
Pakistan and Concept of Islamic Welfare State: An Historical Study

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ABSTRACT

Pakistan Movement came into being in the name of Islam. Islam played a dynamic and important role in the partition of United India. Even, the Muslims of minority provinces were agreed to pay their sacrifices merely due to the reasons that; in majority areas the Muslims shall be able to spend their lives in preaching of Shariah and Islamic principles. Pakistan came into being in the name of Islam. It is the aspiration of every Pakistani to seeing Pakistan as an image of Islamic Welfare State. In Pakistan almost all political parties claimed to make Pakistan as an an Islamic Welfare State. This paper discusses the concept of Islamic Welfare State in the light of Quran and the Challenges which Pakistan has facing since independence to get this target.

Keywords: Shariah, Ibadah, Muamalat

An Islamic state is a government which is based on Islamic law. As a term, it has been used to describe various historical polities and theories of governance in the Islamic world. Islamic state, in the claimants of the idea of this democrats, dictators and monarchs are included. The main point is that what is an Islamic state? What are the bases of an Islamic State? What kind of challenges government has to face to make Pakistan an image of Riasat-e-Madina?

Quran and *Hadith* are the basis sources of law in Islam. Both sources show that there is no such concept of Islamic state, although the concept of *Shura* is given in *Quran*. In fact after the demise of the Holy Prophet, Muslims got divided into two groups on the issue of his successor - a section maintaining that the Prophet never appointed any successor and another section maintaining that he did. (Din, 1983)¹ *Qur'an* stresses a lot on the concept of a society rather instead of state. The *Qur'an* lays emphasis on *adl* and *ihsan* (justice and benevolence). A *Qur'anic* society must be based on these values. It strongly opposes *zulm* and *'udwan* (oppression and injustice).

Before Islam, Arab society was a predominantly tribal society. There was no governing authority either hereditary or elected. There was a senate called '*mala*' consisted of tribal chiefs of the tribes. (Ullah, 2005)² All the decisions were to be taken by the tribal chiefs. There had not known any state structure and did not know any distinction between a state and a civil society. There was no taxation system nor any police or army. There was no concept of territorial governance or defense or policing. Each tribe followed its own customs and traditions. (Ullah, Khutbaat-e- Bahawalpur, 2005)³ There were of course inter-tribal wars and all adult tribalstook part in defending one's tribal interests. The only law prevalent was that of *qisas* (retaliation). The *Qur'an* put it succinctly as "And there is life for you in retaliation, O men of understanding." (2:179)⁴ The whole tribal law and ethic in pre-Islamic Arabia was based on the law of retaliation.

After the arrival of Islam, initially the Prophet Muhammad (SAW) and his companions faced severe persecution in *Mecca* due to which they migrated to *Madina* also known as *Yathrib*. *Madina* was also basically a tribal city governed by tribal laws. Like *Mecca*, there was no state in *Madina* and only tribal customs and traditions prevailed. In fact *Madina* was worse in a way than *Mecca*. In *Mecca*, inter-tribal wars were not much in evidence as it was turning into a commercial society and inter-tribal corporations for trade were coming into existence. However, *Madina*, being an oasis, was a semi- agricultural society and various tribes were at daggers drawn. To get rid of the inter-tribal warfare, the people of *Madina* invited the Holy Prophet as an arbitrator. (Ullah D. H., 1967)⁵

The Prophet *Muhammad* (PBUH), a great spiritual and religious personality, commanded great respect and set out to establish a just society in *Madina*. First of all he drew up a pact between various tribal and religious groups known as *Mithaq-i- Madina* (i.e. the Medinese treaty) which guaranteed full autonomy to all tribes and religious groups like the Jews, the Muslims and other pagan tribes. (Ullah D. H., Political Life of Prophet (PBUH), 1967)⁶ So, the first step which government needs to make sure is the protection of rights of minorities. It is a very serious issue in Pakistan. Different kinds of such incident happened in Pakistan which were criticized both at national and international level. Islam allows all religious groups to follow their own laws and traditions freely. Coercion is not allowed to force people to follow other laws and traditions. The Holy *Qur'an* also declared that "there is no compulsion in the matter of religion". (2:256)⁷ The *Mithaq-i-*

