Understanding Political Obedience in Ḥadīth Literature

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Abstract: This study examines obedience to the ruler in Islam, focusing on the prominent collections of ḥadīth, primarily Ibn al-Athīr's Jāmi' al-Uṣūl fī Aḥādīth al-Rasūl. It conducts a comprehensive textual and contextual analysis, extending its exploration to classical and contemporary works on Islamic political thought. The primary objective is to unveil insightful clues that contribute to a profound understanding of obedience, synthesizing original Islamic sources, historical experiences of the ummah, and the current realities of the Islamic world. The study argues that the concept of 'obedience' emerges as conditional and contextual, balancing the rights of the ruler and the people. Also, the term ulū al-amr, symbolizing the joint effort of legislation, law enforcement, and adjudication, rejects autocratic power and political tyranny. Rulers are expected to consult with scholars, emphasizing a reciprocal relationship for the benefit of the ummah. The study further identifies a three-tiered classification of obedience: normative obedience rooted in love and respect for just rulers, obedience of necessity applied to corrupt rulers of the Muslim history prior to the collapse of the Caliphate , and emergency obedience to leaders in the contemporary era. On the basis of 'averting harm takes priority over bringing the benefit' dictum, Islamic law has ordered that the despotism of the ruler, viewed as a fait accompli, is ought to be endured, and obedience given till the time is ripe for change.

Key words: obedience, Jāmi' al-Uṣūl, ruler, community, Ḥadīth, authority.

Introduction

The late year of 2010 marked the commencement of a transformative era in the Middle East and North Africa (MENA), characterized by significant social and political disruptions. This period witnessed the emergence of populist movements opposing authoritarian regimes, collectively known as the 'Arab Spring.' These popular uprisings have emphasized the centrality of religion in social and political spheres. With Friday sermons providing a conducive platform for congregation, numerous mosques became arenas for anti-regime demonstrations. [1] Influential Muslim scholars, key players in understanding the dynamics of the conflict, adopted diverse stances toward the protests. While some *ulama* openly criticized their respective governments and aligned with the protests, others condemned demonstrations and propagated the official narrative. [2] A third faction, seemingly uncertain or cautious, opted for the culture of quiescence and silence. The escalating protests have taken *ulama* vs. the regime into uncharted territory.

Notably, the debate surrounding obedience to the ruler versus rebellion took center stage in these divergent viewpoints, forming a basis for their respective arguments. While many religious scholars in the MENA approached the concept of obedience through the lens of medieval mentality, others opted for a complete departure from traditional perspectives. I contend that amidst the fervor of discussions, there exists a lack of awareness regarding pertinent contemporary socio-political concepts. With the adoption of civic and political ideals such as secularism, democracy, liberty, the sovereignty of the people, parliamentary constitutionalism, and considering the abolition of the Islamic caliphate in 1924, there arises a need for a renewed exploration of the question of obedience. This study endeavors to provide a contemporary and balanced analysis of the obedience issue, considering the rights and duties of both rulers and the ruled. In doing so, it seeks to advocate for values of equality and social justice within the Muslim community of today.

Numerous authentic traditions are reported from the Prophet commanding the subjects to obey their leader or ruler, whether just or unjust.[3] The Prophet employed various styles to emphasize obedience, leaving no room for ambiguity or confusion. Muslims must render 'obedience' to their emir as long as the latter adheres to sharia and follows the Book of Allah.[4] Nevertheless, other reports, from which this condition is absent, order Muslim subjects to listen and obey their rulers, even if they do evil.[5] In this case, punishment will fall upon the rulers, and subjects will be quit of it.[6] So, these reports create a moral distance between the actions of the rulers and their subjects. As long as Muslims show obedience, they are not held responsible to Allah for the injustice of rulers. Rulers solely have liability for their own misbehavior.[7]

The Prophet also warned, "Whoever renounces allegiance, will meet Allah on the Day of Judgment with no excuse for him."[8] According to other reports, Muslims are not permitted to fight against the ruler except in cases of *kufran bawāḥan* (blatant disobedience or disbelief).[9] Further, many Prophetic traditions underscore the importance of maintaining connections with the Muslim community and issue stern warnings against abandoning it, particularly during times of turmoil and civil unrest.[10]

The recurring nature of these Prophetic instructions beg the following questions: Why is rebellion discouraged unless in exceptional circumstances? What does the term *ulū al-amr* stand for? How does the concept of *al-jamā'ah* (community) contribute to the preservation of obedience and the promotion of Muslim unity? Is obedience absolute or conditional? Additionally, what are the levels of obedience that can be taken from ḥadīth reports and the obedience-verse?

The study focuses on the renowned collections of ḥadīth, specifically Ibn al-Athīr's *Jāmi' al-Uṣūl fī Aḥādīth al-Rasūl*, which integrates the six fundamental ḥadīth books—al-Muwaṭṭa', al-Bukhārī, Muslim, Abū Dāwūd, al-Tirmidhī, and al-Nasā'ī. Through the compilation of relevant reports on obedience, the study proceeds to conduct a thorough textual and contextual analysis. This analysis extends beyond the ḥadīth collections to encompass classical and contemporary works on Islamic political thought. The objective of this study is to unveil insightful clues that contribute to a comprehensive understanding of obedience, by making synthesis of the original Islamic sources, historical experiences of the *ummah*, and the realistic situations of today's Islamic world.

Following the introduction, the study begins with elucidating major terms, then goes on highlighting the significant establishment of authority in Islam. Under the subsequent section on *ulū al-amr*, the study delves into the meaning, implementation along with defining characteristics of this significant term, as stipulated in the interpretation of the Qur'ānic verse. Further, the interconnectedness between the ruler and the community is explored with emphasis on the role of obedience in this relationship. Moving forward, the study shifts its attention to discussion and analysis of the conditional and contextual nature of obedience to rulers in Islam in addition to highlighting the three-tiered classification of obedience, showcasing the varying levels and nuances. After this, the study addresses the challenges and considerations one may encounter with the choice between enduring oppression and resorting to sedition. Lastly, the study concludes by offering a summary of the key points and emphasizing the overall understanding of obedience in Islam.

Defining Concepts

Regarding Obedience-ḥadīths, three interconnected concepts are highlighted: Obedience, *fitnah*, and *al-jamā'ah*. Obedience entails that Muslims, exercising patience, should refrain from initiating armed uprisings against their unjust or oppressive rulers, except in rare circumstances. The motivation behind obedience lies in preventing the emergence of *fitnah*. In other words, attempting to remove the ruler through military means is most likely to cause widespread bloodshed and upheaval. The evil and harm of removing him will be far greater than what occurs if he remains.

Closely associated with anarchy, chaos, and civil war, *fitnah* originates from 'to burn', i.e., to melt gold or

silver with fire to purify it.[11]   Then this signification is extended to mean "To put to the test, to afflict (in particular as a means of testing someone's endurance); to disrupt the peace of a community; to tempt, to seduce, to allure, to infatuate."[12]

A Muslim during times of sedition and turmoil is required to extend his compliance to the community and imam.[13]   Also, dire warnings and threats of excommunication are directed to those Muslims who, having committed acts of disobedience to their leader, departed from the Muslim mainstream community.[14]   In the event of *fitnah*, Muslims should refrain from participating or supporting any of the contending parties. Instead, they are counselled to manage their mundane and religious affairs.[15]

The third term *al-jamā'ah* (community), is challenging to define or delineate clearly, particularly following the demise of the Ottoman caliphate, leading to the fragmentation of the ummah into numerous small groups and movements with secular-nationalist and social orientations. However, by referring to tradition and historical accounts, some degree of ambiguity can be clarified. A 'community' is identified as a Muslim group that follows a single imam. [16] In other words, they pledge allegiance to a unified authority responsible for safeguarding their civil and religious rights, administering their affairs, and without which the existence of the community is at risk of collapse.

