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Removal of Despotic Political Regime: The Abū Dharr's Legacy and Its Legitimacy

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Abstract: This article is a humble attempt at highlighting the controversies regarding the legitimacy of popular resistance or revolutionary movement to bring down Muslim political regime that claimed to be despotic, unjust and even un-Islamic. Having the fact on the existence of another view by majority scholars that more inclined towards pacifist ideology which stressed on political stability as a prerequisite to prosperity, the article emphasizes more on the revolutionary school, while the second shall be highlighted when it is necessary for comparison. Employing qualitative method of study, the article seeks to examine the arguments provided by both movements. This will be done by analyzing their textual and rational grounds of evidences used by the two schools to legitimize their political stance. Associating with what is happening in Muslims nation nowadays, current study compelled to review the radical revolutionary movement from the perspective of moderate Islam school of thought.

Keywords: Despotic, Political Regime, Abū Dharr's Legacy

Abstrak: Artikel ini adalah satu usaha mengetengahkan isu kontroversi berkenaan legitimasi berselisih atau bergerak secara revolusi bagi meruntuhkan rejim politik Islam yang didakwa sebagai tidak adil dan saksama serta tidak

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Islamik. Kajian ini tidak menafikan fakta mengenai kewujudan pendapat lain oleh majoriti sarjana ilmuwan yang lebih cenderung ke arah ideologi *pasifis* yang menekankan kestabilan politik sebagai prasyarat untuk kemakmuran. Penulisan kumpulan pertama lebih menekankan pandangan yang bersifat revolusi, sementara yang kedua akan disorot apabila perlu untuk perbandingan. Menggunakan kaedah kajian kualitatif, artikel ini bertujuan untuk meneliti hujah-hujah yang diketengahkan oleh kedua-dua pergerakan tersebut. Ini akan dilakukan dengan menganalisis teks asal dan bukti rasional yang digunakan oleh kedua-dua pergerakan untuk mengenal pasti pendirian politik mereka. Dengan mengaitkan apa yang berlaku di negara-negara Islam mutakhir ini, kajian semasa diharapkan dapat mengkaji gerakan revolusi radikal dari perspektif pemikiran Islam yang sederhana.

Kata Kunci: Despotik, Rejim Politik, Legasi Abu Dharr

1. Introduction

The very outset of Islamic history, the political culture of the Muslim community is predominantly influenced by the pacifist ideology of anti-revolution. It is found that the silent majority among scholars and political elites, classical or modern, is more inclined towards pacifist ideology and has always stressed upon the importance of political stability of the Muslim community as a prerequisite to prosperity. This can be achieved through uncompromising obedience and pledge of loyalty (*bayʿah*) to the *imām* (ruler) in power regardless whether he is just (ʿādil) or unjust (*jāʾir*). But there is a minority group of scholars that is in favor of revolution to remove what they claimed unjust ruler or political regime from power. The article seeks to examine the arguments, and the textual and rational grounds used by the two schools – the anti-revolution school and the revolutionary school – to legitimize their political stance. By doing this, one could trace the ideological root of today's so-called "Islamic" militant movements and propose practical means or approach to restrain its dangerous threat on democracy, the rule of law and political stability that have been fundamental features of civil society.

2. Right to Dissent – the Legacy of Abū Dharr al-Ghifārī (d. 32AH)

Islam is a religion of peace. It raised and emerged in Arabian Peninsula in a political milieu hostile to its very existence and followers. At the early stage of its proliferation, Islam did not preach aggression and radicalism

as means in dealing with its opponents. From the very beginning of its historical epoch, Islam should never, by the very nature of its humble beginning, have opponents of its own because its message and teachings were promulgated by means of *daʿwah*, not confrontation. It had never compelled its teachings on others by force. On the contrary, it is the "others" who were antagonistic and hostile to Islam; its "founder" and followers. History has stood by as witness that thirteen years of the Prophet's career in Makkah, the Muslims were subjected to various forms of aggression because of their faith, a kind of injustice described by the Qurʾān as the heinous form of *fitnah* (sedition):

> "Tell them: Fighting in this month [the Sacred Month] is a big offence; but to prevent from the path of Allāh, to deny Him, to prevent an access to, and expel His worshippers from the *Masjid al-Ḥarām* are more severe crimes in the sight of Allāh, and sedition or mischief (*fitnah*) is worse than killing. As for the unbelievers, they will not cease fighting until they succeed in turning you back from your religion, if they can. If any of you turns back from his religion and dies as unbeliever, his deed will become void in this life and in the Hereafter". (The Qurʾān, *al-Baqarah* 2: 217).

