

Khilāfat

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KHILĀFAT

In Islām, *khilāfat* refers to the divine government which bears the responsibility of granting success to the creation in this world and the hereafter. It is established upon the law of Allāh Ta'ālā. It sweeps away the rubbish of oppression and inequity thereby cleaning every corner of the earth and makes it the envy of *Jannah* through the glittering and sweet smelling flowers of justice and equity.

The head of this divine government is called the *khalīfah* because he is the deputy of Allāh Ta'ālā on earth and this is precisely the meaning of *khalīfah*. In the Noble *Qur'ān*, *khilāfat* of the earth is said to be a great bounty. This is given to the pious and obedient servants of Allāh Ta'ālā who have the ability to fulfill its responsibilities.

هُوَ الَّذِي جَعَلَكُمْ خَلَائِفَ فِي الْأَرْضِ

He is the One who has made you successors on the earth²

وَاذْكُرُوا إِذْ جَعَلَكُمْ خُلَفَاءَ مِنْ بَعْدِ قَوْمِ نُوحٍ

And remember when He made you successors after the people of Nūh³

يَا دَاوُودُ إِنَّا جَعَلْنَاكَ خَلِيفَةً فِي الْأَرْضِ

O Dāwūd, We have made you a vicegerent on earth⁴

وَلَقَدْ كَتَبْنَا فِي الزَّبُورِ مِنْ بَعْدِ الذِّكْرِ أَنَّ الْأَرْضَ يَرِثُهَا عِبَادِيَ الصَّالِحُونَ

And We have written in the Zabūr after the advice that the land will be inherited by My righteous slaves⁵

After the migration to Madīnah Munawwarah, the Muslims were surrounded by the enemies. On the one side, the Makkans were sharpening their weapons in order to go to Madīnah Munawwarah to attack the Muslims. On the other side, the Jews and hypocrites of Madīnah Munawwarah were laying new traps in order to catch the Muslims. In this extreme state of worry, Allāh Ta'ālā granted them consolation, وَعَدَ اللَّهُ الَّذِينَ آمَنُوا مِنْكُمْ وَعَمِلُوا الصَّالِحَاتِ لَيَسْتَخْلِفَنَّهُمْ فِي الْأَرْضِ كَمَا اسْتَخْلَفَ الَّذِينَ مِنْ قَبْلِهِمْ وَلَيُمَكِّنَنَّ لَهُمْ دِينَهُمُ الَّذِي ارْتَضَى لَهُمْ وَلَيُبَدِّلَنَّهُمْ مِنْ بَعْدِ خَوْفِهِمْ أَمْنًا

Allāh has promised those of you who believe and do good deeds that He will certainly make them (His) vicegerents in the land, as He made those before them,

² Sūrah Fāṭir (Originator) 35:39

³ Sūrah al A'rāf (the Heights) 7:69

⁴ Sūrah Ṣād 38:26]

⁵ Sūrah al Anbiyā' (the Prophets) 21:105

and will certainly establish for them their religion which He has chosen for them, and will certainly give them peace in place of fear in which they were before⁶

Subsequently, this promise of Allāh Ta'ālā was fulfilled very soon. Ten years after migration, the oppressed, downtrodden and ill equipped Muslims planted the flag of the government of Allāh over the entire Arabian Peninsula. On one side they were a threat to the power of Kisrā (Chosroes) and on the other they were attacking the power of Qaysar (Caesar).

The first *khalīfah* of this new era of the *Islāmic Khilāfat* was Muhammad Rasūlullāh ṣallallāhu 'alayhi wa sallam. The second *khalīfah* who acquired the honour of being the first *khalīfah* of Rasūlullāh ṣallallāhu 'alayhi wa sallam is Sayyiduna Abū Bakr Siddīq raḍiyallāhu 'anhu. However, the word *khalīfah* in Islāmic history is generally used in the meaning of the *khalīfah* of Rasūlullāh ṣallallāhu 'alayhi wa sallam, therefore the first *khalīfah* is regarded as Sayyiduna Abū Bakr Siddīq raḍiyallāhu 'anhu.

THE POSITION OF *KHILĀFAT*

Majority of the Muslims are unanimous that it is compulsory (*wājib*) upon the *ummah* to appoint a *khalīfah*. However, there is difference of opinion regarding the form of compulsion. One group states that it is compulsory from the side of *sharī'ah*. These are the proofs,

1. Rasūlullāh ṣallallāhu 'alayhi wa sallam said,

من مات وليس في عنقه بيعة مات ميتة جاهلية

*He who dies while his neck is free from the yoke of (pledging allegiance to the khalīfah of the time) has died a death of ignorance.*⁷

2. After the demise of Rasūlullāh ṣallallāhu 'alayhi wa sallam, all the Sahābah raḍiyallāhu 'anhum unanimously understood it to be necessary to appoint a *khalīfah*. They gave it so much importance that they fulfilled this duty before the burial of Rasūlullāh ṣallallāhu 'alayhi wa sallam.
3. Whatever the *sharī'ah* has made compulsory upon the Muslims, like enforcing the boundaries and punishments laid down by the *sharī'ah* etc. cannot be done without a *khalīfah*. It is an accepted rule that whatever a compulsory action is suspended on also becomes compulsory.