In the year 41 AH, when al-Ḥasan transferred the caliphate to Mu'āwiyah, it was referred to as 'the community year,' signifying the reunification under one emir after a period of division. [17]It is crucial to emphasize that the unity of the Muslim community is an unwavering imperative, and anyone attempting to disrupt or dismantle it may be confronted, even to the extent of facing combat or death.[18] A valuable historical lesson teaches us that a nation's political unity, regardless of its strength, acts as a significant impediment to divisive projects and schemes. Despite the weakened and politically disintegrated state of the caliphate, it remained a symbol of collective consciousness for Muslims globally. Consequently, rulers of the Sultan States, situated on the periphery of caliphate territories, fervently demonstrated their commitment to this symbolic union under the caliph. [19]

The Rationale for Authority

The state, according to Plato, arises "out of the needs of mankind; no one is self-sufficing, but all of us have many wants."[20] This was echoed by his student, Aristotle, who argues in *Politics* that human beings are by nature political animals, who tend to live together. [21] Later, the essentiality of power became an established reality among medieval Muslim scholars of literature, political-ethical philosophy, and sociology, like al-Jāḥiẓ (d. 869),[22] Ibn Abī al-Rabī' (d. 885),[23] al-Fārābī (d. 950),[24] Ibn Sīnā, Avicenna (d. 1037),[25] as well as Ibn Khaldūn (d. 1406).[26]

Recognizing the necessity for an organized structure in both political and non-political societies, it is understood that a certain entity is most suited for the fundamental task of organization. This entity, commonly referred to as 'authority,' plays a pivotal role in ensuring effective administration of people's affairs. [27] Consequently, a form of 'political differentiation' naturally emerges, delineating two distinct groups: a ruling party vested with political authority and decision-making capabilities, and subjects obligated to adhere to directives.[28]

The question of 'obedience' undeniably stands as one of the fundamental rights of the state to uphold its existence and stability. Acts of disobedience and rebellion represent significant contributors to the potential dissolution of a state. Ibn Khaldūn astutely observes that the lack of obedience posed a hindrance to the establishment of well-organized societies among pre-Islam Arabs. Their refusal to submit to each other, fueled by their rugged nature, pride, and aspirations for leadership, became a notable obstacle. [29] Political authority, to be noted, is named by professors of law 'the guardian state' because it establishes security and stability at home and protects its individuals from foreign assaults.[30]

Further, Islam strongly supports the pressing need for authority: (i) A Prophetic tradition states, "It is

inevitable for people to have *imārah* (emirate), whether it is good or bad."[31] (ii) 'Alī ibn Abī Ṭālib, who said, "(The affairs) of people are only set right by the existence of emir, whether good or bad."[32] (iii) when three individuals plan to embark on a journey, it is a religious obligation for them to designate one among them as their leader.[33]

The caliphate, taking over the role of Prophethood, "is responsible for guarding the religion and managing the affairs of his world."[34] Without caliphate or imamate, neither religious obligations nor the objectives of sharia can be carried out. Thus, numerous Muslim scholars, throughout the history of Islam, unanimously call for the imperative caliphate.[35]

The Concept of *ulū al-amr*

To comprehend the meaning and implementation of the term *ulū al-amr*, it is essential to examine the interpretation of the Qur'ānic verse wherein the term is mentioned. The verse goes, "You who believe, obey God and the Messenger, and those in authority among you. If you are in dispute over any matter, refer it to God and the Messenger, if you truly believe in God and the Last Day" (Al-Nisā': 59).[36] Commentators hold varying opinions regarding the identity of *ulū al-amr* (those in authority). Some interpret it as specific groups such as scholars, emirs of military expeditions, or emirs in general.[37]

Others argue that it applies broadly to anyone vested with authority, whether in public or private capacities (such as leaders, sultans, judges, scholars, muftis, etc.), provided that their position of authority is legally legitimate and valid.[38] Al-Shawkānī, for example, notes, "*Ulū al-amr* includes leaders, sultans, judges and every one with legally accredited authority, rather than the authority of ṭāghūt (Satan/a false deity)." [39] Contemporary thinkers, like Muḥammad 'Abduh and Ḥasan al-Turābī, are quite explicit about the key element of free choice of the ruler by the ummah.[40]

Given the word by nature is open to multiple interpretations, the choice of emirs or rulers does not take precedence over other choices. In this context, the fixed plural form of *ulū al-amr*[41] may subscribe to the general applicability of the term. It alludes to a sense of corporate responsibility of those of authority to work hand in hand under the umbrella of sharia for the promotion of the best interests of the Muslim community at all levels.[42] In other words, *ulū al-amr* ultimately contains the three powers, legislative (ulema and muftis as the exponents of Islamic law), executive (rulers, sultans, emirs), and judiciary (judges).[43] On the basis of obedience verse plus the previous verse (no. 58),[44] those of *ulū al-amr* are identified with three distinguishing features: fulfilment of trust, maintaining justice, and referring to Allah and His messenger as regards disputable matters.[45] Underlining their importance, 'Alī ibn Abī Ṭālib is quoted as saying, "It is the duty of the leader to rule according to what Allah has revealed, and fulfil trusts. If he has done that, Muslims have to listen and obey and be responsive to him."[46]

Consequently, the Muslim community is obligated to show allegiance to *ulū al-amr* who have fulfilled these three duties, with a particular emphasis on justice. Conversely, rulers who are unjust or corrupt, failing to uphold the specified features outlined in the Qur'ān, cannot be categorized as *ulū al-amr*. Instead, as per al-Zamakhsharī, a renowned commentator, they are appropriately labelled as *al-luṣūṣ al-mutaghallibah* (the dominant thieves). [47]

The Sunnah goes beyond the idealistic picture of the ruler portrayed in the obedience verse and describes the primary duty of an emir or imam. According to the statement of 'Alī ibn Abī Ṭālib and other traditions,[48] this duty involves leading the fulfilment of the objectives of Sharia, enforcing *ḥudūd* (fixed penalties), engaging in combat against enemies, and safeguarding the land. This ruler, upon fulfilling these responsibilities, can be either virtuous and morally upright, adhering to the norm of good conduct, or corrupt and immoral.

Historically speaking, leaders of the Umayyad and Abbasid caliphate were able, with a position of

domination, to fulfil these duties, although some of them seemed to have been despotic and unjust.[49] Also, the sultanate states,[50] which usurped power from the caliphate and were in search of legitimacy, committed themselves to sharia, performing jihad, suppressing intra-wars, as well as serving the community's socio-economic needs.[51]

On the correlation between the ruler and the community, bound by the concept of 'obedience,' al-Jāḥiẓ observes that a leader with sole sovereignty is akin to the imam in prayer, who alone is followed and obeyed. In the absence of political rivals, consensus prevails, harmony is achieved, and the affairs of the community are set in order. Furthermore, the presence of a united community signifies the absence of adversaries, bringing an end to fanciful thoughts and ideas.[52]

Just as individuals in prayer follow their imam, the community ought to obey its political authority and refrain from rebellion. When voluntary 'obedience' is willingly embraced, it results in a unified community. This implies that individual wills merge into the collective will, and personal interests are subordinated to the broader common interest. Consequently, as Rousseau puts it, "Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole."[53]

To sustain both political and social unity and facilitate the smooth execution of numerous religious duties, Muslims are counselled to endure the injustices of their rulers. The ruler, as argued, serves as the thread that binds the beads of a necklace together. If the thread were to break, the beads would scatter. This analogy succinctly elucidates the correlation between the existence of the ruler and that of the community, a connection underscored by many Prophetic traditions.[54] In a historical context, al-Ṭabarī recounts an incident involving Saʿīd ibn Zayd, who was asked about the timing of Abū Bakr's installation as caliph. In response, Saʿīd stated that Abū Bakr assumed the role of caliph on the very day the Prophet passed away. This swift transition was motivated by a collective desire to avoid any prolonged period without a unified leadership.[55]

The significance of this event lies in the sense of urgency and unity that characterized the early Muslim community. The companions recognized the potential dangers and divisions that could arise in the absence of a clear leader. Therefore, the immediacy of Abū Bakr's appointment was driven by the communal imperative to maintain cohesion and prevent any fragmentation among the Muslims. This historical account reflects the commitment of the early Muslim community to swiftly establish leadership and ensure the continuity of a united ummah following the death of the Prophet.

In times of sedition and turmoil, it is incumbent upon a Muslim to steadfastly adhere to their community and imam.[56] Furthermore, severe admonitions and the potential for excommunication are issued against those Muslims who, by engaging in acts of disobedience to their leader, deviate from the mainstream Muslim community.[57] Abd Allāh ibn Masʿūd provided counsel to those expressing grievances against their unjust governor, al-Walīd ibn ʿUqbah of the Umayyads. He advised them to exercise patience, asserting, "Enduring the injustice of an imam for fifty years is preferable to the chaos and disorder of *harj* persisting for just one month!" When queried about the definition of *harj*, Ibn Masʿūd clarified, stating, "It refers to killing and lying."[58] This advice finds validation in Islamic teachings promoting patience and endurance, while historical context supports the idea that enduring prolonged injustice may, in certain instances, offer a more stable and preferable alternative to the chaos and devastation brought about by short-lived periods of *harj*.

Obedience contextualized

In light of the aforementioned reports, obedience for Muslims involves enduring patiently and refraining from staging an armed rebellion against unjust or oppressive rulers, unless they exhibit clear and definitive signs of disbelief. From a rational and realistic perspective, this form of obedience is deemed a necessary process aimed

at maintaining order and stability within Muslim society, which are crucial for meeting and serving basic human needs. Consequently, enduring the ruler's despotism is considered inevitable, with obedience mandated until the opportune moment for change arises. However, when it pertains to disobeying Allah, there is no room for compromise or concession. [59]

Moreover, insightful scholars of ḥadīth have strategically placed the chapter on obedience within a broader context, integrating it with other chapters that, in contrast, present materials such as traditions and reports that, to some extent, contrast or balance the concept of 'obedience.' These encompass themes like 'the rights of subjects on the ruler,' 'the punishment of the unjust ruler and lenient treatment of subjects,' 'the obligation of forbidding evil before emirs,' 'no obedience to a creature if it entails disobeying the Creator,' 'speaking the truth before the imams,' and 'how to advise the imams.' [60]

This arrangement is deliberate, aiming to guide readers to comprehend 'obedience' in conjunction with these related chapters rather than in isolation. Consequently, 'obedience' ḥadīth literature is contingent and contextual, involving a careful balance between the rights of the ruler and the rights of the people. The ruler is accountable to the ummah, and when deviating from established norms, admonition and denunciation of their wrongdoing are warranted. To focus solely on 'obedience' would be a systematic error, suggesting that Islam endorses unrestricted authority for rulers, regardless of their character, while simultaneously demanding unquestioning obedience from their subjects.