Despite all this, Islam is not a pacifist ideology. Even during the Meccan period, Islam had taught its followers not to repel aggression with aggression, but with the persuasive call for patience, perseverance, forgiveness, and temporary withdrawal in case the aggression persisted (The Qurʾān, *al-Muzzammil* 73: 10) because the aggressors were ignorant of the truth. As such, they were entitled for *daʿwah* not violent response or confrontation, until they became aware about it and able to discriminate between right and evil, truth and falsehood. As to the aggression against the Muslims, it was a matter for God to decide (The Qurʾān, *al-Ḥijr* 15:94; *al-Qaṣaṣ* 28:55). Nevertheless, things had changed when the Prophet (PBUH) and his followers took a historic migration (*Hijrah*) to Yathrīb in the year 13th after Revelation (*biʿthah*). The migration transformed the geo-political setting of the city to become a permanent place of refuge for Muslims throughout Arabian Peninsula. Yathrīb was afterward renamed after the Prophet (SWA), the Prophet City (*Madīnah al-Nabīy*), or Madīnah as it was known until today. New settlement was opened in order to accommodate the demand of Muslim emigrants (*muhājirūn*) for shelter, and their number increased from time to time, not only because of running away from religious persecution

but because of more importantly in response to the duty of *hijrah* decreed on Muslims by the Revelation upon their conversion. The duty to undertake *hijrah* to Madīnah was stipulated upon conversion. The Muslims were not supposed to live in co-existence with the enemies or take them as protectors (*awliyāʾ*). The Qurʾān has condemned those converts who refused to migrate. It emphasized however that they would remain brothers in religion, but as far as their political status was concerned, they were not part of the Muslim political community, thus received no protection from *Dār al-Islām* (the political territory of Islam) if they were subjected to persecution. (The Qurʾān, *al-Nisāʾ* 4: 97-98; *al-Anfāl* 8:72-72).

Soon after the migration, Madīnah gradually emerged as the first *Dār al-Islām*, the political territory in which Islam was applied, and the Muslims enjoyed the right for the first time to regulate every aspect of their lives according to the prescriptions of Islamic Sharīʿah. They also enjoyed the freedom to practice religious duties, to earn an honest living, and to determine their own political existence without fear of persecutions, intimidations or discriminations. Islam had now appeared as a religion and a sovereign state with its own political and territorial independence under the leadership of the Prophet (PBUH). Under the Constitution of Madīnah (*al-Ṣaḥīfah al-Madīnah*), all people residing in Madīnah regardless of their tribal affiliations and religion were considered as the citizens of *Dār al-Islām*. They enjoyed equal rights and the obligation to bear the common expenditure to protect the state from external aggression. They were free to practice their religious duties, and the Jews in particular were granted even greater autonomy to set up their own special court of justice in order to adjudicate their religious and judicial affairs according to their own religious laws.

By the time of the death of the Prophet (PBUH), the political hegemony of Islam had extended substantially and many territories which were previously under the domination of both the Roman and Persian empires were now controlled under the suzerainty of *Dār al-Islām*. During the life-time of the Prophet (PBUH) and the following fifteen years after his death especially during the administration of the first two Khalīfahs, Abū Bakr (d.13AH)[1] and ʿUmar al-Khaṭṭāb (d. 23AD),[2] both are acknowledged among the Rightly-Guided Caliphate (*al-Khulafāʾ al-Rāshidīn*), the only *jihād* the Muslims had been fighting was largely against the enemies of Islam; the Arab unbelievers, the

Jews, the Roman and the Persian empires. Except the case of *riddah* (apostasy) involving those Muslims who refused to pay *zakāt* to the state during the administration of Khalīfah Abū Bakr, there was no major incident in which the Muslims had been fighting a war of *jihād* against other Muslims, particularly the political regime in power, under the Qurʾānic pretext of "enjoining what is right and forbidding what is evil".

Despite some shortcoming, the leadership of the four *khalīfahs* was considered most just and rightly-guided by the majority of Muslim scholars. This does not mean that the leadership was infallible and free from criticism and protests voiced up by concern individuals and groups against the *khalīfah's* style of administration and policy. Perhaps, the first who openly criticized against the *imām* (leader) in power was Abū Dharr al-Ghifārī,[3] a poor Companion of the Prophet (PBUH). Contrary to the general attitude of other Companions, Abū Dharr, had first raised the voice of opposition against the government under the administration of Khalīfah ʿUthmān bin ʿAffān in Syria. Typically considered "the champion of the oppressed" (*mustaḍʿafūn*) by proponents of "Islamic socialism" in the Muslim world because of his struggle in defense of the rights of the underprivileged,[4] he had set a tradition of resistance that has been widely regarded as a living model for people revolutionary movement against the political regime in power claimed to be unjust, despotic and incompetent.

Abū Dharr was in Syria when he became involved in fierce disputes with Muʿāwīyyah bin Abī Sufiyān, who was the reigning governor of Syria during that time, concerning the latter's policy on fundamental issues he considered indispensable for the establishment of social justice, such as the distribution of wealth, the enforcement of Sharīʿah laws and the appointment of government officials. The policy according to him was unfair, and on this he charged Muʿāwīyyah of practicing the politics of nepotism. Abū Dharr also accused him of negligence for his failure to ensure fair distribution of wealth among people, and neglecting the rights of the underprivileged. He was very concerned with the fate of the poor, and demanded Muʿāwīyyah as the governor to do something in order to protect their rights and look after their general welfares. He called upon him to be personally responsible of what he had seen the concentration of wealth in the hands of the few among the rich, while the poor were forced to live in destitute. On this, he blamed

Muʿāwīyyah because he failed to enforce the collection of *zakāt* and distribute it fairly to its entitled recipients. He reminded him that the existing inequality between the rich and the poor would ultimately bring about the emergence of social strife and popular resistance against the government (Kathīr, I. (n.d.).