⁶ Sūrah an Nūr (the Light) 24:55

⁷ Ṣaḥīḥ Muslim

The second group says that it is compulsory in terms of logical reasoning, not in terms of the *sharī'ah*. This is because every group needs such a power that will execute its laws. He should solve the arguments amongst the individuals of the *ummah* and take the responsibility to establish peace and safety. It is for this reason that there is a need for a ruler for the sake of the needs of the society.

Both these opinions are correct in their places and it is possible to reconcile them. The reality is that both the intellect and the *sharī'ah* are unanimous upon the need for appointing a *khalīfah*. The intellect demands that there be an independent ruler who will overlook the system of the nation and control them. The *sharī'ah* requires a fine example of high calibre to lead in religious affairs and the fountainhead of his strength is the strength of the *ummah*, not his personal rank and grandeur.

Ibn Khaldūn raḥimahullāh has mentioned a third group as well in his '*Muqaddimah*'. This group states that it is not necessary to appoint a *khalīfah* in terms of the *sharī'ah* or in terms of logical reasoning. Asam from the *Mu'tazilah* and some of the *Khawārij* are included in this group. They are of the view that it is necessary for the laws of Allāh Ta'ālā to be practised in the *ummah* but when these laws are adopted as customary and there is peace and safety in the country or land, then there remains no need for a ruler or *khalīfah*. The consensus of the *ummah* contradicts the view of this group. After the rightly guided *khulafā'*, weaknesses in ethics and character were created as a result of being affected by government and ruler ship. These people adopted their stance as a result of being affected by this (weakness).

The crux of this discussion is that the scholars are unanimous that it is necessary for the Muslims to appoint a *khalīfah* or ruler (also called *imām*), so that the organization of the *ummah* can be collective and its status as a group or nation can remain. Similarly, they should not fall prey to differing views and evil actions and thereby being completely destroyed.⁸

THE CONDITIONS OF *KHILĀFAT*

The intellectuals of every country and nation of the world accepts the principle that the king of the country and leader of the nation should be a person who is sane, mature, free, masculine, brave, intelligent, influential and authoritative. Islām has

⁸ As *Siyāsah ash Shar'iyyah*, Abdul Wahhāb Khallāf

added the following conditions to the ones that are necessary from a logical point of view,

It is necessary that the *khalīfah* of the Muslims should be:

1. A Muslim.
2. Knowledgeable, so that he can understand the connotations of the Noble *Qur'ān* (which is the constitution of the Islāmic government) and he can solve its details in the light of the *Sunnah* of Rasūlullāh ṣallallāhu ‘alayhi wa sallam.
3. Just, so that he can be the best example for those whom it is necessary to have this quality.
4. *Qurayshī*, i.e. he should be from the *Quraysh* tribe.

All the scholars of the *ummah* are unanimous upon the first three conditions but there is difference of opinion regarding the fourth. Rasūlullāh ṣallallāhu ‘alayhi wa sallam said,

الائمة من قریش

The imāms are from the Quraysh

Rasūlullāh ṣallallāhu ‘alayhi wa sallam also said,

قدموا قریشا ولا تقدموها . بيهقى وطبرانى

Place the Quraysh first and do not go before them

In the light of these aḥādīth and others like them, there is debate regarding the condition of (the *khalīfah*) being from the *Quraysh*. Those who reject this condition say,

1. Allāh Ta’ālā sent His messenger as a standard bearer of the equality of man and He wiped out all the man-made marks of class and family. So, how is it possible that he ṣallallāhu ‘alayhi wa sallam confined *khilāfat* to the *Quraysh* and kept up these non Islāmic characteristics and signs?
2. Rasūlullāh ṣallallāhu ‘alayhi wa sallam said,

اسمعوا واطيعوا وإن ولى عليكم عبد حبشى ذو زبيبة

“Listen and obey even if an Abyssinian with a lowly figure is made your leader.”

Sayyiduna Umar raḍiyallāhu ‘anhu said,

لو كان سالم مولى حذيفة حيا لوليتنه

“If Sālim, the freed slave of Hudhayfah were alive, I would have made him the governor of the time.”

From these statements we come to know that neither Rasūlullāh ṣallallāhu ‘alayhi wa sallam nor Sayyiduna Umar raḍiyallāhu ‘anhu regarded the condition of being from the *Quraysh* to be necessary.

3. It is a resolute law of the universe that the world is perpetually in the cradle of change.

وَتِلْكَ الْأَيَّامُ نُدَاوِلُهَا بَيْنَ النَّاسِ

Such days We rotate among the people⁹

The *Quraysh* are not excluded from this law. So, how is it possible that the *sharī’ah* has confined the *khilāfat* to the *Quraysh* in every era whether they possess the ability to fulfil its responsibility of it or not? Why should this heavy responsibility be placed on their necks?

4. The first ḥadīth is not a command or prescription of the *sharī’ah*. It is a prophecy of Rasūlullāh ṣallallāhu ‘alayhi wa sallam regarding *khilāfat*. The second ḥadīth clarifies the link of the ruling of *khilāfat*.