A report, narrated by 'Ubādah ibn al-Ṣāmit, encapsulates this dual responsibility. It states, "We pledged allegiance to the Messenger of Allah to heed and obey, whether our spirits are high or indifferent, in times of adversity or ease, and even if others are favored over us. We would not engage in conflict against the ruler unless there is clear evidence of disbelief, supported by proof from Allah. And we speak the truth for the sake of Allah, fearing no one's reproach." [61]

Moreover, absolute submission to corrupt rulers directly contradicts a well-known report attributed to the Prophet, "The best Jihad is to speak a word of truth in front of a tyrannical ruler." [62] It also stands in contrast to another narration which asserts, "The prince of martyrs are Ḥamzah ibn 'Abd al-Muṭṭalib, and a person who spoke the truth before a tyrant and consequently got killed." [63] Classical Islamic literature abounds with accounts of courageous scholars who confronted caliphs, admonishing them for their misdeeds. [64]

Furthermore, an indication of the non-passive nature of obedience lies in the legal permissibility to engage in self-defense against acts of injustice, even when the wrongdoer is the ruler himself. This defensive action, distinct from rebellion, aligns with the tradition advising Muslims to heed and follow those in authority, "even if they strike your back and confiscate your wealth." [65] The essence of this tradition suggests that while obedience to unjust rulers is required, one should resist the unlawful seizure of property if capable. In the event of resistance leading to one's demise, the individual is granted the status of a martyr, as affirmed in several traditions. [66] These defined boundaries on obedience to oppressive rulers tend to challenge their authority and undermine their legitimacy, ultimately providing a rationale for those governed to consider rebellion.

Losing sight of these presented facts and juristic rulings, some Orientalists argue that the Muslim caliphate is of autocratic character. For example, Thomas Arnold contends that the caliphate "placed unrestricted power in the hands of the ruler and demanded unhesitating obedience from his subjects."[67] To support his argument, Arnold provided several obedience traditions,[68] with no reference to even a single narration about the counter-obedience traditions! The same opinion is shared by William Muir[69] and Duncan B. MacDonald.[70] As for rebellion in Islamic jurisprudence, Gibb argues that Muslim jurists adopt quietism and reject any right to rebel against an unjust imam.[71]

It is crucial to emphasize that, since the inception of the first *fitnah* (internal strife) among the Companions and throughout the centuries, the practical stance of numerous scholars toward corrupt political authority has

extended beyond mere 'obedience and patience' to encompass 'opposition and resistance' as well. The disobedient position encompasses a range of approaches spanning from inwardly condemning sinful acts, remaining secluded at home, suspending public lectures, refraining from visiting the ruler's court or accepting prizes, to offering moral support to rebels[72] or actively participating in opposition movements. [73] In both these stances, a common thread of obedience to Sharia is discernible. Those who choose to endure despotic rulers are, in essence, professing their obedience to Allah and His messenger, just as those who uphold the principle of enjoining what is right and forbidding what is wrong, each manifesting their commitment through various stages and methods.

What ought to be stressed in this context is that leadership or caliphate constitutes a mutual agreement between two parties: the *ummah* and the ruler, with the former granting legitimacy to the latter. In addition to being accountable to Allah, the ruler is equally answerable to the ummah, the rightful holders of their own rights. According to the terms of this contract, individuals have the entitlement to offer advice, pose questions, and ultimately remove the ruler if he demonstrates moral corruption and negligence in his duties. [74]

The position of rulership is regarded as a trust.[75] As the guardian of people's rights, the ruler is obligated to be trustworthy and honest, safeguarding the rights of individuals and refraining from their violation. Upon assuming the role of caliph, Abū Bakr delivered a memorable speech, stating, "O People! I have been appointed as caliph over you, even though I am not the best among you. If I do well, help me; if not, straighten me up… Obey me as long as I obey Allah and His Messenger. If I disobey them, then no obedience is due to me." [76] The ruler does not wield authority through an unseen force or divine right; rather, he is simply ordinary individual whose legitimacy stems from the people who have elected him.

The Three-Level Obedience

The preceding exploration of obedience in the Qur'ān and Sunnah reveals a nuanced understanding that encompasses three distinct types of obedience, transitioning from an idealistic perspective to a more practical, realistic approach. As mentioned above, the Qur'ān outlines specific features and conditions governing political obedience, particularly regarding *ulū al-amr*, which includes rulers and leaders. According to these guidelines, individuals in authority are deserving of obedience when they demonstrate fairness in their treatment of subjects, fulfill entrusted responsibilities faithfully, and, crucially, make decisions in alignment with Sharia, using it as a guiding principle.

The ideal form of obedience is one that emanates from a genuine sense of love and respect for just rulers. This echoes the exemplary obedience observed in the actions of the Prophet Muhammad and the four rightly guided caliphs. In this ideal scenario, obedience is not merely a duty but a voluntary and heartfelt response to leaders who embody principles of justice, equity, and adherence to Sharia. This elevated form of obedience envisions a harmonious relationship between rulers and their subjects, grounded in mutual respect and a shared commitment to ethical governance.

Prophetic traditions, nevertheless, have gone beyond this utopian Qur'ānic concept that existed for three decades of early Islam and sporadically throughout history as foreseen in a tradition.[77] Other traditions speak of three different periods: Prophethood and the caliphate coupled with mercy, kingship characterized by oppression, then powers of despotism, brutality, and open moral laxity. [78]

In acknowledging the moral deterioration evident in various aspects of human life, especially within the political realm, these reports offer Muslims a pragmatic and multifaceted approach to navigate the challenges posed by incoming authorities that fall outside the narrow confines of the ideal obedience verse. While the Qur'ān slams the door of obedience in faces of morally corrupt rulers, the Sunnah adopts a more inclusive stance, addressing a spectrum of political scenarios that range from the pristine model of the caliphate to various degrees of adulterated rulership. This wide-ranging approach recognizes the complexities of political power and provides Muslims with diverse strategies and remedies to navigate the intricate landscape of

governance, acknowledging the diverse forms and challenges that authority may take over time.

Upon perusing the corpus of literature on obedience ḥadīths, one discerns a nuanced delineation of the boundaries on tolerating bad rulers. These boundaries fluctuate, at times narrowing to cases of unequivocal sin[79] and, on other occasions, expanding to encompass instances of clear-cut disbelief. [80] One ḥadīths explicitly prohibits armed revolt against a ruler who continues to engage in prayer, [81] or emphasizes the sanctity of the prayer. [82] Some Muslim intellectuals interpret this tradition literally, while others perceive the exclusive mention of 'prayer' as a symbolic representation of the ruler's overall commitment to the faith[83] or a practical demonstration of his valid authority under God's law. [84]

Concerning the extent of persecution, the literature underscores that a Muslim is obligated to listen and obey even in the face of physical harm, such as having his back beaten or wealth unjustly seized. [85] This obligation persists because the perpetrators of such persecution are deemed as "people of devils' hearts in human bodies." [86] In this context, obedience is seen as a strategic response, aimed at averting anticipated harm from those wielding ruthless power. It becomes a pragmatic approach to mitigate potential harm and navigate the challenges posed by individuals in positions of authority who exhibit cruelty and oppression.

In this context, two distinct phases of history emerge:

The first phase, spanning from the advent of Islam until the dissolution of the caliphate in 1924, witnessed Islam serving as a moral, legal, social, and political anchor in Muslim societies worldwide. Despite ethical and cultural distinctions between the caliphate and subsequent Sultanate States, a thread of continuity existed in their adherence to Islamic legacy and tradition. Whether the rulers were pious or corrupt, and even in cases of usurpation, Islam retained its status as a comprehensive way of life. Various caliphs and sultans, to differing extents, sought to implement some or all the three defining characteristics of *ulū al-amr*. Importantly, none of them endeavored to challenge or dismantle the Islamic governance of the state. "Thus, for the believer, there was a continuum of Muslim power and success which, despite the vicissitudes and contradictions of Muslim life, validated and reinforced the sense of a divinely mandated and guided community with purpose and mission." [87] Out of necessity and for the smooth running of life, Muslim subjects were required to obey unjust/impious rulers of this phase. Due to necessity and for the seamless functioning of daily life, Muslim subjects were compelled to adhere to the commands of unjust or impious rulers during this period.