Madina was a sort of preliminary constitution of the "state" of Madina, which went beyond a tribal structure and transcended the tribal boundaries in matters of common governance. In Pakistan constitution has been violated many times. There is no political unity. Government should talk to all political parties and bring them on unified agenda to making Pakistan as an image of Riasat-e- Madina. It has become a fashion in Pakistan that political parties declare each other as foreign agents. Government should legislate with the help of which such blames and claims can be countered. It will help to create sense of unity in the society. (The NEWS, 2018)⁸ In Riasat-e-Madina it was also laid down the principle that if an outside force attacks Madina all will defend it together. In Pakistan different faction fighting in Baluchistan and Sindh and KPK has been fighting and damaging the sense of unified defense. Government should talk to them and merge them in the society of Pakistan. If they are fighting for external agenda, government should prove it first and then eliminate such elements. In Riasat-e- Madina, for the first time a concept of common territory, so necessary for a state to operate, was evolved. As far Pakistan is concern, it has been facing issues like Landlordism, feudal lord, *Baradari* System and concept of state within state. Sometimes it looks that the concept of tribal supremacy still alive in shape of influence of political parties and institutions. Government must ensure territorial boundaries based on the concept of Riasat-e-Madina.

The Prophet Muhammad (PBUH), in a way, took a revolutionary step, in dissolving tribal bonds and laying more emphasis on ideological boundaries on one hand, and territorial boundaries on the other. However, the Prophet's aim was not to build a political community. He wanted to build a religious community instead. Here it is pertinent to mention that in modern world State should not interfere in religious affairs, but it is also important that Riasat-e-Madina is based on Islamic Ideology. (Nair, 1953)⁹ It is the duty of state to provide such an environment where one can perform both duties i.e. worship and worldly affairs. In the comity of nations Muslim should make themselves strong as a religious community on one hand and political community on the other hand.

The *Qur'an* lays more emphasis on values, ethic and morality than on any political doctrines. It is *Din* (religion) which matters most than governance. Allah says in the *Qur'an* that *al-yauma akmaltu lakum dinakum* (I have perfected your *Din* today, 5:3)¹⁰. Thus the *Qur'an* gives us is a perfect *Din*, while the political system in Muslim world had to

evolve over a period of time and in keeping with the needs and requirements.

One of the basic duties of the Muslims is to "enforce what is good and combat what is evil." This clearly gives a moral and spiritual direction to an Islamic society. It is only possible through rule of law which is the main issue of Pakistan. The Prophet was an enforcer of good par excellence and he devoted his life to eradicating evil from society. But he never aspired for political power. He was one of the great spiritual persons born on this earth.

He strove to inculcate spiritual power among his companions. The following verse of the *Qur'an* enunciates the basic philosophy of the Muslim community. "You are the best *ummah* (nation, community) raised up for people: you enjoin good and forbid evil and you believe in Allah." (3:109)¹¹

Thus it will be seen that the basic task of the Muslim *ummah* is to build a moral society based on good and negation of evil. The unity of Muslims is possible only if they remain basically a religious community engaged in building a just society, which has no elements of *zulm* (oppression and injustice), though there may be different ways of approaching the truth. (Ali, 1979)¹² (But in Pakistan, religious division is at its peak. Religion has been used for self centered interests) The Holy Prophet is reported to have said that a society can persist with *kufr* (unbelief) but not with *zulm*. (injustice) The *Qur'an* also describes Allah as *Ahkam al-Hakimin* (best of the Judges, 95:8). These are all value-giving injunctions and hence give a direction to the society. In this regard judiciary can play major role. In Pakistan Judiciary is divided and even it has become party in most of the political, military and judicial issues.

Islam never required Muslims to evolve into a self centered political community. Islam discourages politics which may lead people to power-seeking because an aspiration for power brings about division rather than unity. The *Qur'an* required Muslims to remain united and not entertain disputes weakening themselves. "And obey Allah and His Messenger", the *Qur'an* says, "and dispute not one with another, lest you get weak-hearted and your power depart, and be steadfast. Surely Allah is with the steadfast." (8:46)¹³ When someone aspires for political power they dispute with each other and thus become weak which is what Muslims

have been warned against. And in the history of Islam the dispute between Muslims arose on the question of political power. Who should wield political power and rule was the main question after the death of the Holy prophet. Thus Muslims began to divide on the question of power. (Ahmed, 2013)¹⁴

Various disputes arose between different groups of Muslims even leading to bloodshed during the thirty years of what is known in Islamic history as *khilafat-i-Rashidah* (period of the rightly guided rule). This thirty-year period is full of conflict and bloodshed. Three rightly guided Caliphs out of four were assassinated. Why was the spirit of unity lost? Why did wars break out between different groups and parties? It was mainly on account of fights between different aspirants for power and self. The first signs of these aspirations appeared immediately after the death of the Holy Prophet. (Ali, Pakistan's Struggles for Muslim Omaha Unity: Challenges and Discourse, 1979)¹⁵