The imām of the *Ashā’irah*, Qādī Abū Bakr Bāqillānī raḥimahullāh and Allāmah Ibn Khaldūn raḥimahullāh are of this view.

Those who state that being from the *Quraysh* is a condition (for *khilāfat*) state the following:

1. Undoubtedly Islām is the standard bearer of equality amongst man. However, it does not mean that every person is equal to the next in every respect and that there is no type of difference in rank and status. In terms of the rights of man, there is equality amongst them. For example, in commands, prohibitions and the limits set down by the *sharī’ah* etc. In terms of differences of qualities, Islām accepts the differences in rank. For example, the higher rank of the scholars over the masses and men over women is proven from the clear text of the Noble *Qur’ān*.
2. The family link of the *Quraysh* to Rasūlullāh ṣallallāhu ‘alayhi wa sallam is a source of pride for them. Together with having honour for *dīn*, they are honoured in terms of lineage. Undoubtedly the progress of the *dīn* of Muḥammad ṣallallāhu ‘alayhi wa sallam is their progress. Therefore, if the *khilāfat* is given to them, they will be able to fulfil the duties of being the vicegerents of Rasūlullāh ṣallallāhu ‘alayhi wa sallam in the best way.
3. The Noble *Qur’ān* was revealed in the dialect of the *Quraysh*. Most of the laws of Islām are in accordance to the habits of the *Quraysh*. Therefore, they are the

⁹ Sūrah Āl ‘Imrān (The Progeny of ‘Imrān) 3:140

best ones who would be able to understand the *sharī'ah* of Muḥammad ṣallallāhu 'alayhi wa sallam. By practising upon it, they would be the best example for others.

4. When a difference of opinion arose regarding *khilāfat* in Saqīfah Banī Sā'idah and the *anṣār* explained that they had the most right, then Sayyiduna Abū Bakr raḍiyallāhu 'anhu narrated this ḥadīth (*The imāms are from the Quraysh*) and extracted the ruling there-from accordingly. Everyone lowered themselves before the ḥadīth of Rasūlullāh ṣallallāhu 'alayhi wa sallam. Therefore, we learn that the ṣaḥābah raḍiyallāhu 'anhum accepted this ḥadīth as a command and did not classify it as a prophecy.
5. The condition of being from the *Quraysh* is accepted with the other conditions. It is not sufficient on its own. Therefore, under the divine law of *Such days We rotate among the people* no difficulty is caused.
6. The ḥadīth regarding obedience to an Abyssinian slave does not deal with choosing the *khalīfah*. What it shows is that if someone unworthy snatches the *khilāfat*, then what should the modus operandi be? The statement about Sālim the freed slave of Hudhayfah is that of a saḥābī, i.e., Sayyiduna Umar raḍiyallāhu 'anhu. Therefore, it cannot stand as proof. Most of the great scholars like Qādī Iyād raḥimahullāh, Allāmah Nawawī raḥimahullāh, Ḥāfiz Ibn Hajar raḥimahullāh and Ḥāfiz Jalāl ud Dīn Suyūṭī raḥimahullāh have supported the condition (that the *khalīfah*) should be from the *Quraysh*. It is also the view of Shāh Walī ullāh raḥimahullāh.¹⁰

The reality is that the condition of being from the *Quraysh* is not a condition of investigation or verification; it is a condition that establishes the most worthy. What this means is that if the *ummah* chooses a *khalīfah* based on consultation, and a person of the *Quraysh* and one who is not of the *Quraysh* are equal, then the person of the *Quraysh* will be given preference. For example, take the *imāmat*¹¹ in *ṣalāh*. The jurists have written that if two people are equal in the requirements, but one is more honourable in terms of lineage, then he will be given preference and he will be made the *imām*. So, if lineage is considered in the smaller form of *imāmat*¹², then what is the problem if it is considered in the greater form of *imāmat*?¹³ However, since seeing that it is a condition that establishes the one most worthy and not a condition of verification, so even if it is overlooked, it will not create any deficiency in the

¹⁰ Dā'iratul Ma'ārif vol.3, Chapter on Khilāfat, Hujjat ullāh al Bālighah and Muqaddamah Ibn Khaldūn p.166

¹¹ Leadership position

¹² Smaller form of *imāmat* refers to leading the *ṣalāh*

¹³ Greater form of *imāmat* refers to being the *khalīfah*

establishment of *khilāfat*. Just as in the case of *ṣalāh*, if it is overlooked, the validity of the *ṣalāh* will not be affected. In this case, there would be no need for the interpretation or specification of the ḥadīth regarding the *imām* being from the *Quraysh*, nor would there be a need for any other explanation for the narration from Rasūlullāh ṣallallāhu ‘alayhi wa sallam regarding Sayyiduna Zayd Ibn Ḥāritha raḍiyallāhu ‘anhu or the statement of Sayyiduna Umar raḍiyallāhu ‘anhu regarding Sālim, the freed slave of Ḥudhayfah raḍiyallāhu ‘anhu, both of which discuss *khilāfat*.¹⁴

METHOD OF SELECTION

The person in whom these conditions of *khilāfat* are found can be the *khalīfah* when the general Muslims select him or the representatives of the Muslims referred to as the *Ahl ul Ḥil wal Aqd* select him. *Ahl ul Ḥil wal Aqd* refers to those the leaders, generals of the army and guides of the *ummah* that have the qualities of knowledge, practise, and understanding, deep thought and concern for the *ummah*. In addition, they are people to whom the Muslims refer their general matters to.

