# AN ISLAMIC CONCEPTUALIZATION OF POLITICAL OBLIGATION

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#### Abstract

This paper attempts to delinate the concept of obidience in relation to political obligation from an Islamic perspective. By means of analytical approach from the Qur'an and Hadith as well as the traditional practices of the piuos caliphs, this paper argues that citizens have politicial obligation to obey those who are in authority. This obligation is dynamic, in the sense that Islam acknowledges obedience to people in authority with a condition they comply to the shari'ah.

#### Introduction

Rights and duties are strongly co-related and co-existed. As members of the society and state, people are expected to behave in a manner, which is good for all and refrain from acting in a way which is harmful to the society. Thus society as well as state call upon its citizens to follow certain codes of conduct. This requirement is known as duties and obligation.

The word 'political obligation' has become central concept in the study of politics. According to Pateman, 'political obligation' becomes a central discourse in political thought.<sup>1</sup> The idea of self-assumed obligation emerges and develops as part of wider development of liberal and mercantilist society, and of a specific conception of the individuals who inhabited that society.

Carole Pateman, The Problem of Political Obligation; A critique of Liberal Theory, Los Angeles: University of California Press, 1997, p. 11.

On the other hand, Islam as a comprehensive way of life (*ad-deen*), has provided comprehensive guidance for human beings. Thus, this paper highlights and analyzes the concept of political obligation from an Islamic point of view. It answers the following questions of what is political obligation? How does Islam perceive the concept of political obligation?, and what are the Muslims' conception of political obligation?

Political obligation comes into existence in the liberal society. Since this concept is not yet discussed in a way that Muslim political scientists discuss other concepts, thus this study will highlight Muslim conception of political obligation. This paper is based on the following assumption;

"Since Islam is not only religion but a comprehensive way of life (*ad-deen*), than it should have more comprehensive understanding on political obligation"

Islam provides comprehensive way of life consisting two major deduceable frameworks namely the divine revelation and the human interpretation of the revelation. The former refers to the Qur'an as the primary source and the Sunnah as the secondary source constituting the foundation and essence of the Shari'ah. The later refers to the methods and procedures employed by Muslim jurists and scholars to comprehend and operationalise the essences of the revelation.

Obligation to the western scholars is a legal bond by virtue of which it is tied with necessity to performance. While political obligation means a requirement that a citizen has to do or not to do based on laws or constitutions, and for the governing authority.

Hereby the paper deployes a contextual as well as historical analysis, in the sense that it refers to the primary sources; the Qur'an and Sunnah in order to find out texts that indicate the notion of political obligation. Furthermore, it also includes the historical overview of the Islamic political system to suit the concept into the present reality.

# Conception of Political Obligation; An Over-view

Obligation according to Beran, is different from 'duty' and 'ought'. Obligation to him is 'a person's obligations arise out of the commitments he makes by way of voluntary acts'. The clearest example is of course a promissory obligation. But similarly, to order 30 dollars' worth of groceries is to commit oneself to pay the grocer 30 dollars, and to accept a good deed is to commit oneself to do a good deed in return should the occasion arise.<sup>2</sup>

Political obligation is considered as a central concept in political thought that describes the relations between citizen and political authority. In a common sense, political obligation means requirement that a citizen of a country is asked to do or not to do based on laws, which government imposed. Furthermore according to the modern ©dictionary of political science, political obligation means the theory of why and when a person morally obliged to obey a government.<sup>3</sup>

In fact, there are a series of alternative theory to account for Four requirement to obey governments. One of the famous theory is the Consent Theory. According to this theory, political obligation is used in a narrowed sense. It refers to the obligation to obey the state which is correlative of political authority.

<sup>2.</sup> Beran however continues to analyse the concept of duty. According to him, duty can be simply reflected by A person's duties which are determined by the roles he has. Such roles are defined in terms of duties, i.e. in terms of the regular tasks that are to be performed because one has a certain role. e. g. the social role of parent is defined in terms of the tasks one must perform regularly (duties) with respect to an offspring. On the other hand, ought has been analysed by Beran as the following; A ought to do X is logically equivalent to there are conclusive reasons for A's doing X. (Harry Beran, *The consent theory of political obligation*, London: Croom Helm, 1987, p. 17).

<sup>3.</sup> David Roberton, *A Dictionary of Modern Politics*, London: Europa Publications Limited, 1985, p. 264.