The people of *Mecca* belonging to the tribe of *Quraysh* claimed their superiority over others and said that an Imam can only be from the tribe of *Quraysh* as they first embraced Islam and they were most cultured and cultivated with adequate experience. The supporters of the Prophet from *Madina* the *Ansars*, on the other, claimed that it is they who helped the Prophet when he was driven out of Mecca due to severe persecution by the people of *Quraysh* and hence they better deserve the succession to the prophet. The *Imam* or Caliph, they claimed should be from amongst the *Ansars*. The members of the family of the Prophet felt that 'Ali, the son-in-law of the Prophet and leader of the *Hashimites*, was better qualified to succeed the prophet. (Din, Islamic History, 1983)¹⁶. Thus these fissures appeared as different groups aspired for leadership and consequently for power associated with the 'nascent' Muslim state. It is also necessary to stress here that a preliminary state structure came into existence because it was an historical and not religious need. Pakistan has been facing such situation since independence. There is a tug of war among political parties, bureaucracy, military and judiciary which has been damaging the roots of Pakistan. Due to such conflict we had to face the tragic incidence of East Pakistan. (Khan, 2013)¹⁷

Muslims has to perform two basic duties as a member of a society i.e. religious duties (*Ibadah*) and (*Muamalat*) The religious duties of Muslims are to pray, fast, donate to the poor (*zakat*), perform *Haj* and believe

in *tawheed* (unity of Allah) and not associate aught with Him. This is necessary for spiritual control over oneself. Spirituality leads to act of good. However, it is different matter as far as *mu'amalat* (relations between human beings) is concerned. A state has to govern these *mu'amalat* and the ultimate aim of the state is to set up a society based on justice and benevolence ('*adl* and '*ihsan* in the *Qur'anic* terms). '*Adl* and '*ihsan* are most fundamental human values and any state worth its salt has to strive to establish a society based on these values. But for this, no particular form of state is needed. Even an honest monarch can do it. It is for this reason that the holy *Qur'an* praises prophet-rulers like Hazrat Da'ud and Hazrat Sulayman who were kings but Allah's Prophets too. Even Queen Bilquis is praised for her just governance in the *Qur'an* though she was not a prophet herself. Hazarat Muhammad (SAW) praised Najashi who supported Muslim emigrants. (Razi, 1976)¹⁸.

The *Qur'an* emphasizes that governance has to be as democratic as possible so that all adults could participate in it. If governance is left to an individual, or a monarch, the power may corrupt him or her as everyone knows absolute power corrupts absolutely. It is for this reason that the *Qur'an* refers to democratic governance when it says: "And those who respond to their Lord and keep up prayer, and whose affairs are (decided) by mutual consultation, and who spend out of what We have given them". (42:38)¹⁹ Thus the mutual affairs (those pertaining to governance) should be conducted only by mutual consultation which in contemporary political parlance will be construed as democratic governance. Since in those days there was no well-defined practice of political democracy, the *Qur'an* refers to it as '*amruhum shura' baynahum* (affairs to be conducted through mutual consultation) which is very meaningful way of hinting at democracy. The *Qur'an* is thus against totalitarian or monarchical rule. Verse 3:158 of the *Qur'an* is a very important verse in laying down the guidance for governance. It is a divine statement against dictatorship or authoritarianism. The verse reads: "Thus it is by Allah's mercy that thou art gentle on them. And hadst thou been rough, hard-hearted, they would certainly have dispersed from around thee. So pardon them and ask protection for them, and consult them in (important matters)..."²⁰ Thus a ruler has to be gentle not hard-hearted and rough, and has to act in consultation with the representatives of the people. This verse has been addressed to the Prophet and no *imam* from his family can deviate from this divine injunction.

Thus even an *imam* from the Prophet's family cannot be absolutist and has to base his rule on democratic principles. Thus also even the *Shi'ah* theory of *imamah* cannot lead to absolutist or purely personal rule. (Khomeini, 1981)²¹ Also, an *imam* can be infallible in religious matters, in laying down religious rulings. But in all secular and worldly matters he will be bound by democratic structures of governance.

Secondly, the theory of *imamah* was much more relevant to the close relatives of the Prophet who lived either during his time or very close to his period. Today, more than fourteen hundred years after the death of the holy Prophet, no one can claim such physical closeness to the Prophet and its resultant benefits. And even within the first century of the Prophet's death there were many claimants for the office of *Imam*. The *Shi'ahs* were divided into a number of sects and sub-sects. Fourteen hundred years after the death of the Prophet who can determine the authenticity of the claimant to the office of the *imamah*? The twelve *Shi'ahs* and also the *Isma'ili- Mustalian Shi'ahs* believe in seclusion of their respective imams. No wonder then that Iran adopted the elective principle of governance, which is the ultimate aim of the Islamic scripture. (Khomeini, *Al- Hakoomat ul Islamiya*, 1981)²² Also, once Islam spread to vast areas of the world outside the confines of Arabia new ethnic and racial groups were added to its fold. This proved both the strength as well as weakness of the Islamic society. Strength as far as rich diversity was concerned and weakness as far as complex problem and group conflicts it gave rise to. The group conflicts became greatly intensified even within the limited period of *Khilafat-i- Rashidah* which lasted for slightly less than thirty years.

