a legitimate person or institution. In this context, determination of the caliph with the transfer of authority or concrete expression that took place immediately after the death of the Prophet Mohammed provides quite important data



on the source of legitimacy. While the Islamic dogmas (the Qur'an and Sunnah) include provisions that people should be governed in the line of Allah for unity and solidarity by adhering to right and justice without persecution, they did not explain who would be the governor and how it would be determined. Under these conditions, Muslims introduced certain criteria and made the selection of caliph in this way. The issue of determining this criterion, which started with the election of caliph of Abu Bakr, shows that although it is not an Islamic condition, the consent of the Ummah is the main source of legitimacy (Avcı, 1998, p. 539-540). How and under what conditions this consent will be provided will, of course, differ according to the requirements of the period. If the question of the legitimacy of a presidency approach is compatible with the nation-state structure, which is the political system of today, instead of a concept of a presidency that covers the entire Ummah, this necessitates the discussion of the constitutional phenomenon in Islam.

Considering the practices outside the areas determined by the Qur'an precisely, Medina compact represents the first constitutional initiative. Although it is seen as a constitution in terms of regulating social relations with some administrative and judicial structures (M. Â. Aydın, 1991, p. 153), it should be said that it cannot be compared with today's constitutions and should be seen as a document of social consensus in terms of its nature. It is because the national regulations that were declared in the last period of the Ottoman State (Eryılmaz, 1996; 1999, p. 236-241; 2017; 2019; Eryılmaz and Bektaş, 2017, p. 27) are named the constitution (Bebiroğlu, 2008; Koçunyan, 2017).

However, if the simulations are left aside, technically, both the Medina compact, and regulations do not go beyond a social contract in that they contain certain regulations in a limited area. Moreover, when the Medina compact was signed, there was no provision regarding the Jews and polytheists in the Qur'an yet (Kenanoğlu, 2007, p. 10). Later, in accordance with the Qur'an's command, Muslims did not sign a contract with their members of the other faith and the equals (Akyol, 1996, p. 96).

In short, instead of a single Islamic constitution, it would be correct to talk about more than one Muslim state constitution that adapts to the conditions of time and place in the center of the Qur'an. In other words,



it is not true how the norms implemented by Muslim states are separated from their historical context. Although the orders and prohibitions of the Qur'an remain constant, there is no natural situation as much as the change of administrative and political order (Yücesoy, 2011, p. 28). Indeed, this change and transformation is parallel to the origin of the word state (Davutoğlu, 1994, p. 235).

Conclusion

With the motivation of the holy word of Allah to dominate the world, many of the Muslim rulers aimed to establish a government that all Muslims would pay allegiance and sought various ways of legitimacy in this direction. One of these ways is to establish an ideal Islamic State and gather the Ummah under one roof and claim that he is the heir of the Prophet. Throughout the historical process, those who succeeded in the practices implemented by the rulers contributed to the formation of exemplary practices for their successors in the field of management.

However, long-term application of successful practices that allow quick resolution of the administrative problems caused them to be understood as a form, which resulted in persistent implementation by the managers, although they were insufficient to meet the conditions of the age. Recalling these administrative principles and practices, which correspond to a historical context, and which are far away from the requirements of the age, together with the Islamic attribute, paved the way for the criticism that Islam remained behind the age. In essence, the successful practices of Muslim rulers, not Islamic principles, are unable to respond to changing conditions.

It was shown that the Qur'an was not in contradiction with the basic concepts in the study in which the Western and Islamic perspectives were synthesized. Providing that the basic principles of Islam are adhered to, it would be correct to say that instead of a single Islamic State ideal and model, each Muslim community can come up with a state order that suits their own circumstances. The important thing is that the basic management principles drawn by the Qur'an are not ignored.

It is not an order of Allah to bring together ummah, which is an organic and religiously linked, with political and administrative ties. People



can establish their original management around basic principles such as justice, merit and may be subject to different authorities. As a matter of fact, it is clearly seen too that the countries that are taken as an example by the nation-state structures that want to create a political union under the “roof of Islam” adopt a form of administration suitable for their own era. Today, the point that enables all these countries to be taken as an example is their ability to harmonize the requirements of the age with the Islamic requirements. Otherwise, it would not be justified to expect founding values without logical foundations to establish a long-term political union. In short, the Qur’an ordered neither the administration of a single person and the monarchy nor the presidency of the council of the *faqih*.

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Öz: Ulus-devletlerin ortaya çıkmasıyla birlikte Müslümanların da İslam çatısı altında siyasi bir birlik kurmaya başladıkları görülmektedir. Bu girişimler İslam devletinin uygulanabilirliği konusundaki tartışmaları da beraberinde getirmiştir. Yerli-öğün yönetim modelleri arayışı ile uyumlu olan ve son zamanlarda kamu yönetimi literatüründe oldukça hareketli bir konu olan bu tartışmaların İslami esaslara değil, Müslüman devletlerin tarihsel tecrübelerine dayandığı anlaşılmaktadır. İslami ilkelerin yerine tarihsel uygulamaların ulus-devlete temel alınması, doğrudan, teori ile pratiğin çatıştığı yanlışına yol açmıştır. Ancak Müslüman



devletlerin başarılı uygulamaları, yaşadıkları çağın gereklerini ve İslam ile yönetim ilişkisini yorumlayabilmelerinden kaynaklanmaktadır. Bu makalede, mevcut İslam devleti tartışmalarının bu bakış açısı doğrultusunda gözden geçirilmesinin gerekli olduğu ileri sürülmektedir.

Anahtar Kelimeler: İslam devleti, yönetim, halife, imamet, meşruiyet.

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