

Political and Constitutional Thought: Some Guidelines for Islamization

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The Contemporary Age

We are living in a predominantly Western age with its thought-pattern, culture and civilization, and its intellectual make-up and educational training. This age of our history can rightly be called an age of intellectual enslavement preceded by an age of political and military subjugation. This intellectual enslavement is mostly the result of the long period of the imperialistic rule of the West over the Muslim world, but the main cause of its subsistence is our present academic and educational system which is based on Western concepts of education, developed after Western fashions and supplied with textbooks, curricula and sciences which are Western in their appearance, contents and spirit, and run by men educated in Western tradition.

Curriculum can always and easily be changed, and a number of efforts have been made in the Muslim world during the past one hundred years to evolve a suitable educational curriculum. Some of these efforts have also met with partial success. But the problem of the textbooks and the sciences which are taught has proven very difficult and cumbersome. Textbooks on many subjects cannot be written unless the relevant science and field is purged, purified and then recodified.

Every science, social or human, physical or chemical, comprises a set of notions and information arranged and systematized according to the ideas and beliefs, outlooks, dispositions, social conditions and intellectual environments of its founders and experts. They codify and design their sciences according to their intellectual, academic and ideological requirements. The sciences designed, systematized and developed by a particular people or nation are fashioned after its own basic concepts and outlooks and nurtured by its own historical developments.

The Social Sciences we have inherited from the West are a clear example of this fact. These have originated in the West, developed in a peculiar Western historical background and have a definite European color and nature in their contents as well as in their spirit. These Sciences cannot be imported and implanted in an environment which is totally different from that of Europe. Even in Europe, when and where that environment required change, the need was felt to critically re-examine, recodify and re-interpret it according to the new requirements and environments. The examples of the Russian and the Communist world are before us. They have rejected all Western Sciences and dismissed them as Bourgeois sciences and felt the need to reconstruct all the sciences in the light of the Marxist-Leninist ideology. During the past fifty years they have changed and recodified all the social, human, physical and other sciences and made them in consonance with Communist philosophy. The Muslim world should not hesitate to follow the Communist example; it should reject all the sciences it inherited from the West in their present form and contents and should reconstruct them anew on the bases of Islamic ideology.

We should treat the Western sciences as a raw-material which should be thoroughly re-examined. What is useful and in consonance with our ideology should be retained, recodified and reformed and the rest should be rejected and thrown away.

This process which has been termed as the process of *Islamizing* the knowledge should be in three phases:

1. In phase one all the social and human sciences of the West should be critically examined and their drawbacks and shortcomings should be pointed out. The elements which are repugnant with our ideology should also be pointed out.
2. In phase two the rest should be recodified and re-stated so as to be in total conformity with our intellectual traditions.
3. In phase three, it should be integrated with our classical literature on the subject so that, on the one hand, the intellectual experiments and discoveries of the modern world are fully and suitably utilized and, on the other hand, our traditional sciences are also revitalized and re-invigorated.

In this paper a very humble effort has been made to produce a brief critique of the Western political and constitutional thought with a view to contribute, of course on very modest scale, to the cherished ideal of the *Islamization of knowledge*.

Background

The Western political thought traces its origin and subsequent development to the Greek Philosophy and thought. It has been generally agreed upon by

the writers on the history of European political theories that the systematic political thinking in the West began with the ancient Greeks. The main cause of the origination of systematic political philosophy in ancient Greece is said to have been the essential secularity of their mind which had made them particularly prone to reason about things.

The so-called city-state of the early Greece provided that immortal model which constitutes the basic and foremost source of all political thinking in the West. The models it set, the terms it employed and the lines of argumentation it adopted are still discernible in the political utterances and practices of the modern West.

The earliest form of Government in ancient Greece was monarchy. The monarch claimed his descent from Greek national gods and this claim was generally believed to be right and genuine. As such he was also the chief pontiff for his subjects. He exercised his authority with the help of a proto-type of a Council of elders and a public Assembly which had practically no say in decision-making; the monarch had absolute powers. But this despotic arrangement did not last long. By the middle of fourteenth century BH / eighth century B.C., the nobles were in position to take an effective share in the statescraft and to change the absolute monarchy into a limited aristocracy. In this system power was concentrated in the hands of a few privileged and wealthy nobles. Due to its inherent defects, the system soon turned into what they called oligarchy, i.e., the selfish rule of the wealthy few. The political set-up of ancient Greece fluctuated between these two systems: absolute tyrant monarchy or the aristocratic oligarchy.