During this period, a number of groups came into existence. The most powerful group was of the tribe of *Quraysh* who were *muhajirs* (immigrants) to Madina to which they migrated along with, or after the Prophet, to avoid persecution in Mecca. They claimed to be the *sabiqun al-awwalun* (those who responded to the call of Islam earlier than others and also belonged to the tribe of the Prophet). After the death of the Prophet they also came out with the doctrine that the *Khilafat* be confined to the tribe of *Quraysh*. However, the *Quraysh* was divided into several clans of which the clans of *Hashim* (to which the Prophet himself belonged) and of *Banu Umayyah* were at loggerheads. Among the *Qurayshites* the *Hashimites* and the *Umayyads* fought against each other for the leadership of the nascent Muslim state. Ali and his sons (particularly Hasan and Husain)

who were claimants to the leadership all belonged to the clan of *Banu Hashim*. (Gohar, 2004)²³ Then there were *Ansars* (those who belonged to the tribes of *Aws* and *Khazraj* of Madina and who had helped the Prophet by swearing allegiance to the Prophet and helping him (hence *Ansars* i.e. helpers) migrate to Madina and supporting him vis-a-vis his powerful opponents.

The *Ansars* also claimed leadership of the state after the death of the Prophet on the basis that they had helped the Prophet and that without their help his mission would not have survived. But the Qurayshites strongly resisted their claim to the *Khilafat*. Then the leaders of the *Ansars* proposed a compromise and said let one from the *Quraysh* and one from the *Ansars* share the leadership but this was also turned down by the Qurayshites that it would lead to more conflict and confusion. (Gohar, Islamic History, 2004)²⁴

Islam had tried to usher in a just society based on compassion, sensitivity towards other fellow human beings, equality and human dignity. However, the well entrenched vested interests though paying lip service to these values, in practice sabotage them in various ways and continue to impose their own hegemony. The weaker sections and the downtrodden attracted by the revolutionary thrust of Islam and its sensitivity towards them felt disillusioned and revolted. This revolt brought about near anarchy in society and resulted in civil war in which thousands were killed. (Ahmed, Expolitative Responses of Politics in Pakistan: An Overview, 2013)²⁵

Ultimately the Umayyads captured power and *Khilafat* was converted into monarchy. Maulana Abul A'ala Maududi has thrown detailed light on it in his book *Khilafat aur Mulukiyyat*. Thus we see that the Islamic society went through great deal of turmoil and bloodshed and could not evolve a universally acceptable form of state. When the Abbasids overthrew Umayyads in the first half of the second century of Islam, there again was great deal of bloodshed. When the Abbasids captured power, some Umayyads fled to Spain and established their own rule there. Two Caliphs simultaneously existed. (Gohar, Islamic History, 2004)²⁶. Thus we see that the political theory of Islam had to undergo frequent changes to accommodate the empirical reality. It is, therefore, not possible to talk of an 'Islamic State' with a sense of finality. It is extremely difficult task to evolve any *ijma* (consensus of Muslims) on the issue. Today also there are several Muslim countries with as varied

forms of state as monarchical to dictatorial or semi- dictatorial to democratic. All these states, however, call themselves as 'Islamic State'. (Rehman, 2012)²⁷ .

The forms and structures of state are bound to vary from place to place and time to time. It would be very difficult, for example, to create a democratic state in a feudal society. Thus the *Qur'an* does not give much importance to the form of state but greatly emphasizes the nature of society. While the state is contingent the society based on values like justice, equality, compassion and human dignity is a necessity in Islam. And needless to say in our time it is only a democratic state with widest possible power-sharing arrangement, which can guarantee such a society. Also, as per the *Qur'anic* teachings, the Islamic state should guarantee equal rights to all ethnic, racial, cultural, tribal and religious groups. The *Qur'an* considers racial, nationality, tribal and linguistic differences as signs of Allah and indicative of identity (see 30:22). It also accepts the right of other religious communities to follow their own religion and it also accords equal status to men and women (see 33:35 and 2:228). The *Qur'an* accepts plurality in society as the will of Allah. (5:48) ²⁸

Thus in view of all this, if current government want to make Pakistan as an image of Riasat-e- Madian, it has to take following steps.

1. Rule of Law
2. Justice for all
3. Education (both - religious and science)
4. Elimination of discrimination based on race, color, language and nationality;
5. Gender equality;
6. Protection of minority rights.
7. Religious Freedom.

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