The dispute between Abū Dharr and Muʿāwīyyah became more serious when the former had introduced religious justifications to denounce the latter's policy, which was previously political in nature. He once condemned the practice of nepotism in Muʿāwīyyah's policy on the enforcement of *zakāt* and the distribution of wealth as unjust, and portrayed it as an effective instrument for the ruling elites, who many of them belonged to Banū ʿUmayyah and relatives to Khalīfah ʿUthmān, to accumulate wealth for themselves unlawfully with total disregard for the wellbeing of the people at large. To Abū Dharr, the accumulation of wealth unlawfully involving a number of ruling elites was a form of political corruption, economic exploitation and clear violation of the Sharīʿah prescriptions. He demanded that all this should be stopped immediately before it became a social disease affecting the very fabric of the Muslim society.[5] As a reminding to Muʿāwīyyah, he identified both the political corruption and social injustice as the root causes for the destruction of many great nations in the past, referring especially to the Qurʾānic verse;

> O ye, who believe! Lo! Many of the (Jewish) rabbis and the (Christian) monks devour the wealth of mankind wantonly and debar (men) from the way of Allah. They who hoard up gold and silver and spend it not in the way of Allāh, unto them give tidings (O Muhammad) of a painful doom. (The Qurʾān, *sūrah al-Tawbah* 9:34).

Muʿāwīyyah dismissed Abū Dharr's criticism as baseless. But the latter responded with accusation that he was incompetent, for as the governor of Syria, he should neither neglect the rights and welfares of the people under his jurisdiction nor fail to take action against his corrupt officials who abused the power vested in them for pursuing their own special interests. The governor then threatened Abū Dharr with imprisonment or banishment from Syria, but the latter was determined and insisted that the governor should resign from office if he refused to introduce political reform (*iṣlāḥ*) in order to amend what he called the acute state

of social injustice in Syria. Undisturbed by the threat, he instead publicly condemned Muʿāwīyyah's nepotism policy;

> By God I really do not know what you have done. Indeed, it is neither in God's Holy Book nor in the Sunnah of His Prophet. But what I have been seeing all along is that truth is turned off while falsehood revived; what is confirmed to be truth is renounced as a lie; the unrighteous are getting more influential, and wealth is used as means to influence others. (Zahrah, M.A. (n.d.).

Abū Dharr's fierce criticism against the government in Syria under the administration of Muʿāwīyyah is centered on the following issues;

1. The policy introduced by Muʿāwīyyah was incongruent with the general principles and teachings of the Qurʾān and Sunnah of the Prophet (PBUH).
2. The government was incompetent and failed to enforce the laws, thus the general welfares and rights of people were neglected and unattended.
3. The widespread corruption and abuse of power involving government officials which were to Abū Dharr as a manifestation of over-indulgence in worldliness and moral decadence, while the government did not do anything to stop them.
4. Money politics – those who were wealthy used their monies to bribe the ruling elites, many of them were close relatives to the Khalīfah.

In order to further his criticism against Muʿāwīyyah's policy, he wrote a letter to ʿUthmān in Madīnah demanding him to remove his governor and other corrupt officials from office, and replace them with more qualified candidates among senior Companions of the Prophet (PBUH). ʿUthmān replied with a letter ordered him to return to Madīnah. He returned to Madīnah by the instruction of Khalīfah ʿUthmān, but it did not stop his mission against Muʿāwīyyah's despotic policy. The Khalīfah had advised him to stop his criticism against Muʿāwīyyah, for this might cause the fragmentation of the Muslim society and trigger greater *fitnah* or civil war (Kathīr, I. (n.d.). But Abū Dharr resisted and told the Khalīfah that he would continue the struggle until Muʿāwīyyah was removed from office. In order to silence his criticism, ʿUthmān forced him to live in exile in a place called al-Rubadhah far away from

Madīnah and its politics. He lived there with his family and prevented to enter Madīnah except for certain occasions. He remained there until his death in the year 32AH as a poor man. No Ṣaḥābah attended his funeral, except his close friend ʿAbdullāh bin Masʿud, who shared his devotion towards *zuhud* life-style and idealism (Kathīr, I. (n.d.).[6]

Abū Dharr al-Ghifārī was certainly not an ideologue of revolutionary movement. Nevertheless, he has left a very unconventional political legacy, that is, the right to dissent, to express criticism and resistance against the ruler (*imām*) or political regime in power, which had never been practiced by the Companions during the leadership of the first two Khalīfahs, Abū Bakr and ʿUmar al-Khaṭṭāb. To them, what had been done by Abū Dharr was something taboo, for the obligation of people is to obey the ruler in power and that is sanctioned by the Sharīʿah on the ground of Qurʾānic revelations and the Sunnah of the Prophet (PBUH). Any opposition or resistance movement raised by people is unlawful and that is tantamount to disobedience and something sacrilegious, because not only it contravenes the clear tenets of Islamic Sharīʿah, but it also instigates sedition or *fitnah* (civil war and bloodshed) that consequently brings about fragmentation of the Muslim community.