The second phase began with Ataturk's abolition of the caliphate in 1924 and the implementation of his secular policies, leading to the removal of Islam as the overarching framework. This shift marked a significant transition, plunging the Muslim World into a period characterized by disbelief. [88] The impact of this sacrilegious decision was further accentuated during the Western colonial era, which brought about profound transformations across various domains—social, political, educational, cultural, ethical, and religious. In the modern-state era, many Arab leaders replaced the Islamic identity with secular, communist, and nationalistic ideologies. Despite these changes, they often invoked Islam, incorporating religious tones in their messages, to maintain legitimacy and ensure stability. [89]

Worse, these rulers have engaged in a range of religious, social, and ethical transgressions. While some openly exhibit disbelief through their ideas or actions, [90] others seem to function as proxies for foreign powers, notably the State of Israel. [91] Their actions include the plundering of natural resources, the promotion of policies fostering bribery, poverty, and obscurantism, among other offenses. Additionally, they actively work to suppress Islamic awakening using both overt and covert means. The majority of these rulers have seized power through force [92] and strive to maintain their positions through electoral fraud (99.99%), with virtually no red lines left to be crossed.

Certainly, the scale of criminality exhibited by this group of individuals can in no way be equated to the injustices committed by earlier Muslim leaders during the first phase. Bearing this in mind, certain

contemporary Muslim intellectuals like Rāshid al-Ghannūshī,[93] 'Abd Allāh al-Nafīsī,[94] Ibrāhīm Zayn,[95] Muḥammad al-Ṭāhir al-Mīsāwī[96] and Ḥakim al-Muṭayrī[97] contend that obedience should not be rendered to those leaders. According to al-Ghannūshī, they are dictators, morally corrupt, servants of enemies of Islam, and bloodthirsty. "Had they been our *ulū al-amr*, we would have obeyed them."[98] Then he aptly notes that, contrary to contemporary presidents and kings, earlier rulers—although deviant—were respecting Islamic teachings and recognizing Islamic law as a general framework.[99]

In contrast, a significant portion of traditional scholars considers the term 'ruler' and its implications to be applicable universally to all figures of authority, spanning from the early days of Islam to the contemporary era. They often cite the Qur'ān (specifically, the obedience verse) and the Sunnah (encompassing the traditions of obedience) as supporting grounds for compliance with the ruler.

I have two key points to emphasize here:

Firstly, it is valid to assert that the bulk of current leaders should be excluded from the *ulū al-amr* category, as advocated by al-Ghannūshī and his associates. *Ulū al-amr* represents a superior Qur'ānic designation granted to those who embody essential human moral values such as justice, trust, and dignity, while adhering to Sharia as their guiding framework.

The concept of *ulū al-amr*, integral to genuine Islamic political authority, is grounded in principles of justice, equality, freedom, coexistence, trust, and civilizational advancement. The era of the Prophet and the four caliphs, along with certain subsequent cases, epitomizes the essence of *ulū al-amr*. However, the historical political trajectory of Muslims has given rise to various forms of authority that do not fall within the *ulū al-amr* category. These include leaders marked by tyranny, corruption, despotism, usurpation, secularism, nationalism, or communism. Their proximity to the ideal varies; rulers from the early phase are closer to *ulū al-amr*, while leaders in our current phase remain more distant.

Secondly, I contend that a minimal amount of obedience needs to be considered to contemporary rulers. The Sunnah, as mentioned above, treats rulers' despotism from a broader and realistic perspective. This perspective encompasses rulers from the initial phase and extends the possibility of applying it to those in the second phase as well. It becomes challenging to demonstrate that the extensive body of obedience ḥadīths, highlighting common attributes of corrupt rulership, should exclusively pertain to leaders from the first phase. After examining numerous relevant ḥadīths, I did not come across distinctive qualities that are applicable to a specific category of rulers or authorities, nor did I find indications that these qualities are associated with a particular period over another. [100] Ibn Taymiyyah emphasizes the absolute nature of the obedience ḥadīths, as they do not pertain to a "specific sultan, nor a specific commander, nor a particular group." [101]

The insistence on obedience, as repeatedly stressed, stems from a rational and pragmatic standpoint, grounded in the imperative of maintaining order and stability. These, in turn, are crucial for the pursuit and fulfillment of fundamental human needs. Refusing to comply with the legitimate and socially sanctioned directives of corrupt leaders is viewed, from this perspective, as a potential precursor to rebellion and insurgency, thereby heightening the ominous possibility of civil conflict. This type of obedience arises not out of affection or respect but is born out of an extreme emergency, [102] akin to obeying someone who holds a gun to your head. This aligns with the concept of *al-luṣūṣ al-mutaghallibah* (the dominant thieves), a term coined by al-Zamakhsharī, aptly characterizing obedience enforced under coercive circumstances. [103]

The dilemma of oppression vs. sedition

In his exploration of the transition from chaos to the establishment of a state, philosopher Thomas Hobbes

highlights the inclination of people towards order following a period of disorder. He recounts a historical practice in ancient Persia, where, upon the death of a king, the populace was left without a ruler and law for five days, allowing chaos to unfold throughout the country. The intention behind this was that, at the conclusion of these five days, with looting, plundering, rape, and killing reaching their peaks, those who survived the intense chaos would develop a genuine allegiance to the new king. [104]

This ordeal laying bare the dreadful consequences of a society lacking political authority is echoed in a statement attributed to the Companion 'Amr ibn al-'Āṣ that goes, "An oppressive ruler is better than ceaseless sedition."[105] This maxim, inspired by Prophetic reports,[106] presents a dilemma with only two choices: enduring the presence of an unjust ruler (an undesirable option) or engaging in rebellion against them, which brings about significant disorder and dire outcomes (also an undesirable option). Should one exercise patience and endure the injustices of the ruler, or should rebellion be pursued, potentially leading to a dystopian nightmare? No doubt that 'the lesser of the two evils' principle should be taken. Ibn Taymiyyah aptly notes that wisdom lies not in merely distinguishing between good and evil, but in recognizing the preferable option among two goods and the less detrimental choice between two evils.[107] A perceptive doctor initiates treatment by addressing the most critical illnesses.[108]

Historically, Abū al-Ḥasan al-Ashʿarī meticulously documented a multitude of rebellions occurring within the first two centuries of Islam, all led by individuals with ancestral ties to the Prophet.[109] Ibn Khaldūn likewise identified instances where impassioned revolutionaries and religious jurists, driven by a fervor to rectify perceived wrongs, mobilized tribal support for revolts against oppressive emirs. Underestimating or ignoring the significance of *'aṣabiyyah* (group solidarity), they ended up either defeated or killed together with their followers and sympathizers.[110] These scholarly perspectives serve as valuable evidence elucidating the historical ineffectiveness and peril associated with many armed revolts in Muslim history. Such revolts, as overlooking the socio-political dynamics and tribal allegiances integral to their success, often resulted in adverse outcomes and fatal consequences.

More importantly, Rāshid al-Ghannūshī, the prominent Islamic thinker, contends that prior to initiating military measures against corrupt governments, revolutionary Islamist movements should possess a thorough understanding of the social and political consequences and assess whether the conditions are conducive to change. [111] This awareness is best articulated through fundamental inquiries: To what extent are people prepared to make sacrifices and actively participate in the rebellion? To what degree have they lost confidence in the ruler? What is the level of their response to the movement's alternative vision? Are living standards significantly low? Does the geographical positioning of the country offer protection to the revolutionaries? Are there social forces (tribes, sects, political parties, unions, etc.) likely to join the revolution? What is the probability of foreign military intervention in support of the existing regime? Are there regional or international forces that might form an alliance with the movement?[112]

Al-Ghannūshī further underscores the importance of the principle of commanding what is right and forbidding what is evil, and how to expand its basic form (speaking out against an unjust ruler) to more elaborate expressions such as protest petitions, demonstrations, general strikes, boycotting corrupt institutions, tax resistance, and the like. [113] This realistic view, however, does not completely dismiss the notion of rebellion. If there is a certainty that rebellion against an unjust leaser could potentially succeed when taking into account socio-political-military considerations, then it is not only permissible but even obligatory, as emphasized by distinguished jurists such al-Ḥulaymī,[114] and al-Dāwūdī.[115]

Conclusion

Based on the foregoing discussion and analysis, obedience to *ulū al-amr* in the Qur'ānic perception has to be

understood in the context of justice, fulfilling trusts, in addition to admitting sovereignty as belonging to Allah alone, and implementing the guidance of His Messenger. Moreover, the common identity of *ulū al-amr* is best embodied in a joint effort of the three powers: legislation, law enforcement, and adjudication. Rulers are expected to consult *ulama* or muftis about the legal status of various issues. The latter, in turn, obey legitimate commands of the former and help them implement sharia rules. Judicial power, on the other hand, joins forces with the other two powers for the benefit of the ummah. Viewed as a single entity, *ulū al-amr* decidedly banishes autocratic power as well as other systems of political tyranny.