One group (of scholars) are of the view that if the *khalīfah* selects a certain person or names a few people from among whom one should be selected, then he will also become the *khalīfah*, just as was the case when Sayyiduna Umar raḍiyallāhu ‘anhu and Sayyiduna Uthmān raḍiyallāhu ‘anhu were selected.

However, the research scholars do not accept this form for the ruler of the time. Their proofs are as follows:

1. The Noble *Qur’ān* has explained the way to be adopted in communal matters,
وَأْمُرْهُمْ شُورَىٰ بَيْنَهُمْ

And whose affairs are (settled) with mutual consultation between them¹⁵

The most important matter in the communal life of Muslims is the matter of choosing the *khalīfah*. If this clear principle is abandoned here, then of what use is it?

2. To pledge allegiance to a second *khalīfah* during the life of one is in reality pledging allegiance to two leaders in the same era which is baseless in the *sharī’ah*. Subsequently, when Sayyiduna Abdullāh Ibn Umar raḍiyallāhu ‘anhu was requested to pledge allegiance to Yazīd, he clearly rejected and said,

¹⁴ From the works of Maulānā Āshiq Ilāhī Mīrthī raḥimahullāh

¹⁵ Sūrah Ash Shūra (the Consultation) 42:38

لا ابايع لاميرين

I will not pledge allegiance to two leaders in one era¹⁶

3. It is incorrect to state that Sayyiduna Umar Al-Fārūq raḍiyallāhu ‘anhu and Sayyiduna Uthmān raḍiyallāhu ‘anhu were selected by a naming process. The leader, Sayyiduna Abū Bakr Siddīq raḍiyallāhu ‘anhu felt it appropriate to decide on the matter of *khilāfat* towards the end of his life in order to save the initial stages of the nurturing of the *ummah* from arguments based on differences. However, he did not decide on the matter based on his personal opinion. He discussed the matter with the senior ṣaḥābah raḍiyallāhu ‘anhum separately. He removed the doubts of anyone who had any. Then, for general consultation, he presented the name of Sayyiduna Umar Al-Fārūq raḍiyallāhu ‘anhum to the general Muslims. When all of them accepted, he then appointed him the ‘*khalīfah* to be’ and advised him in the best way. It is clear that this method of selection can in no way be called ‘naming’ or ‘nomination’.

Similarly, Sayyiduna Umar Al-Fārūq raḍiyallāhu ‘anhu did not nominate anyone to be the ruler. He named six senior ṣaḥābah raḍiyallāhu ‘anhum (who were the finest embodiments of the conditions of *khilāfat*) from among whom one was to be chosen. Who were these? They held the status of the central group of the Muslims. They were the ones who were given the responsibility by Rasūlullāh ṣallallāhu ‘alayhi wa sallam to make others adopt the teachings of the Noble *Qur’ān*. They are,

وَالسَّابِقُونَ الْأَوَّلُونَ مِنَ الْمُهَاجِرِينَ وَالْأَنْصَارِ

The first and foremost of the emigrants (muḥājirīn) and the supporters (anṣār)¹⁷

The Noble *Qur’ān* announces regarding them,

رَضِيَ اللَّهُ عَنْهُمْ وَرَضُوا عَنْهُ

Allāh is pleased with them and they are pleased with Allāh¹⁸

So, can the Muslims have any doubt or misgiving about accepting the decision of the group whose decision is liked and announced by the Noble *Qur’ān*? Was their decision not the decision of the group of Muslims? In addition, it is also a historic reality that when this group of ṣaḥābah raḍiyallāhu ‘anhum handed the responsibility over to Sayyiduna Abdur Raḥmān Ibn Auf raḍiyallāhu ‘anhu, then for three nights continuously, without sleep, he consulted with the

¹⁶ Fath ul Bārī

¹⁷ Sūrah at Taubah (Repentance) 9:100

¹⁸ Sūrah at Taubah (Repentance) 9:100

influential ones among the *muhājirīn* and *anṣār*. Then, in accordance to the general opinion of the *ummah*, he announced that Sayyiduna Uthmān raḍiyallāhu ‘anhu had been selected.