The political thinking crystallized during this period was systematized and epitomized by Plato and Aristotle. Both of them exerted the utmost influence over the subsequent political and philosophical thinking in the Orient and in the Occident. But it is strange that they lived at a time when the hey days of the ideal Greek democracy had gone. The ideal political systems, as visualized by these two thinkers, are only reflections of the political realities of early Greece.

After the Greeks, the Romans came forward and exerted their influence on the political and constitutional thought of the West. The political and constitutional history of the Romans was not basically much different from that of the Greeks. Ancient Rome periodically saw the emergence of monarchies and republics. Their republics were, in fact, a more developed form of Greek oligarchy. Wealth and property played vital role in the achievement of a share in the administration. W.W. Fowler has criticized the ancient Roman republic as 'the most compact and powerful oligarchy that the world has ever yet seen.'

The Roman oligarchy gave rise to, and stabilized, the feudal system which became the most outstanding feature of medieval Europe. Feudalism continued to exist, developed and reached a peak between the fifth and eighth century

AH / eleventh and fourteenth century AC. It left its deepest possible impact upon the political and constitutional developments in Europe down through the ages. According to the theory of feudalism, the feudal lords were the vassals of the kings; the kings were the vassals of the Emperor, who was the vassal of God. In this hierarchy, all the vassals, big or small, were virtual sovereigns in their respective domains or constituencies.

Towards the middle of second century AH / eight century A.C. European feudalism took the shape of Holy Roman Empire which covered almost all of central Europe. The position of the emperor vis-a-vis other small kings and local potentates was almost the same as that of the kings vis-a-vis feudal lords. By this time the Church of Rome had assumed the character of a well-developed and well-knit religious organization which covered all of Europe. Now the government affairs were divided into two separate spheres: all the religious, divine and eternal matters came under the aegis and control of the Church headed by the Pope while the mundane and temporal things were given to the Emperor and his vassals. Ordinary and common citizens were ruled by two separate authorities. The Pope ruled the citizen's soul and the Emperor ruled the citizen's body.

With a long series of vicissitudes, the Holy Roman Empire managed to exist till the beginning of the thirteenth century AH / the nineteenth century AC. During this period, Europe saw a fluctuation between absolute monarchies and feudalist aristocracies. This fluctuation also frequently took place between the power and prestige of the Pope and the Emperor.

This was, in brief, the history of the major political and constitutional developments which took place in Europe during a period extending over twenty-five hundred years and contributed to the advancement of political and constitutional thought in the West. Now some brief observations will be made on the characteristics and thought-patterns of European political and constitutional philosophy.

Characteristics and Thought Patterns

'The Middle Ages', says Sir Ernest Baker, 'are not dead. They live among us, and are contemporary with us, in many institutions of our life and many modes of our thought.' In this analysis, Ernest Baker is absolutely right. Both in their outward manifestations and in their spirit, most political, legal and constitutional institutions of the modern West trace their origin to Greek and Roman history. The Romans did not have much interest in philosophical speculation and thinking as compared to the Greeks, however, they had a special interest in establishing legal and political institutions. Their taste for evolving institutions seems to be somewhat out of proportions. It seems that they

gave more significance to the outward manifestations of the institutions than to the principles, spirit and the philosophy behind them. The most striking illustration of the institutionalizing mind of the Romans is perhaps the institution of the Church. With the passage of time it turned a living religion into a spiritless semi-political semi-religious institution.

Today, perhaps under the impact of this Roman spirit, it is generally believed that the establishment of institutions, specially political and constitutional, must be ensured for the proper realization of concepts, ideals and principles. It is true that the institutions have their importance, but what is clear and evident is that every institution has an outward appearance and an organizational structure which is essentially different from the spirit and the philosophy working behind it. Normally when some idea, thought or philosophy is reduced to an institution, in view of our present understanding of it, it is gradually relegated to the background while the outward appearance of the institution comes to the forefront. With the passage of time, the outward appearance becomes "real" in the minds of the people and the *real* idea or thought withers away. There can be many examples from history and social life to illustrate this contention. But since the present discussion is in the context of political thought, suffices here to refer to the principle of public participation in the affairs of the government as practiced in the institution of parliament. Now when we study the relevant provisions of the constitutions of various countries we feel that the basic idea of public participation in the affairs of the government is seldom kept in view.