The Companions' antipathy towards resistance or opposition movement against the ruler in power is reflected in their general attitude of being silent over some cases involving the abuse of power by the government officials under the administration of Khalīfah ʿUthmān bin ʿAffān. They refused to participate in the resistance movement against the Khalīfah. In fact, it is the Companions who were defending the Khalīfah when a hostile delegation of people from Egypt surrounded his house, demanding him to remove his governor in Egypt, ʿAbdullāh bin Saʿad.[7] They were more in favor of withdrawal (*mufāraqah*) rather than active in public life and the worldly politics. In order to avoid the escalation of *fitnah*, they gave emphasis on religious devotion, piety, and dedicated their lives to preaching (*daʿwah*) and teaching people about religion as their preferred career. It is evident that a significant number of the Companions had been leaving Madīnah for some other places in order to distance themselves from the centers of power, and subsequently established themselves as scholars in various fields of religious sciences (Al-Ḥākim, A.N., 1977 & Saʿad, I. (n.d.).

3. Jihād: A Revolution to Remove Despotic Rulers

Discussion on *jihād* in its wider sense "to enjoin what is right and forbade what is evil" is incomplete without highlighting the interpretations of classical Muslim scholars pertaining to the meaning of the Prophet's *ḥadīth*, "The best *jihād* is speaking up in defense of what is just and right before an oppressive or tyrannical ruler (*imām jāʾir*)".[8] The *ḥadīth*, considered authentic (*ṣaḥīḥ*) by al-Tirmīdhī, has broadened the conceptual meaning of *jihād* and the extent of how it should be carried out in Islam. The ḥadīth has clearly asserted that people in Islamic state has the right to speak up publicly in defense of what is right and just in front of tyrannical regime in power, and such is considered as the best form of *jihād* even though it may be construed by the regime as an expression of nonconformist ideology against the state. The majority of classical scholars are unanimous in their opinion that people have the right to express their criticism against the prevailing state of injustice, corruption and the widespread abuse of power associated with a political regime in power, which is also repressive to its people (Al-Mubarkafuri, A.M., 1990). However, they are divided in response to the question as to whether the people have the right to depose or remove an oppressive regime from power by force or to remain pacifist amid the prevailing state of injustice and corruption committed by the regime.

Before dealing in detail with the difference of opinion among classical scholars concerning the issue, one has to recognize that the concept of unjust (*jāʾir*) and corrupt (*fāsiq*) political regime or ruler (*imām*) has its own special theological and political connotation in the classical writings of Muslim scholars. Morally, a ruler is considered more or less corrupt (*fāsiq*) when his leadership is associated with unrighteous characters of *fusq* (unrighteousness). The term is technically defined as an act of behavior that is deviated from the pristine teachings of Islamic Sharīʿah or contrary to the ethical code of conducts prescribed by the Sharīʿah. The real constitutive meaning of *fusq* has two aspects; the first is theological, for a ruler is considered religiously corrupt (*fāsiq*) because of the act he committed is tantamount to disbelief (*kufr*); and the latter is ethical, for the act he committed is contrary to the proper ethical code of conducts prescribed by the Sharīʿah. These two aspects of *fusq* have consequently affected the ruler's religious and moral integrity as a Muslim (Qurṭūbī, A., n.d.). Other scholars have conceived of *fusq* as an act of transgression against the religious and moral requirements of the

Sharī'ah, or against what is generally recognized as the bounds (*ḥudūd*) of Sharī'ah. Al-Maṭrizī, for instance, has pointed out that a Muslim is condemned as morally corrupt person (*fāsiq*) because of his disobedience (*ma'ṣīyyah*) against the command of God. It has two aspects; the first is a clear defiance to do what is instructed (*wājibāt*) and commendable (*mubāhāt*) according to the teachings of Islamic Sharī'ah, and the latter is a defiance to avoid what is prohibited or *muharramāt* (Nāṣir, A.M., n.d.).

Al-Māwardī, one of the prominent theoreticians of Islamic political system, has identified two root-causes of moral corruption (*fusq*); foremost of them is that when a servant is exceedingly succumbing to the temptations of his carnal or animal instinct (*shahwat*); and the latter is related to his indulgence in theological and religious obscurity (*shubhat*). Al-Māwardī has further elaborated;

> The first kind of unrighteousness (*fusq*) is related to a servant's habitual inclination to commit blameworthy deeds, evildoings or what is not commendable. The habit is generated by the mistake committed by the servant to determine right and wrong on the ground of his carnal or animal instinct (*shahwat*), and his unduly subordination to the urges of his irrational soul (*hawā*). He who is characterized with this kind of unrighteousness is not entitled for leadership of the Muslim community. If he is a ruler (*imām*), he must be removed from power (office) immediately. The latter (kind of unrighteousness) is related to religion. A servant is condemned of being unrighteous (*fāsiq*) because of his obsession in seeking out dialectical interpretations on religious doctrines identified by scholars as obscure matters (*shubuhāt*), whereas those interpretations appear to be inconsistent with the truth (Māwardī, A., n.d.).

Unjust leadership or political regime (*jāʾir*) is associated with blameworthy characters of injustice (*jawr*) as opposed to justice and uprightness ('adl). In its political sense, the term "*jawr*" is used to denote "*ẓulm*", which semantically means, "to put something not at its proper place". Consequently, a ruler is condemned of being unjust (*jāʾir*) not only because of the repressive nature of his system of government, such as the abuse of power, total disregard of the rule of law, rampant cases of violation against basic human rights, thus causing destruction to people's lives, property, dignity and religion, but also because of his failure to do

justice to himself. Being failed to do justice to himself means that he is not able to discharge his authority as a ruler that supposed to govern his people according to the Sharīʿah principles of justice, the rule of law and fairness, not by "the logics of sword" (*bi manṭiq al-sayf*) and the ideology of despotism (Ṣāliḥ, H.S., 1988).