According to Beran, consent is identified with accepting membership in the state and is claimed, therefore, to provide the basis of an obligation to obey the state. This equation of consent with accepting of membership in the state, i.e. citizenship, requires much more than a mere obligation to obey. It suggests that membership also involves a requirement, as far as possible for given individuals to participate in the political affairs of society, to assume political office, to improve social life through political means, to break laws where necessary and to join with others in campaigns to remove unjust policies, laws or institutions.<sup>4</sup>.

According to the above paragraph, one may answer to the questions: why do citizens have to obey to the government?, and when do they have to obey to the government?.

Furthermore looking at the Contract Theory, on which most liberal democratic states base the concept of political obligation, despite the fact contemporary writers of political obligation typically appeal to voluntarist arguments. They offer justifications for political obligation that rest upon the voluntary consent, assent, choice, agreement, and promises of individuals.

The contract theorists differ about precisely which actions best indicate that such agreement or consent has been given; whether it is given through voting, for example, or through the acceptance of benefits, or through participation in liberal democratic institutions.<sup>5</sup> Nevertheless, the point to be emphasized here is that specific conception of obligation is implied by voluntarist arguments, which describes obligation as self-assumed obligation; or moral commitment that is freely entered into by individuals, and freely taken upon themselves through their own actions.

<sup>4.</sup> Harry Beran, The Consent Theory of Political Obligation, Op. Cit. P. 148.

Carole Pateman, The Problem of Political Obligation; A critique of Liberal Theory, Los Angeles: University of California Press 1997, p. 2.

# The Concept of Political Obligation: The Qur'an and Sunnah

The concept of political obligation arises in the relations between a state or government and its citizens. Islam as comprehensive way of life, has its own political system. That is namely *Khilafah*, which as a historical institution cannot be denied but, more importantly, it signifies the nature of the political system.<sup>6</sup> However, Muslim scholars later differ in the usage of the term to comprise the body of authority, some use the term "*Imamah*" and the others use the term "*khilafah*".

According to Al-Mawardi, Political authority (*imamah*) or government is established through a contract between the people and their ruler.<sup>7</sup> And this contract establishes rights and obligation for both the rulers and ruled. The ruler's obligations, and hence the rights of the people, established by that contract are ten namely;

- i. Protection of religion,
- ii. resolving litigations and differences on the bases of the rules of justice,
- iii. protecting life and property,
- iv. applying penalties (*hudud*) to repulse aggressors and wrongdoers,
- v. Fortifying the frontier to deter enemies,
- vi. fighting enemies of Islam,
- vii. collecting land-taxes and zakat,
- viii. allocating financial assistance and providing subsidies,

 Abdul Rashid Moten, Political Science; an Islamic Perspective, London: Macmillan-Press Ltd. 1996, p. 99.

Ali bin Muhammad Al-Mawardi, *Al-Ahkam al-Sultaniyah*, Cairo, Dar al-Fikri, 1983, p. 5.

- ix. appointing people of merits, and
- x. finally devoting time and energies to public affairs.<sup>8</sup>

When the ruler fulfills the above obligation, he can claim two rights for himself; obedience and public support.

In respect to the ruled or citizens' obligation, the Quran has indicated the concept of political obligation. As such, the authority of government and the obligation of citizen to obey, in fact stipulated Surah *an-nisaa* 4, verse 59;

"O ye who believe! Obey Allah, and obey the messenger, and those charged with authority among you"<sup>9</sup>.

This verse enjoins the believers to obey Allah and obey the Messenger and those in authority among you (*wa uli al-amr minkum*). According to Muslims scholars, the verse prescribes Muslims' obedience towards those having authority with certain conditions. However this obedience is a conditional and subordinate to Allah and prophet teaching. Although obedience to the legitimate authority is a qualified and conditional, the shariah attaches great importance to fulfillment of the Muslim's obligation toward their legitimate government and considers it a religious obligation of the highest degree.

Moreover, the nature of obligation in relations with promissory and promised in the context that government as contract between rules and ruled, there are several verses that indicate the importance of fulfillment of promises as a religious obligation. The religious nature of the political obligation makes it more thorough, conscientious, zealous, and omnibus. A muslim is taught to fear the accountability toward

<sup>8.</sup> Ibid., pp. 14-15.

<sup>9</sup> Qur'an, Annisa 4:59.

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Allah who is almighty and omniscient before taking into account any worldly accountability.10

There are also verses that indicate the pledge of allegiance, which should be fulfilled by Muslims, such as;

> O you who have attained to faith, Be true to your covenants. (Qur'an 5:1)

> And be true to your bond with Allah whenever you bind yourselves by a pledge, and do not break (your) oughts after having (freely) confirmed them and having called upon Allah to be witness to your good faith: behold Allah knows all that you do. (Our'an 16:91).