The concept of 'obedience' is conditional and contextual, delineating the balance between the rights of the ruler and the rights of the people. The ruler is accountable to the *ummah*, and the principle of commanding the right and forbidding the evil grants the *ummah* the right to question the ruler's actions. This dynamic interplay underscores the nuanced nature of obedience in the socio-political framework. And the emphasized connection between the community and the political authority underscores the concept of mutual interdependence. This interdependence signifies a reciprocal relationship in which the well-being and effectiveness of each entity are closely tied to the other.

The research findings highlight a three-tiered classification of obedience: normative obedience, driven by love and respect for just rulers; obedience of necessity, applicable to corrupt rulers during the first phase of Muslim history, spanning from Islam's inception until the caliphate's dissolution in 1924. Despite the different ethical character of rulers of this time, virtuous or corrupt, and even in instances of usurpation, Islam maintained its position as an all-encompassing way of life. Different caliphs and sultans, to varying degrees, endeavored to embody some or all of the three defining characteristics of *ulū al-amr*. Emergency obedience to leaders in the contemporary era. The second phase, characterized by the abolishment of the caliphate and the rise of secular policies, witnessed the removal of Islam as the reference point in Muslim societies. It goes without saying that enormity of the criminal and unethical conduct exhibited by these leaders stands incomparable to the injustices committed by their predecessors in the earlier periods of Muslim leadership.

From a pragmatic and functional perspective, the necessity of maintaining order, stability, and preventing societal discord becomes imperative for upholding elevated moral principles. Therefore, if there is a prevailing concern that rebellion might jeopardize these fundamentals, then the status quo, though repugnant, should be maintained.

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Endnotes

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[1] Thomas Pierret "The Role of the Mosque in the Syrian Revolution," *Near East Quarterly* 7, (2012): 1-5.

[2] Thomas Pierret, *Religion and State in Syria.* (Cambridge: Cambridge University Press, 2013), 216-234; Jawad Qureshi, "The Discourses of the Damascene Sunni Ulama During the 2011 Revolution," *St. Andrews Papers on Contemporary Syria* 4, no. 1 (2012): 59-91.

[3] See these reports in Ibn al-Athīr, *Jāmiʿ al-Uṣūl, Jāmiʿfi Aḥādīth al-Rasūl.* (Damascus: Maktabat al-Ḥalwānī, 1969), 4: 61-72; al-Nawawī, *Sharḥ Ṣaḥīḥ Muslim.* (Cairo: al-Maṭbaʿah al-Miṣriyyah, 1930), 12: 222; Khaled Abou El Fadl, *Rebellion and Violence in Islamic Law.* (Cambridge: Cambridge University Press, 2001), 112-118.

[4] Ibn al-Athīr, *Jāmiʿ al-Uṣūl*, 4: 61-62.

[5] Ibn al-Athīr, *Jāmiʿ al-Uṣūl*, 4: 64-65; al-Haythamī, *Majmaʿ al-Zawāʾid.* (Cairo: Maktabat al-Qudsī, 1994), 5: 220. E.g. "Listen and obey even if your back is beaten and your wealth is taken." Ibn al-Athīr, *Jāmiʿ al-Uṣūl*, 10: 45.

[6] Ibn al-Athīr, *Jāmiʿ al-Uṣūl*, 4: 64-65; al-Haythamī, *Majmaʿ al-Zawāʾid*, 5: 220.

[7] Abou El Fadl, *Rebellion and Violence*, 113.

[8] Ibn al-Athīr, *Jāmiʿ al-Uṣūl*, 4: 78.

[9] Ibn al-Athīr, *Jāmiʿ al-Uṣūl*, 1: 253; Ibn Ḥajar al-ʿAsqalānī, *Fatḥ al-Bārī.* (Riyadh, 1421 AH), 13: 8-10; Muhammad Khayr Haykal, *Al-Jihad wa al-Qitāl fī al-Siyāsah al-Sharʿiyyah.* (Beirut: Dār al-Bayāriq, 1996), 1: 122.

[10] Ibn al-Athīr, *Jāmiʿ al-Uṣūl*, 4: 69-70; al-Haythamī, *Majmaʿ al-Zawāʾid*, 5: 219.

[11] Edward William Lane, *An Arabic-English Lexicon.* (Beirut: Librairie du Liban, 1968), 6: 2334; L. Gardet, "FITNA," in C. E. Bosworth, E. van Donzel, W.P. Heinrichs, G. Lecomte (eds.), *The Encyclopaedia of Islam* (Leiden: Brill, new ed., 1986- 2004), 2: 930-931.

[12] Elsaid M. Badawi and Muhammad Abdel Haleem, *Arabic-English Dictionary of Qur'anic Usage*. (Leiden: Brill, 2008), 692. The *fitna* in the Qurʾān has twelve meanings. Majid al-Dīn al-Fayrūzabādī, *Basāʾir Dhawī al-Tamyīz* (Cairo: Al-Majlis al-Aʿlā li al-Shuʾūn al-Islamiyyah, 1992), 4: 166-169.

[13] Ibn al-Athīr, *Jāmiʿ al-Uṣūl,* 10, 45.

[14] Ibid., 4: 69-70; al-Haythamī, *Majmaʿ al-Zawāʾid*, 5: 219.

[15] Ibn al-Athīr, *Jāmiʿ al-Uṣūl,* 10, 3-101; Haykal, *Al-Jihad wa al-Qitāl*, 1: 149-151.

[16] This interpretation, favored by al-Ṭabarī, is considered the most appropriate. It acknowledges the robust connection established by many reports between 'imam or emir' and 'community,' signifying a close association between the community and a singular political authority. Moreover, the absence of this authority inevitably results in the fragmentation of the community. In such a scenario, Muslims are obligated to distance themselves from all conflicting factions and remain detached. See other dentitions in Shāṭibī, *al-Iʿtiṣām.* (Amman: Dār al-Athariyyah, 2008), 3: 294-311; Ibn Ḥajar al-ʿAsqalānī, *Fatḥ al-*Bārī, 13: 37.

[17] Ismāʿīl Ibn Kathīr, *Al-Bidāyah wa al-Nihāyah.* (Cairo: Dār Hajar, 1998), 11:148.

[18] Muslim ibn al-Ḥajjāj *Ṣaḥīḥ Muslim.* (Cairo: al-Maṭbaʿah al-Miṣriyyah, 1930), 12: 242.

[19] See al-Faḍl Shalaq, "al-Jamāʿah wa al-Dawlah," *al-Ijtihād*, no. 3 (1989): 55; 66-67.

[20] Plato, *The Republic*, translated by Benjamin Jowett, (America: Anchor Books, 1980), 63.

[21] Aristotle, *Politics*, translated by Benjamin Jowett, (Oxford: Oxford University Press, 1920), 1253 a, p. 28.

[22] Al-Jāḥiẓ, *Rasāʾil al-Jāḥiẓ.* (Beirut: Maktabat al-Hilāl, 2002), 3: 99.

[23] Ibn Abī al-Rabīʿ, *Sulūk al-Mālik fī Tadbīr al-Mamālik.* (Beirut: Dār al-Andalus, 1983), 175.

[24] Al-Fārābī, *Ārāʾ ahl al-Madīnah*. (Beirut: Dār al-Mashriq, 1985), 117.

[25] Ibn Sīnā, *Al-Ishārāt wa al-Tanbīhāt*. (Cairo: Dār al-Maʿārif, n.d.), 4: 60-61.

[26] Ibn Khaldūn, *Al-Muqaddimah*. (Tunisia: Dār al-Qayrawān, 2006), 1:69-71.

[27] See Ibid., 1: 71.

[28] ʿAbd Allāh Nāṣīf, *Al-Sulṭah al-Siyāsiyyah*. (Cairo: Dār al-Nahḍah, 1983), 4.

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[29] Ibn Khaldūn, *Al-Muqaddimah*, 1: 263. For details on the significance of political obedience to authority, see Hānī al-Mughallis, *Al-Ṭāʿah al-Siyāsiyyah fī al-Fikr al-Islāmī*. (Virginia: The International Institute of Islamic Thought, 2014), 36-40.

[30] Imām ʿAbd al-Fattāḥ Imām, *Al-Ṭāghiyah*, ʿĀlam al-Maʿrifah Series. No. 183. (Kuwait: al-Majlis al-Waṭanī, 1994), 15.

[31] Abū al-Qāsim al-Ṭabarānī, *Al-Muʿjam al-Kabīr.* (Cairo: Maktabat Ibn Taymiyyah, 1983), 10:1620163; al-Haythamī, *Majmaʿ al-Zawāʾid*, 5: 222.

[32] Abū Bakr al-Bayhaqī, *Al-Jāmiʿ li Shuʿab al-Īmān.* (Riyadh: Maktabat al-Rushd, 2003), 10:15.

[33] Narrated by Abū Dāwūd, and Aḥmad. See al-Shawkānī, *Nayl al-Awṭār.* (Lebanon: Bayt al-Afkār, 2004), 1699.