There is no dispute among classical scholars that righteous and just ruler or political regime is entitled to loyalty and obedience (*ṭāʿah*) of the people by clear Sharīʿah provision derived from the Qurʾān, the Sunnah and consensus (*ijmāʿ*) of Muslim scholars. There is also no dispute among classical scholars that potential candidate for the leadership, who is found unrighteous (*fāsiq*) and guilty of behaving such manners or conducting activities contrary to the general requirements of the Sharīʿah ethical code of morality, should not be nominated to the office of leadership of the Muslim community in the first place. It means that the nomination of unrighteous candidate must be rejected in the first place through meticulous process of streaming. Regarding this matter, al-Qurṭūbī has rightly pointed out that it is politically and morally imperative for scholars, especially the "people who lose and bind" (*ahl al-ḥall wa al-ʿaqd*) that constitute the members of the selection committee, to ensure that only the righteous and knowledgeable candidate should be nominated to occupy the office of leadership by virtue of his upright moral integrity (*ʿadālah*) as opposed to unrighteousness (*fusq*), knowledge (*ʿilm*) as opposed to ignorance (*jahl*), and skill in military operation and warfare strategy (Qurṭūbī, A., n.d.).

However, differences arise when the ruler, who is wilding the highest political power in the state and occupying the office of leadership, is found unrighteous (*fāsiq*) and unjust (*jāʾir*), and the political regime he has installed is repressive to its people. The majority of classical scholars have agreed that despotic ruler or political regime must be removed from power, but they were divided over the question what is the right method or means should be applied to accomplish this mission. They can be divided into two mainstream schools of thought; <u>first</u>, the revolutionary who are in favor of the use of force, which they considered as the most honorable form of *jihād* in the cause of God; and <u>second</u>, the pacifist who have subscribed to the anti-violence philosophy and preached that "one hundred years of tyranny is better than one day of anarchy" (Gabriel, W., 2003 & Noah Feldman, Noah. F., 2008). The

present research will only deal with the revolutionary school, while the second shall be highlighted when it is necessary for comparison.

One of the principal theoreticians of the revolutionary school is al-Imām al-Juwaynī (d. 478AH) of the 5th century Islam, who conceived of unrighteousness (*fusq*) and injustice (*ẓulm*), like insanity (*junūn*), as defects of a ruler's quality of leadership. To him, such a leadership is not only ineffective, but also counter-productive because people will have no confidence over its reliability (*thiqah*) and trustworthiness (*amānah*). In his work, *Ghayāth al-umam fī iltiyāth al-ẓulm*, he spells out that upright religious and moral integrity (ʿadālah), reliability (*thiqah*), trustworthiness (*amānah*) and knowledge (ʿilm) are the qualifications of good leadership. He has furthermore pointed out that a person who is devoid of some or all of these qualities is not qualified to be a ruler (*imām*), because he is potential to be a dictator, who will abuse the power bestowed on him by the people, rather than a good governor that supposed to govern his people with justice. Being too passionate with the idea of creating a good system of government (*imāmah*), al-Juwaynī became more inclined towards revolutionary ideology, and openly supported the call for the ruler who is unjust (*jāʾir*), unrighteous (*fāsiq*), and does not possess the qualifications of leadership to be removed from power (Imām al-Ḥaramayn, A.J. & ʿAbd al-Mālik, A.Y., 1979, Fuʾad, A.A. & Muṣṭafā, H., 1979). He has not particularly determined what should be the best approach for the removal of corrupt leadership from power, but insisted that any means will do, whether violent or non-violent, so long as it fulfills the requirements of Islamic Sharīʿah. Having said that, it is stated in al-Ghazālī's (d.505AH) *Uṣūl al-Iʿtiqād* that al-Juwaynī did not rule out the legitimate use of force as means to bring down unjust political regime provided it is approved by notable scholars, and is only legitimate if recommended necessary by them (Ḥāmid, M.A., 1983).

Al-Shahrastānī (d. 548AH) is another revolutionary theologian of 6th century Islam who has shared al-Juwaynī's hard-line political view that unrighteous and unjust political regime must be removed from power. However, contrary to al-Juwaynī, his proposed method is more systematic and realistic by taking into account the ability of people to accomplish the mission and its political repercussions to the people if the mission is to be carried out. In order to avoid unnecessary damages to the internal political stability of Islamic state and to the people's lives

and property, al-Shahrastānī insisted that the proponents of jihād mission must exercise greater precaution and apply all achievable means of non-violence approach before resorting to the use of force. In doing so, he suggested that scholars must play their political role as "the people who lose and bind" (*ahl al-ḥall wa al-ʿaqd*) to advise the ruler who is found guilty of committing unrighteous deeds and injustice against the people to relinquish his throne voluntarily, and to replace him with other eligible candidate who possesses the outstanding qualifications of good leadership. If he categorically refused to accept this transfer of power through non-violent means, they then can seek other practical options to remove him from power, including by force or armed revolution if they found it right and necessary (Muḥammad, A.B., n.d.).