> And be true every promise-for, verily, (on judgment day) you

will be called to account for every promise you have made. (Qur'an 17:34). The above verses have demonstrated that Islam is looking seriously at the commitment of a Muslim who has made such kind of treaty or promise or covenant to perform it as long as he has confirmed it to another party. The first verse has urged Muslim to commit and conform to his promise. The second and the third verses show that Allah will ask about his/her commitment toward his bound or covenant that he has made until both parties come to agreement that covenant has been expired.

The khalifah is founded on a contract between the imam and the ummah, therefore it is obligatory to fulfill conditions of the contract by the contracting parties. If the Imam established effectively huquq al-ibad (human rights) and huquq Allah (rights of Allah) within

<sup>10.</sup> Muhammad Salahuddin, "Political obligation; its scope and limits in Islamic political doctrine", in The American Journal of Islamic Social Sciences, Vo. 3 No. 2, 1986, p 249.

the ummah, then it becomes compulsory for the ummah, in its turn, to render individually and collectively obedience and support to the mandate.<sup>11</sup>

In addition to the above texts, there are several hadith or words of the prophet that indicate the ummah's obligation in relations to the government: These hadith are the following:

In line with explanation of the verse of the Quran, obey God and obey the messenger and those in authority from among you, the prophet strengthens the commands by saying that:

He who has pledged allegiance to a leader (*imam*), giving him his hand and fruit of his heart, shall obey him if (or; as long as) he can.<sup>12</sup>

He who withdraws his hand from obedience (to *amir*) will have nothing in his favor when he meets God on the day of resurrection; and he who dies without having considered himself bound by a pledge of allegiance (literally, while there is no pledge of allegiance on his neck) has died the death of the time of ignorance (i.e. as an unbeliever)<sup>13</sup>

Hear and obey, even though your amir be an Abyssinian slave crinkly hair.<sup>14</sup> .

<sup>11.</sup> Manzooruddin Ahmed, 1983, p. 299 cited in Ibid., p. 249.

Muslim, on the authority of Abd' Allah Ibn 'Amr, cited in Muhammad Asad, *The Principles of State and Government in Islam*, Gibraltar: Dar al-Andalus Limited, 1980, pp. 77-78.

<sup>13.</sup> Muslim on the authority of Ibn Umar, cited in Ibid.,, p.75

<sup>14.</sup> Al-Bukhari, on the authority of Anas, cited in Ibid, p. 42.

He who obeys me, obey God; and he who obeys me disobeys God. And he who obeys the Amir (the head of state) obeys me; and he who disobeys the *amir*, disobey me.<sup>15</sup>

Hearing and obeying is bingding on a Muslim, whether he likes or dislike the order-as long as he is not ordered to commit a sin, but if he is ordered to commit sin, there is no hearing and no obeying.<sup>16</sup>

Undoubtedly Islam pays attention on obedience to the leader (the *amir*). The first two hadiths emphazise the obidience to the leader (a head of state) as compulsary and regarded as religious obligation. While the third hadith stresses that regardless race, family origin, or previous status, if he who is elected or selected to be leader, he has right to be obeyed, as long as he is qualified as a leader.

Furthermore, the fourt hadith also clearly prescribes that as if Islam puts the position of the leader (the *amir*) in the position of the prophet, in which when a Muslim does not obey his leader, whom he choose or paid pledge of allegiance to, he is considered as the one who does not obey the prophet. Nevertheless, the final hadihts limits the obedience to the leader (the *amir*). The limitation is clearly mentioned that if the leader asks his followers to commit any sinful actions, they are not obliged to obey him<sup>17</sup>.

- 15. Al-Bukhari and Muslim, on the authority of Abu Hurayrah, cited in Ibid, p. 39.
- 16. Al-Bukhari and Muslim on the authority of Ibn 'Umar, cited in\_ibid,, pp. 35-36
- 17. the limitation of the obidience in Islam will be elaborated in the following subtopic. And the best references on this issue is Muhammad Salahuddin, *Political Obligation*:

Its Scope and Limits in Islamic Political Doctrine, in The American Journal of Islamic Social Sciences, Vo. 3 No. 2, 1986, pp. 247-264.