THE *SHI’A* VIEWPOINT

The viewpoint of the *Shi’a* regarding *khilāfat* and leadership is different. The *Imāmiyyah* sect are of the view that *khilāfat* is not from amongst the general needs that should be left to the opinion of the *ummah*. It is in fact a fundamental aspect of religion and the foundation of *dīn*. It was the obligatory duty of Rasūlullāh ṣallallāhu ‘alayhi wa sallam to solve such an important matter in the light of divine revelation and (then) leave the world. Consequently, he ṣallallāhu ‘alayhi wa sallam did this and appointed Sayyiduna Alī raḍiyallāhu ‘anhu as his *khalīfah* and leader. After him (Sayyiduna Alī raḍiyallāhu ‘anhu), Sayyiduna Hasan raḍiyallāhu ‘anhu was appointed by Sayyiduna Alī raḍiyallāhu ‘anhu and thereafter Sayyiduna Husayn raḍiyallāhu ‘anhu was appointed by Sayyiduna Hasan raḍiyallāhu ‘anhu. In this way, one after the other, 12 *imāms* from the progeny of Sayyiduna Fātimah *raḍiyallāhu anḥā* were the *khulafā’* or *imāms*, based on clear instruction. The *Imāmiyyah* state that *Shaykhayn*¹⁹ were usurpers because they did not practise on the command of Allāh Ta’ālā and Rasūlullāh ṣallallāhu ‘alayhi wa sallam and snatched the *khilāfat* from Sayyiduna Alī raḍiyallāhu ‘anhu.

The *Zaydiyyah* say that Rasūlullāh ṣallallāhu ‘alayhi wa sallam did specify the *khilāfat* of Sayyiduna Alī raḍiyallāhu ‘anhu after him, but this appointment was not by name but in terms of characteristics. The ṣaḥābah raḍiyallāhu ‘anhum fell short in relating these characteristics in their circumstances and places and instead of giving it to Sayyiduna Alī raḍiyallāhu ‘anhu, they gave it to others. They do not speak ill of *Shaykhayn*, but they take Sayyiduna Alī raḍiyallāhu ‘anhu to be more virtuous than them. In addition, they opine the permissibility of their *khilāfat* in the presence of the one who is the most virtuous. According to them, the conditions for being the leader are the same as mentioned before but instead of ‘being from the *Quraysh*’, they place the condition (that the *khalīfah* must be from the progeny) of Sayyiduna Fātimah *raḍiyallāhu anḥā*. Another condition placed by them is that it is necessary for the *khalīfah* or *imām* to lay claim to the *khilāfat*.

¹⁹ *Shaykhayn*, i.e. the two masters. Referring to Sayyiduna Abū Bakr Ṣiddīq raḍiyallāhu ‘anhu and Sayyiduna Umar Al-Fārūq raḍiyallāhu ‘anhu

There are many other sects among the *Shi'a* that have different thoughts regarding the matter of *khilāfat*.²⁰ The *Shi'a* take their *imāms* to be sinless (*ma'sūm*) like the *ambiyā'*. They hold the belief that an *imām* cannot commit a minor or major sin.

METHOD OF APPOINTMENT

Whatever was written regarding the conditions and the method of selection will be worthy of practice in the case when the system of the *sharī'ah* together with its collective soul is present in the Muslims. The *ummah* is free to choose its leader when the question of who to choose as their *khalīfah* comes before them. However, it is the misfortune of the Muslims that this system of *sharī'ah* did not remain after the rightly guided *khulafā'*. What will be the form of establishing the *khilāfat* after the system of the *sharī'ah* fell into disarray? This is a separate subject. The Islāmic *sharī'ah* has also clarified this in detail. This is the reason why after the demise of Sayyiduna Alī raḍiyallāhu 'anhu, when the Umayyad government was established, the ṣaḥābah raḍiyallāhu 'anhum did not have the slightest worry about what path of action to adopt.

There are two forms of establishing the *khilāfat* after the system of the *sharī'ah* falls into disarray. Complete control and Islām, i.e. if a Muslim takes control of the position of *khilāfat* through his power and following and his government is established, then it will be compulsory upon every Muslim to accept him as the *khalīfah* and to fulfill the conditions of obedience. Now, no matter how much right or virtue another person has, it will not be permissible for him to reject the *khilāfat* and open the doors of corruption and trouble among the Muslims. The expediency of this ruling is totally clear. Even now, if it is made necessary to consider all the conditions, then every person with whom there are four others can assert himself to be better than the others and lay claim to the *khilāfat*. Then the system of the *sharī'ah* will break down. Who will make the decision regarding who is the most virtuous and who is worthy or unworthy? The making of this decision will necessitate that the tongue comes into the field of the sword, the fire of trouble and corruption will be ignited and rivers of blood will flow. The peace and safety in the country will be destroyed and the unity of the Muslims will be shattered.

²⁰ For details see Muqaddamah Ibn Khaladūn, Section on the stance of the *Shi'a* regarding the ruling of *imāmat* and Dā'iratul Ma'ārif, Bustānī, vol.7, discussion on *khalīfah*

عن عبادة بن الصامت قال بايعنا رسول الله صلى الله عليه وسلم على السمع والطاعة في منشطنا ومكرهنا وعسرنا ويسرنا وأثرة علينا وان لا ننازع الامر أهله إلا أن تروا كفرا بواحا عندكم فيه من الله برهان . متفق عليه

Sayyiduna Ubādah Ibn as Sāmit raḍiyallāhu ‘anhu narrates, “We pledged allegiance at the hands of Rasūlullāh ṣallallāhu ‘alayhi wa sallam upon listening and obedience in conditions pleasing or displeasing, in difficult or prosperous circumstances and that we shall not dispute the ruler except if you see clear and open disbelief and there is a proof (for this) from the book of Allāh.”²¹

The ḥadīth about obedience to the Abyssinian slave quoted above deals with the same subject.²²

If this appointed *khalīfah* and leader does not come onto the lowest level of religiousness and he commits open sins and crimes, then too it will not be permissible to oppose him. However, his wrong will be taken to be so and if he commands the disobedience of Allāh, then one should reject carrying the command out.