Under the impact of the Romans, the love for appearance and outwardly manifestation of the institutions has so much penetrated the Western mind that they generally dismiss the ideas and principles without any institutional manifestation. The example of the Islamic principle of *Shūrā* (consultation) can be cited here. The West had considered it necessary, in view of its peculiar conditions and peculiar historical background, that the consent of the masses and their confidence in the men-in-authority should be ascertained only through the ballot. Ballot and voting is only a means to realize the principles of the Public Will and public confidence. It is not an end in itself. The West has been practicing this method for the last several hundred years. The Europeans have now become so used to this peculiar process that many of them might not see any other method for ascertaining public confidence; they would consider all those who claim to have won the confidence of the masses without having recourse to this or that particular method as liars, false and unreliable. Thus, when they comment upon the Muslim rulers right from *al Khulafā' al Rāshidūn* "the rightly guided caliphs" they consider them to be self-styled rulers without any popular support and mandate.

We have already mentioned the institutionalization of Christianity at the hands of the Romans. In fact, the day the first step was taken to turn Chris-

tianity into an institution, it took its first step toward its downfall as a living religion. Although Christianity's political authority and prestige rose with the increase of its power and strength as an institution, the religious *soul* and the living *spirit* in it was shaken and improvised. Consequently, the basic message of religion, i.e., the purification of the human soul, strengthening man's relation with God and accountability on the Day of the Resurrection, went into eclipse. Those who yearned for quenching their religious and spiritual thirst through the institution of Church met with failure and disappointment. Their disappointment gradually developed into resentment and, at last, the masses stood up and revolted against the authority of the Church.

This revolt was crystalized in the Reformation and the appearance of Protestantism. The very word 'protest' signifies that it was initially a negative reaction against the all-powerful authority and emotionless organization of the Church. The anti-Church lava which had been nourished for centuries, was given religious expression by Martin Luther and political expression by the kings and potentates of Europe, who not only adopted the protestant religion but also made the Church totally subservient to the Government. The rulers of central Europe and specially those of Germany were in the forefront, rendering their all-out support to Martin Luther's movement. They thought that through this movement they would be able to smash the authority of the Church and thereby to acquire absolute power and authority.

The Reformation coincided with the Renaissance. Each of them received impetus from the other; each of them was influenced by the other. Perhaps Martin Luther did not want to let loose the bond of religion. He denied only the special right for the Pope or any minister of the Church to interpret the religion and the scripture. But his denial set in motion that long process which resulted in the denial of all religious authority. The freedom of the individual in religious matters crossed all bounds and caused much corruptions and perversions, which in turn contributed to the complete transformation of Western culture into a heretic and God-less one.

During the past fifty years, a number of Western scholars embraced Islam and renounced Christianity in view of these basic drawbacks of Western materialism, Western culture and civilization. These scholars include celebrities like Leopold Weiss, Fritjof Schuon, Rene Guenon and T.B. Irving who are now known as Muḥammad Asad, Isa Nuruddin, 'Abd al Wāḥid Yaḥyā and al Ḥaj Ta'līm Alī respectively. The first three of them produced effective critiques of the Western thought, culture and civilization. In his book, *The Crisis of the Modern World*, Rene Guenon (Shaykh 'Abd al Wāḥid Yaḥyā) has made a detailed critical survey of the basis and spirit of the Renaissance and has established that the entire movement aimed at the total denial of the Divine guidance. According to Rene Guenon, the spirit of modern Western civilization is heretic and diabolical because it is the result of the Renaissance. The

literature produced in the West during this period frequently refers to the old Greek and Roman civilizations as their "Paradise Lost."

The gulf between the Church and the State was further accentuated by the philosophical dualism of the French philosopher, Descartes, a Roman catholic priest who perhaps wanted to save his religion through his writings. His apparent purpose was to take religion out of the arena of politics and public life to keep it safe in the private custody of the individuals. But it seems that he could not apprehend the far-reaching effects of his ideas. A similar attitude can be found in our recent history which was adopted by a section of our *Ulamā* in the Sub-continent after the debacle of 1273 / 1857. They tried to save Islam from the onslaught of Western culture and civilization by confining it to the four walls of mosques and *Madrasahs* (schools). But due to the vigor, vitality and dynamism at Islam, those negative results did not appear on the Sub-continent.

The separation of religion and politics resulted in the removal of ethics from political life. Politics concentrated more and more on the acquisition of material benefits and physical power. The more physical power one has the greater politician he is. Consequently, all scientific progress and technological development aimed at the acquisition of as much physical force and energy as possible. This attitude was given impetus by the writings of Machiavelli. He virtually replaced God by his prince. When these princely-gods started to tease mankind, they were replaced first by *nation* and *nationalism* and then by *patriotism*.