# **Conditions of Obedience**

The obedience to the ruler in Islamic perspective is conditional and subordinate to Allah and his prophet. Thus one may asks that what are conditions and qualifications for ruler or the amir, in order to deserve people's obedience?. To answer this question one may need to look into two stages; firstly looking into contract made by Muslims and their leader in order to make the leader legitimate, secondly observing the ways the leader use his authority.

Dealing with the concept of legitimacy, we need to explain how do Muslims legitimize their ruler or amir. In Islam the process of succession can be done through whether election or selection. Because if we look at historical background of Islamic political system in the time of al-Khilafah al-Rashidah, there are two main processes that can legitimate ways to pursue the leadership; election and selection.<sup>18</sup>

Furthermore, political legitimacy according to Ali bin Muhammad al-Mawardi, hinges not on the procedures of selection or election, but on the rulers recognition of the supremacy of the rules of Shari'ah, and his willingness to implement these rules. Therefore he justifies the authority of a coercer (*Mustawli*) as long as he continues to apply the rules of Shari'ah and maintain Muslim unity. Furthermore Al-Mawardi said that "in the case of a coercive authority in which the contract is imposed by force... although this (authority) does not accord with established procedures of selection, and its conditions and rules, it (allows) the protection of shari'ah laws and the safeguarding of the religious rules which cannot be neglected or abandoned. It should be (recognized) even when coercion and force, rather then selection and choice are (employed) as means for getting power".<sup>19</sup>

In the Abu Bakr period, the caliph was elected through shura in bani saqifa; while Umar ibn Khatab was selected, and Usman ibn Affan was both selected and elected, and Ali ibn Abi talib was selected.

Ali bin Muhammad Al-Mawardi, Al-Ahkam Al-Sultaniyah, Cairo:Dar al-Fikri, 1983. P. 30.

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As a result, al-Mawardi's opinion on the legitimacy is based on the second stage that is the way the leader use his authority. In fact he said indirectly that while violating the political process of selection is condoned, the legitimacy of the coercive ruler is conditioned on a set of seven principles aims at implementing the rules of Shari'ah, protecting rights of the individuals under those rules, and ensuring unity and cooperation among Muslims. These seven principles of the law of shari'ah through which the rights of imam and the rules of the ummah are protected. For these reasons the legitimacy of coercer must be recognized.<sup>20</sup>

Furthermore, Ibn Taymiyah, suggests that political legitimacy is based on two principles: just rule and giving public trust to those who deserve it<sup>21</sup>, Thus, if the leader is legitimate, then the people (Muslims) should obey him. Thus the first condition and qualifications of leader to deserve the obidience of people, is to be legitimate and recognized by people.

However in Islamic political system, recognition of political legitimacy has been achieved through the process of paying pledge of allegiance "bay'ah" to the amir. Muhammad Asad, and major Muslim jurists contend that the pledge of alleginace is received by the amir from whole community - that is not only from the majority that had voted for him but also from the minority whose votes had been casted against him; for in all communal decisions not involving a breach of any shari'ah law, the will of the majority is binding on every member of community. This is actually in line with the prophet tradition :

The hand of God is upon the community (al-Jama'ah); and he who sets himself apart from it will be set apart in hellfire.<sup>22</sup> He

<sup>20.</sup> Ibid, pp. 30-31.

<sup>21.</sup> Ibn Taymiyah, Al-Siyasah Al-Shariyah, Beirut:Dar al-kutub al-ilmiyah, 1988, pp. 8-9.

At-Thirmidhi, on the authority of 'Abd Allah ibn Umar, cited in Muhammad Asad, The Principles of State and Government in Islam, op cit. P. 69.

who departs from the community (faraq al'Jama'ah) by (even) a handspan ceases to be a Muslim (literally, "throws off Islam from his neck).<sup>23</sup>

Therefore, Islam has special perception on the major consensus in the community. In fact the minority should follow the majority due to the fact that the majority will always in the right way, as granted by the above hadith.

In addition to the above, obidience of people to the leader is due to conformation of the state towards its principles and methods prescribed by the shari'ah. Muhammad Asad asserts that the foremost duty of such a state is to enforce the ordinances of shari'ah in the territories under its jurisdiction.<sup>24</sup> This duty of a government has been further stressed in the qur'an that those who do not judge by what God has revealed –those indeed are the evildoers<sup>25</sup>.