خيار ائمتكم الذين تحبونهم ويحبونكم وتصلون عليهم ويصلون عليكم وشرار ائمتكم الذين تبغضونهم ويبغضونكم وتلعينهم ويلعنونكم قال قلنا يا رسول الله أفلا نناذبهم عند ذلك قال لا ما أقاموا فيكم الصلوة الا من ولى عليه وال فرأه يأتي شياً من معصية الله فليكره ما يأتي من معصية الله ولا ينزع عن يدا من طاعة . مسلم

The best of your leaders is the one whom you love and he has love for you. You make du’ā’ of mercy for him and he makes for you. The worst of your leaders is the one whom you take as an enemy and he takes you as an enemy. You curse him and he curses you. The companions asked, “O Rasūl of Allāh, should we not fight such leaders?” He ṣallallāhu ‘alayhi wa sallam said, “No, as long as he establishes ṣalāh amongst you, you should obey him. Yes, the one who witnesses some impermissible action being done by the leader, he should take it to be so but he is not beyond obedience to him.”²³

KHALĪFAHAND SHŪRĀ

At this point, another discussion comes about. Is it necessary for the khalīfah or imām chosen by the Muslims to consult with the Ahl ul Ḥil wal Aqd in the matters of khilāfat? If it is necessary, then is it necessary in every matter or only in important matters? Then, after taking their views, is it necessary to practice on them or does the

²¹ Ṣaḥīḥ al Bukhārī and Ṣaḥīḥ Muslim

²² Fath al Bārī vol.13 p.104

²³ Ṣaḥīḥ Muslim

khalīfah have a choice in implementing their views? The basis of this discussion is the verse of the Noble *Qur'ān*,

وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ

Consult them in the matter and, once you have taken a decision, place your trust in Allāh.²⁴

From this verse it is clear that it is necessary for the *khalīfah* to take the views of the Ahl ul Ḥil wal Aqd. Ḥasan Basrī raḥimahullāh and Sufyān Thaurī raḥimahullāh say that Allāh Ta'alā gave the command of consultation to His messenger ṣallallāhu 'alayhi wa sallam so that others may follow him in it and so that this *Sunnah* could be enlivened in his *ummah*. It also becomes clear that this consultation is necessary in important matters, not in minor issues. This is because the verse itself was revealed regarding the battle of Uḥud.

The third part of the discussion is that after consultation, is it necessary for the *khalīfah* to practise on the view of the members of the consultation committee (whether it be by majority or consensus)? The scholars have two views regarding this:

The first view is that after consulting about important matters, the *khalīfah* is not bound to the view of the *Ahl ul Ḥil wal Aqd*. The status of the action is only consultation and the *khalīfah* has a choice to accept or not to accept.

The second view is that after taking the views from the *Ahl ul Ḥil wal Aqd*, the *khalīfah* will be bound to it and it is not permissible for him to evade it.

In reality, this difference of opinion is based on specifying the meaning of '*Azm*'. Those holding the first view say that the meaning is 'firmness in intention' and 'contentment of one's nature'. In this case, the verse will mean that 'first consult. After consultation, make an intention on that upon which the nature is firm. Then rely on Allāh and do it.' Support for this meaning is found in the explanation of some of the *mufasssīrīn* mentioned below,

فاذا عزمتم اي عقيب المشاورة على شئى واطمأنت به نفسك فتوكل على الله في امضاء أمرك على ما هو أرشد وأصلح فان ما هو أصلح لك لا يعلمه إلا الله لا أنت ولا من تشاور . روح البيان ١١٦/٤

After consultation, when you make a firm intention to do something and your heart is firm upon it then rely upon Allāh in adopting the best and most suitable path. This

²⁴ Sūrah Āl Imrān (the Progeny of Imrān) 3:159

is because Allāh alone knows what is best for you. You do not know, nor does the consultant.²⁵

ای فاذا عقدت قلبك على أمر بعد الاستشارة فاجعل تفويضك فيه الى الله تعالى فانه العالم بالاصلح لك والارشاد لامرك لا يعلمه من أشار عليك وفي هذه الآية دليل على المشاورة وتخسير الرأى وتنقيحه والفكر فيه . البحر المحيط ٩٩/٣

After consultation, when you set your heart firm on something, then hand it over to Allāh. This is because Allāh alone knows what is best for you and what is most suitable, not your consultant. This verse is proof for the necessity of consultation, firmness of opinion, enquiry as well as pondering and thinking over it.²⁶