[34] Abū al-Ḥasan al-Māwardī, *Al-Aḥkām al-Sulṭāniyyah*. (Kuwait: Dār Ibn Qutaybah, 1989), 3.

[35] On the necessity of setting up a caliphate, see a detailed explanation and several quotes of leading jurists in Muḥammad al-Rayyis, *Al-Naẓariyyāt al-Siyāsiyyah al-Islāmiyyah*. (7th ed.). (Cairo: Dār al-Turāth, 1976), 128-143.

[36] All the Qurʾānic quotations, unless otherwise indicated, are taken from M.A.S. Abdel Haleem, *the Qurʾan*. (Oxford University Press, 2004).

[37] Al-Ṭabarī, *Tafsīr al-Ṭabarī.* (Cairo: Dār Hajar, 2003), 7: 176-182; al-Qurṭubī, *Al-Jāmiʿ li Aḥkām al-Qurʾān.* (Beirut: Muʾassasat al-Risālah, 2006), 6: 423-433; Ibn al-Qayyim, *Iʿlām al-Muwaqqiʿīn ʿan Rabb al-ʿĀlamīn.* (Riyadh: Dār Ibn al-Jawzī, 1423 AH), 2:15-16; Jalāl al-Dīn al-Suyūṭī, *Al-Durr al-Manthūr fī al-Tafsīr bi al-Maʾthūr.* (Cairo: Dār Hajar, 2003), 4: 504-506; al-Mughallis, *Al-Ṭāʿah al-Siyāsiyyah*, 112-114.

[38] This is Abū Ḥayyān's preference, who puts an emphasis on the legitimate leadership. *Tafsīr al-Baḥr al-Muḥīṭ.* (Beirut: Dār Iḥyāʾ al-Turāth, 2002), 3: 396; and Muḥammad al-Ṭāhir ibn ʿĀshūr, *Tafsīr al-Taḥrīr wa al-Tanwīr.* (Tunisia: Dār Suḥnūn, 1997), 5: 98; also Muḥammad ʿAbduh, who associates *ulū al-amr* with *ahl al-ḥall wa al-ʿaqd* (emirs, rulers, ulema, military commanders, leaders and so on). Muḥammad Rashīd Riḍā, *Tafsīr al-Manār.* (Cairo: al-Manār, 1328 AH), 5: 181. Cf. Sayf al-Dīn ʿAbd al-Fattāḥ Ismāʿīl, *Al-Naẓariyyah al-Siyāsiyyah min Manẓūr Ḥaḍārī Islāmī.* (Amman: The Academic Centre for Political Studies, 2002), 325.

[39] Al-Shawkānī, *Fatḥ al-Qadīr*. (4th ed.). (Beirut: Dār al-Maʿrifah, 2007), 308.

[40] Quoted in al-Mughallis, *Al-Ṭāʿah al-Siyāsiyyah*, 112.

[41] *Ulū al-amr* always comes in the plural form. It has no singular that is derived from the same root. Majd al-Dīn al-Fayrūzabādī, *al-Qāmūs al-Muḥīṭ.* (8th ed.). (Beirut: Muʾassasat al-Risālah, 2005), 1349; al-Zabīdī, *Tāj al-ʿArūs min Jawāhir al-Qāmūs.* (Kuwait: Wizārat al-Irshād, 1965-2001), 40: 379; al-Qurṭubī, *Al-Jāmiʿ li Aḥkām*, 6: 432.

[42] It is important to understand the circumstances that accounted for the revelation of the verse. This contextual information broadens readers' horizon in terms of specifying general words, placing limitation to the absolute, and, more importantly, pinpointing the exact meaning of the verse. The incident that brought about the revelation of obedience verse serves a practical example of how, when differences of understanding among leaders and their followers occur, the case should be referred to the guidance of the Qurʾān and Sunnah. In one of the battles, the emir who has a sense of humor was trying to test the obedience of his soldiers. So, he asked them to collect pieces of firewood and set fire on them. Then, when done, he ordered the soldiers to throw themselves on fire claiming that his command must be obeyed, according to the Prophet's instruction. After moments of reluctance combined with a dispute, the soldiers decided to disobey the emir and consult the Prophet instead. Later, the Prophet answered, "If you had entered the fire, you would not have got out of it, for obedience is only in that which is (legally) valid and reasonable." The incident is stated in al-Suyūṭī, *Lubāb al-Nuqūl fī Asbāb al-Nuzūl*. (Beirut: Muʾassasat al-Kutub al-Thaqāfiyyah, 2002), 80-81; Abū al-Ḥasan al-Wāḥidī, *Asbāb al-Nuzūl*. (Al-Dammām: Dār al-Iṣlāḥ, 1992), 159. It is also in al-Bukhārī, *Al-Jāmiʿ al-Ṣaḥīḥ.* (Cairo: al-Maktabah al-Salafiyyah, 1400 AH), 3: 160; Muslim, *Ṣaḥīḥ Muslim*, 12: 223, and other ḥadīth collections, as well as most of the available books of *tafsīr*, like al-Qurṭubī, *Al-Jāmiʿ li Aḥkām*, 6: 430-431; al-Suyūṭī, *Al-Durr al-Manthūr*, 4: 502. Cf. al-Mughallis, *Al-Ṭāʿah al-Siyāsiyyah*, 189-192. There is another incident that caused the revelation of the verse. al-Suyūṭī, *Al-Durr al-Manthūr*, 4: 502-503. Yet, according to the rules of the science of ḥadīth, it is rejected for several methodological flaws. See al-Wāḥidī, *Asbāb al-Nuzūl,* 159-160 (editor's footnote). In the light of the story, the verse directs that when a dispute arises among the ruler and the ruled, a referral is to be passed to Allah and His messenger. As a result, obedience to *ulū al-amr* "applies to that which is known of God's law, that which is not covered by a statement of prohibition and that which is not subject to prohibition when referred to God's law." Sayyid Quṭb, *In the Shade of the Qurʾan.* Translated into English by ʿĀdil Ṣalāḥī. (Leicester: The Islamic Foundation. 2004), 3:166.

[43] The jurist Ibn al-Qayyim, quoting the obedience verse, puts the question of obedience in a new fashion. He argues that the duty to obey the ruler is derived from the duty to obey jurists, and the duty to obey the jurists is derived from the duty to obey the Prophet. Therefore, the jurists are obeyed to the extent that they obey the Prophet, and the rulers are obeyed to the extent that they obey the jurists. Ultimately, the jurists are the ones who must be obeyed, as they are the experts on the religious law. Ibn al-Qayyim, *Iʿlām al-Muwaqqiʿīn*, 2:16. Cf. Abou El Fadl, *Rebellion and Violence*, 130-131.

[44] "God commands you [people] to return things entrusted to you to their rightful owners, and, if you judge

between people, to do so with justice: God's instructions to you are excellent, for He hears and sees everything" (Al-Nisā': 58).

[45] Features of *ulū al-amr* are clearly highlighted in Qur'ānic exegeses, such as Abū al-Qāsim al-Zamakhsharī, *Al-Kashshāf 'an Ḥaqā'iq al-Tanzīl*. (3rd ed.). (Beirut: Dār al-Ma'rifah, 2009), 242; al-Qurṭubī, *Al-Jāmi' li Aḥkām*, 6: 423, 428-430; al-Shawkānī, *Fatḥ al-Qadīr*, 308; Muḥammad Abū al-Su'ūd, *Irshād al-'Aql al-Salīm.* (Beirut: Dār Iḥyā' al-Turāth al-'Arabī, n.d.), 2: 193; and Ibn 'Āshūr, *Tafsīr al-Taḥrīr*, 5: 96.

[46] Ibn Abī Shaybah, *Al-Muṣannaf.* (Riyadh: Maktabat al-Rushd, 1989), 11: 244; al-Qurṭubī, *Al-Jāmi' li Aḥkām*, 6: 429; al-Suyūṭī, *Al-Durr al-Manthūr*, 4: 501.

[47] Al-Zamakhsharī, *Al-Kashshāf*, 242. Abū al-Su'ūd, 2: 193. For other similar commentators' statements excluding corrupt rulers from *ulū al-amr*, see al-Mughallis, *Al-Ṭā'ah al-Siyāsiyyah*, 112-114.

[48] Abū Bakr al-Bayhaqī, *Al-Jāmi'*, 10: 15; 10: 15; Ibn Abī Shaybah, *Al-Muṣannaf*, 14: 305.

[49] Ibn Taymiyyah, *Minhāj al-Sunnah al-Nabawiyyah.* (Riyadh: Imam Muḥammad ibn Sa'ūd Islamic University), 1: 547.