Perhaps the most militant exponent of this revolutionary school is the Andalusian scholar of 5th century Islam, Ibn Ḥazm (d. 456AH). Although having enjoyed the affluent life-style of the aristocratic family background and education, he had never seen this as an apology for being silent amid the widespread abuse of power and injustices committed by Muslim rulers and governors during his lifetime.[9] In fact, he turned to be one of the most revolutionary scholars of the 5th century Islam in the *Maghrīb*, who openly expressed his criticism against unrighteous rulers and governors, and called for their immediate removal from power with whatever means necessary – a political reform or an armed revolution. He claimed that his view for the call to remove the unjust leadership from power is nothing unconventional, but a common view shared by reputable scholars and the leading founders of Islamic schools of jurisprudence, including Abū Ḥanīfah, Mālik bin Anas, al-Shāfiʿī, Abū Dāwūd al-Ẓāhirī and others who, according to Ibn Ḥazm, were well-known for their open condemnation of unrighteous and corrupt leadership throughout their *fatāwā* (juristic opinions), or they themselves directly or indirectly involved in revolutionary movements to oppose the prevailing state of corruption and injustices committed by rulers or governors in their respective localities.[10]

In support of his revolutionary ideology, Ibn Ḥazm sought its legitimacy on the ground of Qurʾānic verses, the Sunnah of the Prophet (PBUH) and the views of reputed scholars and theologians. At least four Qurʾānic verses he has quoted speak directly about the religious and political imperative for Muslims to enjoin what is right and forbid what

is evil, to cooperate one another in virtue and piety and in opposing sins and corruptions, for all these are prerequisites of prosperity;

> And there may spring from amongst you a group of people who invite to goodness, and enjoin right conduct and forbid evildoing. Such are they who are successful (The Qurʾān, *Āli ʿImrān* 3: 104). And,
>
> The believers – men and women – are protectors one of another. They enjoin what is just and forbid what is evil (The Qurʾān, *al-Tawbah* 9: 71), and,
>
> Help you one another in righteousness and piety, but help you not one another in sin and rancor. Fear Allāh, for Allāh is strict in punishment. (The Qurʾān, *al-Māʾidah* 5: 2), and last but not least,
>
> But fear Allāh and obey me. And follow not the bidding of those who are extravagant, who make mischief in the land, and mend not their ways" (The Qurʾān, *al-Shuʿarāʾ* 26: 150-152).

Being influenced by the literalist ideology of the Ẓāhirī School of jurisprudence founded by Abū Dāwūd al-Ẓāhirī, Ibn Ḥazm has told his critics that those Qurʾānic verses quoted above are sufficient to provide clear evidences in support of the obligation for Muslims to take up practical measures, including a revolutionary struggle, in order to check evildoings, injustices and mischief, and to bring down their perpetrators regardless who they are. He refused to accept the reason why similar action cannot be applied against a tyrannical ruler who committed corruption and injustices, which he considered the gravest crimes against humanity. He blamed some of the classical scholars who had chosen to remain silent vis-à-vis the widespread abuse of power by the rulers, and condemned their quietism as a manifestation of the weakest state of their faith and moral depravity. According to him, quietism in this context is tantamount to extending "cooperation in sin and rancor" which is forbidden (*ḥarām*) on the ground of Qurʾānic verses cited above (Ibn Ḥazm, A.M. (1985).

Apart from Qurʾānic verses, Ibn Ḥazm has also used the Prophet's *aḥādīth* to support his argument for the obligation to remove an unjust ruler from power. The following are some of the *aḥādīth* he has cited:-

Narrated on the authority of Abū Saʿīd al-Khudrī (t) who said, "I heard the Prophet (PBUH) said "Anyone of you, who sees an evildoing, should do his utmost to change it by his hand. If he is not able, he should change it by his tongue. If he is still not able, he should then denounce it by his heart. And this (last course of action) is indeed an indication of the weakest state of faith".[11] And,

Narrated on the authority of Ibn Masʿūd (t) that the Prophet (PBUH) said, "No Prophet that Allāh raised for people before me (left alone unassisted), but he was always assisted by a group of men among his people called *Ḥawārīyyūn*. They had adopted his Sunnah, and followed his instructions. Then emerged after them generations, which were saying things of which they did not do, and doing things of which they were not commanded. He who strove against them with his hand was a believer. He who strove against them with his heart was a believer. He who strove against them with his tongue was a believer. Beyond this, nothing is left of one's faith even a comparable weight to mustard seeds" (Nawawī, A. & Abū Zakarīyyā, Y.S., n.d.). And,

Narrated on the authority of Abū Bakr (t) who said, "I heard the Prophet (PBUH) said: "Indeed, when people see the unjust, but they (remain idle and) do not take action against it with their own hands, surely Allāh is quick inflicting them altogether with severe consequences as a punishment from Him" (Nawawī, A. & Abū Zakarīyyā, Y.S., n.d.).

At this point, Ibn Ḥazm used the above *aḥādīth* to dismiss the arguments of those scholars who have subscribed to the pacifist ideology of quietism (*sukūt*) as baseless, for the *aḥādīth* they used to justify their anti-rebellion position towards the ruler in power – whether he is just or unjust – are no longer relevant. Those *aḥādīth* according to him have been abrogated with the later *aḥādīth* of the Prophet (PBUH), some of them quoted above, which have enjoined upon Muslims the obligation to take all possible action in order to check the escalation of evildoing or *munkar* (Ḥazm I., n.d.). However, by analyzing the reason of the narration (*sabab wurd*) of the *aḥādīth,* and the classical commentaries on the narrations, one will discover that both were cited in different contexts with different addresses. The former was addressed to the whole society where obeying the leaders (although he might be an oppressive leader) will maintain a peaceful and harmonious nation

while the latter is referring to the general obligation incumbent upon every Muslims to enjoin what is right and forbid what is wrong.