Those who back this view state that the objective of consultation done by the *khalīfah* should be that the different angles of the issue should come in front of him, and then he should adopt a plan of action having conviction and contentment. The plan of action of the rightly guided *khulafā'* also adds weight to this view. Some of them are mentioned hereunder:

1. When the *fitnah* of turning renegade appeared, Sayyiduna Abū Bakr raḍiyallāhu ‘anhu consulted with his companions. Most of the ṣaḥābah raḍiyallāhu ‘anhum were of the view that the issue should not be taken up immediately with those who had stopped giving *zakāt*. The matter should be settled by adopting softness. This was also the view of Sayyiduna Umar raḍiyallāhu ‘anhu. However, Sayyiduna Abū Bakr raḍiyallāhu ‘anhu vehemently rejected this view and extinguished the fire of this *fitnah* with the water of the sword.
2. Similarly, in order to bring the *fitnah* of the *Sabā’iyyah* under control, in 34 A.H, Sayyiduna Uthmān raḍiyallāhu ‘anhu called an important consultative meeting. In it, almost everyone was of the view that severe action be taken against those who were involved in the *fitnah*. However, Sayyiduna Uthmān raḍiyallāhu ‘anhu refused to practise on this and gave preference to a policy of softness and forgiving.

Those who hold the second view state that *Azm* is not something separate from *shūrā*, but the intention to act upon the *shūrā* is *Azm*.

The great commentator of the Noble *Qur’ān*, Ḥāfiẓ Ibn Kathīr raḥimahullāh writes,

²⁵ Rūḥ al Bayān vol.4 p.116

²⁶ Al Baḥr Al Muḥīṭ vol.3 p.99

والعزم في الاصل قصد الامضاء عن على قال سنل صلى الله عليه وسلم عن العزم قال مشاورة اهل
الرأى ثم اتباعهم . ابن كثير ١٣١/٢

In reality, *Azm* refers to intention to act. Consequently, it is narrated from Sayyiduna Alī raḍiyallāhu ‘anhu that Rasūlullāh ṣallallāhu ‘alayhi wa sallam was asked about the meaning of ‘*Azm*. He replied (it is to) consult with those of opinion and then to act accordingly.

In his unpublished work, Maulānā Hifz ur Raḥmān Sewhār wī raḥimahullāh has collected the following proofs for this view. With gratitude to Maulānā, we present them here.

1. In Majma’ uz Zawā’id, Sayyiduna Alī raḍiyallāhu ‘anhu narrates from Rasūlullāh ṣallallāhu ‘alayhi wa sallam that he asked the latter, “O Rasūl of Allāh, if something is not found in the Qur’ān and Sunnah, then what should we do?” Rasūlullāh ṣallallāhu ‘alayhi wa sallam replied, “Consult with the understanding worshippers of Allāh and do not execute the view of a specific person.”
2. Hākim in Mustadrak transmits from Sayyiduna Alī raḍiyallāhu ‘anhu that he said, “If I had to appoint someone as the khalīfah without consultation, then I would appoint Ibn Umm Abd.” i.e., Sayyiduna Abdullāh Ibn Mas’ūd raḍiyallāhu ‘anhu. (However, it is known that he did not do this).
3. It is stated in Tabaqāt Ibn Sa’d that some Sahābah raḍiyallāhu ‘anhum asked Sayyiduna Umar raḍiyallāhu ‘anhu, “What should we do regarding that which we do not find in the Book of Allāh and the Sunnah of His messenger ṣallallāhu ‘alayhi wa sallam?” Sayyiduna Umar raḍiyallāhu ‘anhu replied, “Practice on that which most of the people of opinion incline.
4. Hāfiz Ibn Hajar raḥimahullāh writes in the commentary of Ṣaḥīḥ al Bukhārī regarding ‘When Rasūlullāh ṣallallāhu ‘alayhi wa sallam decided on a matter’ that the objective of Imām Bukhārī raḥimahullāh is to show that after consultation, when Rasūlullāh ṣallallāhu ‘alayhi wa sallam decided firmly on a matter, then it is not correct for anyone to give another view contrary to it.

This second view is closer to the majority view of Islām. However, it should be clear that the present method of voting in democratic organizations where by means of canvassing, every types of moral and material effect is placed on the opinion of the opposing party; and where it is necessary to back leaders even if their claims are totally baseless. This can never be on the level of Islāmic *shūrā*. Islām has stipulated a number of etiquettes for *shūrā* for the members of the *shūrā*. It is a primary condition to adhere to these etiquettes. Rasūlullāh ṣallallāhu ‘alayhi wa sallam said,

المستشار مؤتمن

The consultant is trustworthy.

(If he did not give correct counsel, then he has betrayed trust)

من اشار على أخيه بأمر يعلم ان الرشيد في غيره فقد خانه . أبو داؤد

*The person who gives counsel to his brother knowing that the right way is in something else, then he has betrayed his brother.*²⁷

Therefore, whatever decision is made away from this foundational condition of Islāmic *shūrā*, no matter how many of the members of the *shūrā* back it; in the light of the *sharī'ah* it will be baseless. In addition, according to every group of scholars it will not be worthy to practice on it.