[50] On the nature of the sultanate states and their social system, see al-Faḍl Shalaq, "al-Kharāj wa al-Iqṭā' wa al-Dawlah," *al-Ijtihād*, no. 1 (1988): 152-174. On discussion about their legal status and the political realism of Islamic law, see al-Māwardī, *Al-Aḥkām al-Sulṭāniyyah*, 44; al-Faḍl Shalaq, "al-Faqīh wa al-Dawlah al-Islāmiyyah: Dirāsah fī Kutub al-Aḥkām al-Sulṭāniyyah," *al-Ijtihād*, no. 3 (1989): 15-101. It is a study of the political opinion of al-Māwardī, Abū Ya'lā al-Ḥanbalī, and al-Juwaynī about the sultanate states; Riḍwān al-Sayyid, "Ru'yat al-khilāfah wa Bunyat al-Dawlah fī al-Islām," *al-Ijtihād*, no. 13 (1991): 39-45; and Ibrāhīm Baydūn, "al-Mamālīk wa Ma'ziq al-Shar'iyyah," *al-Ijtihād*, no. 22 (1994): 39-55; Omid Safe, *The Politics of Knowledge in Premodern Islam: Negotiating Ideology and Religious Inquiry*. (The University of North Carolina Press, 2006). The book centers on the Saljūqs, examining their efforts to foster social order and establish intellectual institutions such as the madrasa and khānqāh. Additionally, it explores the impact of political treatises authored by scholars, with a notable emphasis on figures like al-Ghazālī, in legitimizing the state of the Saljūqs.

[51] Shalaq, "al-Jamā'ah wa al-Dawlah," 71-80.

[52] Al-Jāḥiẓ, *Rasā'il…*, 3: 99. Cf. al-Māwardī, *Adab al-Dunyā wa al-Dīn*. (Beirut: Dār Iqra', 1985), 149.

[53] Jean-Jacques Rousseau, *On the Social Contract*. (New York: St. Martin's Press, 1978), 1, 6.

[54] See these traditions in al-Haythamī, *Majma' al-Zawā'id*, 5:215-225; Abū 'Abd Allāh al-Ḥulaymī, *Al-Minhāj fī Sshu'ab al-Imān.* (Riyadh: Maktabat al-Rushd, 2003), 3:179.

[55] Abū Ja'far al-Ṭabarī, *Tārīkh al-Ṭabarī.* (Cairo: Dār al-Ma'ārif, 1962), 3:207.

[56] Ibn al-Athīr, *Jāmi' al-Uṣūl*, 10:45.

[57] Traditions are in Ibn al-Athīr, *Jāmi' al-Uṣūl*, 4: 69-70; al-Haythamī, *Majma' al-Zawā'id*, 5: 219. See Ibn Taymiyyah's comment on these traditions in *Minhāj al-Sunnah*, 1: 557.

[58] Al-Ṭabarānī, *Al-Mu'jam al-Kabīr*, 10: 162-163.

[59] Aḥmad Ibn Ḥanbal, *Al-Musnad.* (Beirut: Mu'assasat al-Risālah, 1993-2001), 1:333; al-Rayyis, *Al-Naẓariyyāt al-Siyāsiyyah*, 358-359. Other similar traditions are in Ibn al-Athīr, *Jāmi' al-Uṣūl*, 8:416; al-Haythamī, *Majma' al-Zawā'id*, 5: 225-229.

[60] See, for example, Muslim, *Ṣaḥīḥ Muslim*, 12: 211-230; al-Tirmidhī, *Sunan al-Tirmidhī.* (Beirut: Dār al-Risālah, 2002), 3: 500-503; al-Nasā'ī, *Sunan al-Nasā'ī.* (Amman: Bayt al-Afkār al-Dawliyyah, n.d.), 437-442; Ibn Mājah, *Sunan Ibn Mājah.* (Cairo: Bābī al-Ḥalabī, n.d.), 954-955; al-Haythamī, *Majma' al-Zawā'id*, 5:207-231; al-Bayhaqī, *Al-Jāmi'*, 9: 459; 10: 82; Ibn Ḥibbān, *Ṣaḥīḥ Ibn Ḥibbān*. (Damascus: Mu'assasat al-Risālah, 1993), 10: 411-431.

[61] Ibn al-Athīr, *Jāmi' al-Uṣūl*, 1: 253.

[62] Ibn Ḥanbal, *Al-Musnad*, 31: 125; Ibn al-Athīr, *Jāmi' al-Uṣūl*, 1: 333.

[63] Muḥammad al-Ḥākim, *Al-Mustadrak.* (Cairo: Dār al-Ḥaramayn, 1997), 3: 234.

[64] See examples in al-Rayyis, *Al-Naẓariyyāt al-Siyāsiyyah*, 355-358.

[65] Muslim, *Ṣaḥīḥ Muslim*, 12: 238; Ibn al-Athīr, *Jāmi' al-Uṣūl*, 10: 45.

[66] Jamāl Abū Farḥah, *Al-Khurūj 'Alā al-Ḥākim fī al-Fikr al-Siyāsī al-Islāmī.* (Cairo: Markaz al-Ḥaḍārah al-'Arabiyyah, 2004), 31.

[67] Thomas Arnold, *The Caliphate*. (Oxford: Oxford University Press, 1924), 47.

[68] Ibid., 48-50.

[69] William Muir, *The Caliphate*. (Edinburgh: John Grant, 1915), 600.

[70] Duncan B. MacDonald, *Development of Muslim Theology, Jurisprudence, and Constitutional Theory*. (New York: Charles Scribner's Sons, 1903), 58.

[71] Quoted in Abou El Fadl, *Rebellion and Violence*, 12.

[72] Abū Ḥanīfah, the renowned jurist, sanctions rebellion against corrupt rulers, asserting the obligation to engage in 'commanding the right and forbidding the evil' through verbal counsel and warnings. If these measures prove

ineffective, the use of force becomes justified. It is reported that Abū Ḥanīfah encouraged the rebellions against the Umayyads by Zayd ibn 'Alī ibn al-Ḥusayn, in the year 122 AH and, later, against the Abbasids by Muḥammad al-Nafs al-Zakiyyah, in the year 143 AH. For legal and historical details on Abū Ḥanīfah's opinion, see Abū Bakr al-Jaṣṣāṣ, *Aḥkām al-Qur'ān.* (Beirut: Dār Iḥyā' al-Turāth, 1992), 1:86-89; al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād.* (Beirut: Dār al-Kitāb al-'Arabī), 13:384-386; Muḥammad Abū Zahrah, *Tārīkh al-Madhāhib al-Islāmiyyah*. (Cairo: Dār al-Fikr al-'Arabī, n.d.), 348-349.

[73] See Abou El Fadl, *Rebellion and Violence*, 68-99; Haykal, *Al-Jihad wa al-Qitāl*, 1: 122; al-Rayyis, *Al-Naẓariyyāt al-Siyāsiyyah*, 352-353; Ḥākim al-Muṭayrī, *Al-Ḥurriyyah aw al-Ṭūfān*. (2nd ed.). (Beirut: al-Mu'assasah al-'Arabiyyah li al-Dirāsāt wa al-Nashr, 2008), 141-161; Muhammad Qasim Zaman, *Religion and Politics under the Early 'Abbāsids: The Emergence of the Proto-Sunnī Elite*. (Leiden: Brill, 1997), 70-81; 'Abd al-'Azīz al-Badrī, *al-Islām bayna al-'Ulamā' wa al-Ḥukkām*. (Saudi Arabia: al-Maktabah al-'Ilmiyyah, 1965).

[74] See al-Rayyis, *Al-Naẓariyyāt al-Siyāsiyyah*, 216-219, 338-342. He quotes leading jurists and theologians who agree that the ruler never has privileges elevating him above the law or enjoys immunity from being brought to justice. Cf. Muḥammad Salīm al-'Awwā, *Fī al-Niẓām al-Siyāsī li al-Dawlah al-Islāmiyyah*. (Cairo: Dār al-Shurūq, 2006), 226-227; al-Muṭayrī, *al-Ḥūriyyah aw al-Ṭūfān*, 21-26; Muḥammad Ra'fat 'Uthmān, *Riyāsat al-Dawlah fī al-Fiqh al-Islāmī*. (Dubai: Dār al-Qalam, 1986), 435-438; Fatḥī al-Duraynī, *Khaṣā'iṣ al-Tashrī' al-Islāmī fī al-Siyāsah wa al-Ḥukm*. (Damascus: Mu'assasat al-Risālah, 1987), 183, 344; Ḥasan al-Turābī, *al-Siyāysah wa al-ḥukm*. (Beirut: Arab Scientific Publishers, 2011), 97-120; 'Alī Ḥasanīn, *Riqābat al-Umma 'alā al-Ḥākim*. (Beirut: al-Maktab al-Islāmī, 1988).

[75] The Qur'ān, al-Nisā': 58.

[76] Ibn Kathīr, *Al-Bidāyah al-Bidāyah wa*, 9: 415.