Therefore, the leader or amir in order to deserve the obedience of people, he/she should guide his policies based on shari'ah. In this line, Muhammad Asad again highlights the limitation of allegiance by saying that :

This allegiances lasts as long as the imam (leader) upholds the values of Islam in general and does not deliberately forsake is aims. An occasion lapse on his part does not entitle the citizens –at least so long as the majority of the community has not pronounced itself agianst him – torevolt against his government. Thus the prophet said: If anyone sees his amir something that displeases him, let him (nevertheless) remain patient; for , behold, he who separates himslef from the united community

Abu Dawud and Ahmad ibn Hanbal, on the authority of Abu Dharr, cited in *Ibid*, p. 69.

<sup>24.</sup> Muhammad Asad, op cit\_p. 34.

<sup>25.</sup> Qur'an : 5;47.

by even so much as a hand span and dies thereupon, has died the death of the time of ignorance<sup>26</sup>.

As a result, if the government fulfills the requirements imposed by Shari'ah, its claim to allegiance of its citizens is absolute. They are bound "to hear and to obey, in hardship and in ease, in circumstances pleasant and unpleasant".<sup>27</sup> In short, they must stand united behind the government and must be prepared to sacrifice for this unity all their private comports, interests, possessions, and even their lives.

On the other hands, if the leader or amir does not conform to Shari'ah in his policies, then the citizens are not obligated to obey the leader. Furthermore, if the leader does not base his policies on Shari'ah, or his policies violate Shari'ah, then Muslims have absolute right (and later on become an obligation) to resist the policies. By then they also have to force the leader by peaceful and decent means to make amendments. If the leader does not hear to the advise of Muslims through peaceful means, the community has right the to remove or oust such a leader, and in fact must do so<sup>28</sup>.

Just such a leader, and in fact must do so<sup>28</sup>. It is because of political obligation in Islamic perspective is governed by positive duties by calling unto what is good, enjoining the right and preventing the wrong, which is the ultimate mission and foremost duty of the community according to al-Qur'an. In addition to the above, the prophet clearly considered 'advice' as an essential part and requirement of Muslim pledge of allegiance to Allah, his apostle,

<sup>26.</sup> Ibid, p. 78.

<sup>27.</sup> Al-Bukhari and Mulim, on the authority of Ubadah ibn as-Samit, cited by Muhammad Asad, *Op cit*, p. 69.

In order to have some elaboration on the violation of shari'ah done by the leader or government, then how should Muslims react to respond this situation, please refer to Muhammad Salahuddin, Poitical obligation: its scope and limts Islamic doctrines, op cit. pp. 252-259.

the leaders of Muslim community. And in another prophet's tradition, it was reported that:

The apostle of Allah said: Help your brother, be wrong doer and wronged,' hereupon a man exclaimed" O apostle of Allah! I may help him if he is wronged, but how could I (be expected to) help a wrongdoer?' the prophet answered : you must prevent him from doing wrong: that will be your help to him<sup>29</sup>.

### Historical Analysis of the Islamic Political System

After having explained the concept of political obligation in the above paragraph, we will examine the concept through historical analysis of the Islamic political system. This analysis will cover only the history of the prophet and four pious caliphs in which the Islamic political system is discovered.

In the time of the prophet, beside verses of the qur'an, mentioned above, which obligate Muslims to obey the prophet, there was also symbol of obedience such as *bay'ah of al-aqabah*<sup>30</sup>. Especially in the second *Bay'ah of al-Aqabah*, the prophet requested the Ansar's pledge to believe in God and His prophet as well as to protect him as they would protect their own women and children. Furthermore, in the constitution of Medina, it is clearly mentioned that the prophet, besides the religious leader, was also a legitimate leader who deserved the obedience from people as the leader of Islamic Medinan state.

In the era of the Khulafa al-Rashidun (the four pious caliphs), there was general consensus among the sunni Muslim Jurist and thinkers that the Khulafa al-Rashidun did adhere strictly to the

<sup>29.</sup> Muhammad Asad, op. cit, p. 33, and cited also in Muhammad Salahuddin, op cit. p. 251.

<sup>30.</sup> This bay'ah or pledge of allegiance namely is *bay'ah al-aqabah* I and II. (Shugra and Kubra).

normative standard found in the Quran and sunnah. Therefore they were legitimate leaders who deserved the obedience from Muslims. In fact it was well known that this era, called as era of righteous excellence, was characterized by legitimacy and justice. None laid the foundation of a hereditary government nor assumed power by force or trickery. They acceded to the caliphate office by lawful means, through election, and they governed through consultation (*shura*) and in accordance with the Shari'ah.