The bifurcation of human unity into religious and secular, spiritual and profane, Divine and mundane is the root-cause of all evils. The history of Europe during the past five hundred years bears testimony that such bifurcation of life could not give peace and spiritual satisfaction to mankind. Politics in the West has become devoid of all ethics, morality, truthfulness and mutual relationship on human grounds. I do not mean to say that these moral values are absent in Western life-style, but that these moral and ethical principles no longer have any real significance in European-style politics. Many legal, constitutional and political problems have emerged in Western-style politics due to the disregard of these principles. If we study the constitutions of modern countries, we come across a number of articles and provisions which clearly reflect the mutual distrust, misstatement and selfishness of their framers.

Contents and Terms of Reference

The Political and Constitutional thought of the West as it stands today, embraces a number of problems which do not find their parallels in the political and constitutional thought of Islam as expounded by its classical writers. These

problems can be divided into four major fields:

- (1) Basic political and constitutional problems and theories analyzed;
- (2) History of political thought in general;
- (3) Origins, development and comparative study of the constitutions of various countries;
- (4) Organization of the government, its various organs and agencies in various countries and their comparative study.

An overwhelming majority of the textbooks written on Western political and constitutional thought deal mainly with these issues. The basic concepts about the science of politics, the origin of the institution of state, its purposes and objectives and scope and spheres of its activities are some of the major discussions of the first field. Some writers also include the concepts of sovereignty, law, legislation, liberty, equality and such other related concepts in this field.

The last cited field above (No. 4) is somewhat a factual study of what is happening in different countries in the domain of politics and constitutional frameworks. Although there is much scope for interpretation from a given writer's point of view, the field is less influenced by the writer's own prejudice and intellectual reservations. The preceding three fields have a very deep impact on Western history, politics and constitutional development. They should be re-studied thoroughly, overhauled and reconstructed in our own classical pattern.

Some Key-Problems

The entire science of politics, as it stands today, and as it has come to us via the West, requires a thorough stock-taking. There are some key-problems which are very important and frequently agitate the minds of many Muslim individuals. These problems are generally studied against a European background and are seen from a Western angle. The Western term of reference is employed with a view to understand the Islamic point of view on these problems, which may be totally different or even diametrically opposed. Here is a list of these Key Problems:

- 1) Origins and development of the state; objectives of the state; elements and constituents of the state;
- 2) Sovereignty and its location and attributes;
- 3) Sphere of the state; laissez-faire; totalitarian views;
- 4) Fundamental rights, civil liberties, social and economic rights;
- 5) Form of government;
- 6) Separation of powers;

- 7) Checks and balances;
- 8) Legislation and law-making agencies;
- 9) Method of elections;
- 10) Political parties and pressure groups.

Some of these problems may not find their parallel in Muslim political thinking at all. Some other problems are discussed in the political-juristic literature of Islam but from a different stand-point, in a different term of reference.

One of the main problems that one faces while dealing with political issues, is that of terms. It has become a fashion in the West that unnecessary and unwarranted terms are coined. Sometimes absurd and superficial ideas are presented and given currency in the garb of an impressive terminology. The majority of these terms has a close relationship with the intellectual, cultural, civilizational, political or religious history of the West. These terms cannot be divorced from their background and the spirit of their respective ages or situations. When we cast a glance over the political and constitutional terms we find that their origins go back to the intellectual or religious history of Europe. Theocracy, sovereignty, separation of powers, Human Rights, Democracy and many other terms have definite Western-Christian-Heretic connotations.

Conclusion

This was, in brief, a critique of the Western Political thought, highlighting its weak points and giving an idea of the dimensions of the process of its Islamization. Following in the humble opinion of the writer, in a nutshell, are the steps to be taken to Islamize the political and constitutional thought of the West and to reinvigorate and revitalize the Islamic thought:

- 1) The history of the political thought in the West should be re-written with a thorough critical analysis.
- 2) Critiques of various political and constitutional concepts and institutions of the modern world should be prepared from an Islamic point of view.
- 3) In-depth studies should be undertaken on the key-problems enumerated earlier. These studies should be prepared in the light of the relevant provisions of the Qur'an and the *Sunnah* and the writings of authentic Muslim scholars.
- 4) Political and constitutional thought of a people is closely related with its history. Islamic history has, unfortunately, been very much misrepresented and misinterpreted. It should be re-written with a view to bring out the dynamic and creative genius the Muslim *Ummah* demonstrated during the course of history.

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- 5) A comprehensive history of Muslim political thought should be written with a view to highlight the lime light the consistency and continuity of its development. The present writer had once given thought to this problem and has prepared an outline for the writing of such a detailed and comprehensive book on this subject. Such a book should be patterned after M.M. Sharif's *A History of Muslim Philosophy*.