[77] It says, "The caliphate is thirty years, then followed by kingship." Ibn Ḥanbal, *Al-Musnad*, 36: 248. Cf. another tradition, 30: 356. On the difference between the caliphate and kingship, see Muḥammad ibn Sa'd, *Kitāb al-Tabaqāt al-Kabīr*. (Cairo: al-Khānjī, 2001), 3:285; Ibn Khaldūn, *Al-Muqaddimah*, 1: 332-334; Abū al-A'lā al-Mawdūdī, *al-Khilāfah wa al-Mulk*, translated into Arabic by Aḥmad Idrīs. (Kuwait: Dār al-Qalam, 1978).

[78] Abū Ya'lā al-Mawṣilī, *Al-Musnad*. (2nd ed.). (Damascus: Dār al-Ma'mūn, 1990), 2: 177-178.

[79] Al-'Asqalānī, *Fatḥ al-Bārī*, 13: 10; Haykal, *Al-Jihad wa al-Qitāl*, 1: 122.

[80] Al-Bukhārī, *Al-Jāmi' al-Ṣaḥīḥ*, 4:313; Ibn al-Athīr, *Jāmi' al-Uṣūl*, 1: 253.

[81] Ibn al-Athīr, *Jāmi' al-Uṣūl*, 4: 68.

[82] Ibid., 4: 66.

[83] Al-Ghannūshī, *Al-Ḥurriyyāt al-'Ammah fī al-Dawlah al-Islāmiyyah*. (Beirut: Markaz Dirāsāt al-Waḥdah al-'Arabiyyah, 1993), 183.

[84] Al-Nafīsī, *'Indamā Yaḥkum al-Islām*. (Kuwait: Āfāq, 2013), 162.

[85] Muslim, *Ṣaḥīḥ Muslim*, 12: 238; Ibn al-Athīr, *Jāmi' al-Uṣūl*, 10: 45.

[86] Ibid.

[87] John Esposito, *Islam and Politics*. (4th ed.). (New York: Syracuse University Press, 1998), 28.

[88] Haykal, *Al-Jihad wa al-Qitāl*, 1: 138-139.

[89] Sonia Alianak's book *Middle Eastern Leaders and Islam: A Precarious Equilibrium*. (New York: Peter Lang Publishing, 2007) furnishes various examples of Arab leaders' use of Islam out of expediency. For example, King Hussein of Jordan (17-22), Saudi Royal family (67-72), Saddam Hussein (95-103), Hafez al-Assad (135-138), Gamal Abdel Nasser (169-170), Anwar Sadat (179-180), Hosni Mubarak (195, 196). On Muammar Qaddafi and Jaafar Nimeiri's manipulation of religion, see 79-81; 84-88 respectively in John Esposito, *The Islamic Threat Myth or Reality?* (Oxford: Oxford University Press, 1999). As for Tunisian leaders, see Kenneth Perkins, "Playing the Islamic Card: The Use and Abuse of Religion in Tunisian Politics," in *The Making of the Tunisian Revolution: Contexts, Architects, Prospects*, edited by Nouri Ganea. (Edinburgh: Edinburgh University Press, 2013), 58-80. On the issue of how governments, particularly Saudi Arabia and Iran, have incorporated Islam into their broader foreign policy agenda, see Peter Mandaville and Shadi Hamid, "Islam as Statecraft: How Governments Use Religion in Foreign Policy" *Foreign Policy at Brookings*, November 2018.

[90] Like Qaddafi, who claimed that the word *qul* (say) at the beginning of the chapter of *al-Ikhlās* and other verses is redundant and thus must be deleted. Also. Habib Bourguiba, the first President of Tunisia from 1957 to 1987, who spared no effort to attack the pillars of Islam and make fun of Islamic norms and principles. See Muḥammad al-Zamzamī, *Al-Islām al-Jarīḥ fī Tūnis*; al-Ghannūshī, *Al-Ḥarakah al-Islāmiyyah wa Mas'alat al-Tagh*yīr. (London: al-Markaz al-Maghāribī, 2000I), 40-41.

[91] According to a number of recent media releases, notably from Israeli leaders, and commentators, the Syrian regime seemed to

have been involved in a robust relation with Israel, and the destiny of the latter heavily depends on the necessary survival of the former. See evidence at *"Al-Ittijāh al-Muʿākis."* (January 1, 2016). Al Jazeera. Retrieved February 8, 2016. https://www.youtube.com/watch?v=XXcp3sNFPks. https://www.youtube.com/watch?v=S2McfT4Gbvw.

[92] From a realistic point of view, the majority of jurists recognized the legitimacy of the usurper who came to power by force rather than through a proper contract. See Haykal, *Al-Jihad wa al-Qitāl*, 1: 165-202; *al-Mawsūʿah al-Fiqhiyyah al-Kuwaytiyyah*, "al-Imāmah al-kubrā." 6: 224-225; al-Qaraḍāwī, *Fiqh al-Jihād.* (Cairo: Maktabat Wahbah, 2009), 2: 1033, 1062; Abou El Fadl, *Rebellion and Violence*, 13, 158; al-Rayyis, *Al-Naẓariyyāt al-Siyāsiyyah*, 353-355.

[93] Al-Ghannūshī, *Al-Ḥurriyyāt al-ʿAmmah fī al-Dawlah*, 183.

[94] Al-Nafīsī, *ʿIndamā Yaḥkum al-Islām*, 161-163.

[95] Ibrāhīm Zayn, the Dean of Kulliyyah of Islamic Revealed Knowledge and Human Sciences, IIUM, interview by the author, Gombak, Selangor, Malaysia. June 17, 2016.

[96] Muḥammad al-Ṭāhir al-Mīsāwī, Associate Professor, Department of Fiqh and Usul Fiqh, IIUM, interview by the author, Gombak, Selangor, Malaysia. January 27, 2017.

[97] Ḥākim al-Muṭayrī, *Al-Ḥurriyyah aw al-Tūfān*, 315-316.

[98] Al-Ghannūshī, *Al-Ḥurriyyāt al-ʿAmmah fī al-Dawlah*, 183.

[99] Ibid.

[100] See these reports in al-Nawawī, *Sharḥ Ṣaḥīḥ Muslim*, 12: 222; Ibn al-Athīr, *Jāmiʿ al-Uṣūl*, 4: 61-72; al-Bayhaqī, *Al-Jāmiʿ*, 10: 5-30; al-Haythamī, *Majmaʿ al-Zawāʾid*, 5:216-225.

[101] Ibn Taymiyyah, *Minhāj al-Sunnah,* 1: 556.

[102] A tradition describes the relationship between evil-doing rulers and their subjects as that which is based on mutual hatred and curse. When the Prophet was asked whether this tense atmosphere allows rising against those rulers, he answered, "No, as long as the prayer is maintained." Ibn al-Athīr, *Jāmiʿ al-Uṣūl*, 4:66.

[103] Al-Zamakhsharī, *Al-Kashshāf*, 242.

[104] Imam ʿAbd al-Fattah Imam, *Thomas Hobbes*, (Beirut: Dār al-Tanwīr, 1985), 330.

[105] Ibn ʿAsākir, *Tārīkh Dimashq.* (Beirut: Dār al-Fikr, 1997), 36: 184. See a similar statement by ʿAbd Allāh ibn Masʿūd in al-Ṭabarānī, *Al-Muʿjam al-Kabīr*, 10: 162-163. It is also reported that "A period of sixty years of a tyrant ruler is better than one night without a sultan." These reports hint to the fact that peoples' various affairs are best run under the state authority headed by the ruler and that order and stability are normally ensured by the existence of the ruler or leader, whether just or not. See Ibn Taymiyyah, *Al-Siyāsah al-Sharʿiyyah.* (Jeddah: Mujammaʿ al-Fiqh al-Islāmī, n.d.), 232-234. Cf. al-Rayyis, *Al-Naẓariyyāt al-Siyāsiyyah*, 135-137; al-Māwardī, *Al-Aḥkām al-Sulṭāniyyah*, 3.

[106] The Prophet is quoted as saying, "The corrupt emirate is better than *harj*." When asked about the meaning of *harj*, the Prophet replied, "Killing and lying." Al-Ṭabarānī, *Al-Muʿjam al-Kabīr*, 10:162-163.

[107] Ibn Taymiyyah, *Majmūʿ Fatāwā ibn Taymiyyah.* (al-Manṣūrah, Dār al-Wafāʾ, 2005), 20: 54.

[108] Ibid.

[109] Abū al-Ḥasan al-Ashʿarī, *Maqālāt al-Islāmiyyīn*. (Beirut: al-Maktabah al-ʿAṣriyyah, 1990), 1: 150-176.

[110] Ibn Khaldūn, *Al-Muqaddimah*, 1: 277-282. Similarly, Ibn Taymiyyah criticized early rebellions that, despite noble intentions, proved misguided and led to detrimental outcomes. See his book *Minhāj al-Sunnah*, 4: 527-530.

[111] Al-Ghannūshī, *Al-Ḥarakah al-Islāmiyyah*, 80.

[112] Ibid., 80-81.

[113] Ibid., 108.

[114] Al-Ḥulaymī, *Al-Minhāj fī*, 9: 184.

[115] Al-ʿAsqalānī, *Fatḥ al-Bārī*, 13: 8.