In his work, *al-Faṣl fī al-Milal*, Ibn Ḥazm has once again reiterated his call for the removal of corrupt leadership from power, for it is the real perpetrator responsible for the escalation of mischiefs. As regard the best way to accomplish this objective, he preferred an armed revolution or the use of force, which is usually dubbed as "*al-taghyīr bi al-yadd*" (to enforce change by the hand), over non-aggressive options. He however recognized the bloody consequences if the use of force is applied, and justified it on the ground of the Sharīʿah principle of necessity or *ḍarūrah* (Ibn Ḥazm, A.M., 1985).[12] Definitely to bring down a tyranny by force will cause destruction to human lives and property, but it is, according to Ibn Ḥazm, inevitable in order to prevent much greater and terrible destruction to human lives, property and religion if the tyranny is still at large unchecked. He has not ruled out the possibility of applying other options, including a long-term process of political reform or non-aggressive alternatives through negotiations, seeking the influential role of ʿUlamāʾ to mediate a political reform on behalf of the people or simply a silent protest. These approaches are dubbed in the Prophet's *ḥadīth* as "*al-taghyīr bi al-lisān wa al-qalb*" (to initiate change by the tongue, i.e., preaching and consultative reconciliation and the heart). Nevertheless, Ibn Ḥazm was not in favor of those options, and emphasized it can only be applied when the use of force is inconceivable due to the superiority of tyranny and the inferiority of opposition forces to bring it down (Ibn Ḥazm, A.M., 1985).

Contrary to Ibn Ḥazm, other thinkers of the revolutionary school, including al-Juwaynī and al-Shahrastānī, have seen the use of force or an armed revolution as the last resort, and it can be applied when the following considerations are taken into account; first, when non-violent options sought for peaceful transfer of power are not feasible; second, when there is realistic indication that an armed revolution will be a success due to the inferiority of tyranny and the superiority of opposition forces to remove it from power; and third, when there is categorical certainty that the application of military option will not consequently result in the escalation of bloody civil war or the emergence of anarchy. Those considerations are grounded on the Sharīʿah maxim that an attempt to check sedition (*fitnah*) is not commendable if it is believed to be ultimately creating greater disaster and bloodiest forms of sedition.

4. Conclusion

Associating with what is now happening in many Muslim countries today, civil wars, the widespread bloodshed with thousands of civilian deaths, millions of refugees and displacement in the name of *jihād* to remove despotic rulers from power, it is undeniable that the revolutionary stand at most of the time lead to disasters. Thus the Prophet (PBUH) was recorded as advising his Companions to obey their leaders unconditionally, which has laid the Companions to fall into tears, "I give you a testament to maintain the *Taqwa* (piety) to Allah *'azza wa jalla*, keep listening and obeying even though that (the one who) ruled you is a slave". Such human and environmental catastrophes are real, numerical, statistical, and sensational daily media-coverages that have compelled us to call for a review of the above radical school.

Endnotes

[1] His real name is ʿAbdullāh bin ʿUthmān bin ʿĀmir bin ʿAmrū and born in the 2nd year after Abrahah's failure campaign to destroy the Kaʿbah. He was among the first who embraced Islam and nicknamed with al-Ṣiddīq (the Truthful) for being uncompromising in his belief and faith in the Prophet's mission. As a Companion, he was very close to the Prophet and served him effectively as his advisor in siyāsah (administration) of the affairs of the Ummah, and elected the first khalīfah (Successor) of the Prophet after the death of the Prophet (PBUH) in 10AH. It is said that he only remained in the office of khalīfah for two and half years until his death in 13AH. During his administration, he made drastic decision to crush down "Muslims" who refused the payment of zakāt to the state, and the first who, by the advice of ʿUmar al-Khaṭṭāb, collected and gathered the entire Qurʾān, which was initially scribed in separate sheets and writing materials, into a single binding manuscript (muṣḥaf); see Abū Nuʿaym al-Aṣbahānī, A.A.I.M. (1988). *Maʿrifah al-Ṣaḥābah*. Riyadh: Maktabah al-Ḥaramayn, l, 149-189.

[2] His real name is ʿUmar bin al-Khaṭṭāb bin Nufayl bin ʿAbd al-ʿUzzā, nicknamed by the Prophet (PBUH) as *al-Fārūq* (the discriminating) for his insightful judgment and ability of differentiating between right and wrong, the truth and falsehood. He is mostly remembered probably being the most creative and innovative *khalīfah* and remained in the office for almost ten years until he was assassinated in 23AH. He died three days later after the attempted assassination due to the serious injury he sustained on the chest. The motive of the killing is not known, but it must have something to do with ʿUmar's expansionist policy of *Dār al-Islām* (the political territory of Islam) which had

successfully put the whole of Middle Eastern countries under the suzerainty of Islamic rule centered in Madīnah; see Abū Nuʿaym al-Aṣbahānī, A.A.I.M. (1988). *Maʿrifah al-Ṣaḥābah*. Riyadh: Maktabah al-Ḥaramayn, 1, 179-233.