In this era, the obedience was also made conditional upon their observance of the Shari'ah provisions as is evidenced from the keynote speech of the firsh caliph, Abu Bakr. He said :

people, you have elected me (your chief executive) although I am not the best among you. If I do the right support me; if I am wrong, set me right. Obey me as long as I obey God and his messenger. If I go agianst the injunctions of God and His prophet, then no obedience is due from you.<sup>31</sup>

Analyzing what had been said by the first pious caliph Abu Bakr, one may see definitely that the obedience to the leader or amir, is only when the leader or amir goes along with the injunctions of Allah, and his prophet. Furthermore looking at what has been said by Umar in the first day of his leadership after the first caliph, Abu Bakr passed away, one may realize that the second caliph, Umar bin Khatab said the same thing. As noted by ibn Hisham that Umar as Abu bakr's successor said that:

Verily, I am not one among you, I do not desire that you should follow anything out of my caprice<sup>32</sup>.

Abu Ja'far Muhaamad bin Jarir al-Tabari, cited in Lukman Taib, Political System of Islam, Kuala Lumpur, Penerbit Amal, 1994 p.41.

<sup>32.</sup> Ibn Hisham, cited in Abdul Rashid Moten, *Political Science: An Islamic perspective*, London, MacmillanPress Ltd. 1996, p. 110.

By saying that, Umar bin Khatab actually reminded Muslims that the ruled, do not need to obey the leader all the time regardless right or wrong. In fact Muslims should obey him as the leader as long as he follow the right way based on the Shari'ah.

The third caliph, Usman bin affan did not merely follow the Quran and the sunnah, but Muslims bound him further to follow the footsteeps of his two illustrious processors. However he believed in rule of consultation or *shura* and upheld the shari'ah<sup>33</sup>. As a result Muslims were obligated to obey the caliph.

Furthermore, if we look at the forth caliph, Ali bin Abi Talib, we will see that Ali refused to become the caliph, head of state, in secret or without the approval of the masses. However after the masses came and pay the pledge of allegiance to him, he accepted the caliphate office. On the other hands, after Muslims paid pledge of allegiance to the leader, they can not escape from the obligation, if he goes along with the injunctions of Shari'ah.

In the period of the pious caliphs, it is worthy noted that none of the caliphs believed in the divined right of kings and none solicited unconditional obedience from the masses. Therefore, it is clear that political obligation in the Islamic political system is really conditional and subordinate to the Shari'ah.

Nevertheless the model caliphate did not long retain its genuine form and popular characteristics. The elective caliphate, soon degenerated into the absolutism of the Umayyad rulers and was further corrupted with the shift of power to the house of 'Abbasid in 750 CE<sup>34</sup>.

<sup>33.</sup> *Ibid*, p. 110.

<sup>34.</sup> Ibid.

#### Conclusion

Islam has put political obligation, as religious obligation, in the sense that the Quran urges Muslims to obey Allah and obey the prophet and those who with authority from among you. Thus obedience to the government is a Muslims' religious duty. Obedience to the government is, of course, a principle of citizenship recognized as fundamental in all civilized communities; but it is important to note that within the context of an Islamic polity this duty remains a duty only so long as the government does not legalized actions forbidden by the Shari'ah, or forbid actions which are ordained by it. In such a contingency, the obedience to the government ceases to be binding on the community, as clearly highlighted by the prophet that "hearing and obeying is binding on a Muslim, whether he likes or dislikes the order- so long as he is not order to commit a sin; but if he is ordering to commit a sin there is no hearing and no obeying<sup>35</sup>.

In other words, the community's allegiance to those in authority from among you is conditional upon their obedience towards Allah and His prophet. From this principle it follows that the community is duty-bound to supervise the activities of the government and to give its consent to right actions, and to withdraw it whenever the government, deviates from the path of good conduct<sup>36</sup>.

Moreover, the obedience to government should be conditioned to the legitimacy. As mentioned above that the community is obligated to obey the legitimate government. The legitimate government is achieved through various ways; the obvious way is reflected by the how does the leader come to the office of government. i.e., through election as the early Muslim political system in the time of four pious caliphs. However according to al-Mawardi, the legitimate government

Al-Bukhari and Muslim, on the authority of ibn Umar, cited in Muhammad asad, *lbid*, pp. 35-36.

<sup>36.</sup> Ibid, p.36.

does not rely on the procedures of election or selection, but on the rulers recognition of the supremacy of the rulers of Shari'ah, and his willingness to implement these rules.

In short, Islam considers the obedience to the government is obligated by the religion. Political obligation in Islamic perspective is a conditional and subordinate to the Shari'ah. An Islamic Conceptualization of Political Obligation

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