KHILĀFAT AR RĀSHIDA

If the Islāmic government is truly a divine government, the laws of Islām are practised, the punishments are executed, the principles of *dīn* are propagated, the knowledge of the *sharī'ah* is spread, disputes are settled, peace and safety are established according to the *Sunnah* of Rasūlullāh ṣallallāhu ‘alayhi wa sallam, its system is based on *shūrā* and its leader has the all-encompassing (attributes) of Rasūlullāh ṣallallāhu ‘alayhi wa sallam. He is a *mujtahid mutlaq* in terms of teaching; he is a complete saint in terms of advising, a just judge in court and a brave warrior in the battlefield. In summary, he is a true representative of Rasūlullāh ṣallallāhu ‘alayhi wa sallam in terms of possessing all the perfections in knowledge and practice of religion and government. Such a *khilāfat* is called *khilāfat e rāshida* or *khilāfat ‘alā minhāj an nubuwwah*.

By looking at the way of life and the achievements during their *khilāfat*, the reality is clear like a mirror that the era of rightly guided *khulafā'* (Sayyiduna Abū Bakr raḍiyallāhu ‘anhu, Sayyiduna Umar raḍiyallāhu ‘anhu, Sayyiduna Uthmān raḍiyallāhu ‘anhu and Sayyiduna Alī raḍiyallāhu ‘anhu) was the era of the *khilāfat ar rāshidah*.

Rasūlullāh ṣallallāhu ‘alayhi wa sallam said,

الخلافة بعدي ثلاثون عاماً ثم ملك بعد ذلك

“After me, *khilāfat* will be for thirty years, then there will be kingdom.”

Khilāfat in this Hadīth refers to the *khilāfat* of the perfect level, i.e. *khilāfat ar rāshida*. In essence, the *khilāfat ar rāshidah* is the completion and termination of the stage of *nubuwwah*.

²⁷ Sunan Abū Dāwūd

Rasūlullāh ṣallallāhu ‘alayhi wa sallam said,

كانت بنو اسرائيل تسوسهم الانبياء كلما هلك نبي خلفه نبي وأنه لا نبي بعدي وسيكون خلفاء . متفق عليه
“The Banī Isrā’īl were governed by their messengers. When a messenger passed away, another took his place. The reality is that there will be no messenger after me. However, there will be khulafā’.”²⁸

It is for this reason that the *Sunnah* of the rightly guided *khulafā’* has been stipulated as an example to be followed by the *ummah* just as the *Sunnah* of Rasūlullāh ṣallallāhu ‘alayhi wa sallam. The *ummah* has also been commanded to follow the rightly guided *khulafā’*.

Deducing from this ḥadīth (*‘after me, khilāfat will be for thirty years’*), most of the scholars have made this view apparent that the chain of *khilāfat ar rāshidah* came to an end upon the four rightly guided *khulafā’*. However, Ḥāfiẓ Ibn Kathīr raḥimahullāh holds a different view in *Al Bidāyah wan Nihāyah*. He writes that the meaning of this ḥadīth is that the continuous and enduring era of *khilāfat ar rāshidah* will be thirty years. After this, on account of (other forms of) government, this continuity will break. However, there will still be *khulafā’ ar rāshidīn* now and then. It does not mean that it will never be again. In support of this view, Ḥāfiẓ Ibn Kathīr raḥimahullāh quotes the following ḥadīth of Sayyiduna Jābir Ibn Samurah raḍiyallāhu ‘anhu, narrated in the *ṣiḥāḥ* books with various chains,

لا تزال هذه الامة مستقيما امرها ظاهرة على عدوها حتى يمضى اثنا عشرة خليفة كلهم من قريش

The government of this *ummah* will remain established and enduring and they will be dominant over their enemy until there are twelve *khulafā’* among them who are all from the Quraysh.

After quoting this ḥadīth, he quotes the following text of the Taurāt for further corroboration,

‘Allāh Ta’ālā gave glad tidings of Sayyiduna Ismā’īl (‘alayhi as-salām) to Sayyiduna Ibrāhīm (‘alayhi as-salām). He also said that He will let the progeny of Ismā’īl prosper and He will create twelve leaders from among them.’

He then quotes his teacher Ḥāfiẓ Ibn Taymiyyah,

²⁸ *Ṣaḥīḥ* al Bukhārī and *Ṣaḥīḥ* Muslim

‘These leaders are the same *khulafā*’ about whom glad tidings were given in the Hadīth of Jābir Ibn Samurah raḍiyallāhu ‘anhu. They will emerge at different times according to the need of the *ummah*. It should remain clear that the twelve *imāms* of the *Shi’a* can never be meant by these twelve because besides Sayyiduna Alī raḍiyallāhu ‘anhu and Sayyiduna Ḥasan raḍiyallāhu ‘anhu, none of (their *imāms*) were able to become a person of authority and rank.’²⁹

May Allāh Ta’ālā bless us all with the correct understanding of this matter, and may He save us from falling into deviation. Āmīn

²⁹ Al Bidāyah wan Nihāyah vol.7 p.48

Notes

Notes