[3] His real name is Jundab bin Junādah bin Qais ibn ʿAmrū bin Ghifār. He belonged to al-Ghifārī Arab tribe, which lived in a place that used to be a favorite spot for the Meccan traders to stop by on their long journey to Syria. Abū Dharr al-Ghifārī embraced Islam in the fourth or fifth year after the Revelation (Biʿthah al-Nabīy). Upon his conversion, the Prophet (PBUH) requested him to stay with his tribe in order to propagate the new faith to his people. He remained there, but then migrated to Yathrīb together with other Muslim converts when the call for hijrah was proclaimed by the Prophet (PBUH). Ibn al-Athīr considered him one of the great Companions and the influential among them, known for his uncompromising attitude in defense of truth and justice. It is reported that he publicly announced his conversion with a proclamation that "there is no god but God and Muḥammad is His Messenger" in front of people at Kaʿbah. Feeling insulted by what he did, a group of men attacked him viciously until he was finally fainted. He did that for three days in a row and received the same aggressive response from the Quraysh. Having realized that he might be killed, the Prophet (PBUH) ordered him to return to his hometown; see ʿIzz al-Dīn, A.A. (n.d.). *Usud al-Ghābah fī Maʿrifah al-Ṣaḥābah*. Cairo: Dār al-Fikr, 5, 99-101.

[4] Abū Dharr's struggle in defense of the rights of people, especially the poor, is always portrayed by the proponents of "Islamic socialism" and in Shiʿīte sources as championing the cause of the oppressed (mustaḍʿfūn). It has been argued that he was one of the Prophet's Companions, together with Miqdād, ʿAmmār and Salmān, who refused giving their pledges of loyalty (bayʿah) to the selection of Abū Bakr to occupy the office of the caliphate after the death of the Prophet (PBUH) because they found the selection process was improper without consulting ʿAlī bin Abū Ṭālib who, according to them, more qualified to succeed the Prophet; see Moojan, M. (1985). *An Introduction to Shiʿi Islam; The History and Doctrines of Twelver Shiʿism*. New Heaven: Yale University Press (p. 20).

[5] Kathīr, I. (n.d.). *al-Bidāyah wa al-nihāyah*, 4., 162.

[6] The Prophet (PBUH) once described Abū Dharr in relation to the Muslim Ummah is like Prophet ʿIsā ibn Maryam in terms of his piety and devotion to zuhud tradition and life-style. He passed away in exile in a place called al-Rubadhah very near to the border of Syria in 32AH. The Prophet (PBUH) once prophesized that Abū Dharr will die alone in which there will be no people around him. His funeral was attended by his best friend, a Ṣaḥābah ʿAbdullāh ibn Masʿūd; see ʿIzz al-Dīn, A.A. (n.d.). Usud al-Ghābah fī Maʿrifah al-Ṣaḥābah. Cairo: Dār al-Fikr, 5, 101.

[7] ʿAbdullāh bin Saʿd was appointed by ʿUthmān after he removed ʿAmrū bin al-ʿĀṣ from office as the new governor of Egypt. ʿAbdullāh was a political

opportunist. During the Conquest of Makkah in 8AH, he was one of the Qurayshs that the Prophet (PNUH) ordered to be killed. He requested ʿUthmān to beg the Prophet's immunity. The Prophet (PBUH) offered him the immunity because of ʿUthmān's intervention with the condition that he embraced Islam.
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9   For further reading on Ibn Ḥazm's intellectual-political life, see Khalikān, I. (n.d.). *Wafayāt al-aʿyān.*, 3, 325-330; ʿArīf, A.A. (1984). *al-Imām Abū Dāwūd al-Ẓāhirī wa atharuhū fī al-Fiqh al-Islāmī*. Kuwait: Dār al-Arqām, (p 118-21); Zahrah, M.A. (n.d.). *Tārīkh al-Madhāhib al-Islāmīyyah fī al-siyāsah wa al-ʿaqāʾid*. Cairo: Dār al-Fikr al-ʿArabī, (p 551-97); Benaboud, M. (1991). *"Socio-Political Role of Andalusian ʿUlamāʾ during the Fifth/Eleventh Century", in Islamic Studies*, 30, 197-99.

10 Ibn Ḥazm, A.M. (1985). *Al-Faṣl fī al-milal wa al-ahwāʾ wa al-niḥal*. Beirut: Dār al-Jīl; Nasr, M. I & ʿUmayrah, A.A. (1985). *Al-Faṣl fī al-milal wa al-ahwāʾ wa al-niḥal*. Beirut: Dār al-Jīl, 4, 171-73; Ahmad, M.S. (n.d.). *Kitāb al-maḥallā*. Cairo: Maktabah al-Turāth, 10, 507.

11 The interpretation of the ḥadīth can be found in Nawawī, A. & Abū Zakarīyyā, Y.S. (n.d.). *Ṣaḥīḥ Muslim bi Sharḥ al-Nawawī*. Cairo: Dār al-Salām li al-Ṭibāʿah wa al-Nashr, 2, 22.

12 *Al-Faṣl fī al-milal wa al-ahwāʾ wa al-niḥal*. Beirut: Dār al-Jīl, 1, 27-28.

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