

Name: Attia Altaf.

Subject: Political Science.

⇒ Q. No. 1:

Describe Al-Mawardi's theory of Imamate.

⇒ (1) Introduction:-

Al-Mawardi says that Almighty Allah laid down laws in order that issues might be satisfactorily settled and the principles of right, truth and goodness may be widely known. He has also entrusted the control of His creatures to various governments so that order and peace, in the world may be maintained. He goes on to say that Imamah, which literally means leadership, is the foundation on which the rules and regulations of community depend. Al-Mawardi describes that the real objective of the state is the rule of justice and truth and to bring tranquillity and peace to its inhabitants. He further describes that the real motive of the Imamah is following the straight path and strengthening

the political bonds. Naturally, a question crops up that someone be chosen Imam by the consensus of the community for effective administration of the state. Al-Mawardi says that Imamate is not only an institution sanctified by tradition and history but can be proved to be necessary according to pure reason; for wise men entrust their affairs to a leader able to keep them from being molested and to adjudge between them in case of mutual quarrels and squabbles.

keep the description of a single argument a bit brief.

⇒ (2) Salient features of the Institution of Imamate:-

(i) Requirement of Shariah:-

The institution of Imamate is necessary as a requirement of the Shariah and not requirement of reason. The appointment of an Imam by the consensus of Muslim community is obligatory. There is a similar passage in al-Baghdadi, who remarks that this is al-Ashari's opinion and

is opposed to the mutazilite view

(2) Qualifications of Imamate:-

The Imamate is instituted by means of election. The electoral college shall consist of persons with special qualifications.

The qualifications are:

(a).

Justice with all the conditions pertaining to it.

(b). Knowledge of religion and of the interests and policy of the nation.

(c). Wisdom.

Also the candidates for the Imamate must fulfil certain conditions. These conditions are:

(a) Justice.

(b) Learning.

(c) Integrity of physical senses.

(d) Integrity of physical organs.

(e) Wisdom.

(f) bravery

(g) Qurayshite descent.

→ (3) Principle of Imamate:-

The election principle of the Imamate quoted above is obviously against the Shi'ite claim of bequeath or divine nomination. Al-Mawardi, however, omits the case when a debauch person is elected as Imam. Al-Baghda'i opines that the election will be void and nullified even if it has taken place through a properly constituted electoral college.

⇒ (4) Right of franchise:-

The right of franchise is not enjoyed only by the people in the capital. The caliph, however, traditionally elected in the capital because the death of previous caliph is firstly known there, and the political considerations require the immediate appointment of a new caliph, and because most of the people possessing the necessary qualifications for the Imamate generally reside there.

⇒ (5) The Importance of Qurayshite descent:-

Among the Seven conditions which according to Al-mawardi must be fulfilled by a candidate, the seventh one, that is Qurayshite descent, is very important.

Al-mawardi lays great stress on it and says that if any one raises any objection on the ground that it excludes non-Qurayshites from the Caliphate such an objection would not be considered because it was this Qurayshite descent that was presented by Abu Bakr (r.a) of an argument for the presence of election of Saqifat Bani Sa'idah.

⇒ (6) Appointment of Imam:-

The Imam is appointed by two ways.

He may be elected by the

(a). Electoral college

(b). He may be elected by the Ruling Imam.

⇒ (7) Imamate Qualification Standards:-

Al-mawardi says that the election of less qualified person in the

Presence of a more qualified person is perfectly legal provided the former fulfills all the conditions of the Imamate. It was this principle under which most of the feeble and incapable caliphs took refuge.

⇒ (8) Conditions for only one candidate for Imamate:-

Al-Mawardi says that if there is only one suitable candidate for the Imamate, he automatically becomes the Imam, and no election is required. Other jurists and scholars are of the opinion that election must be held if there is only one candidate for it, for otherwise the Imam cannot acquire legal status.

⇒ (9) The Existence of two Imam:-

The existence of two Imam contemporaneously is illegal. Al-Ashari opposes this view and says that two Imams at a time are possible if their territories are far-flung and widely separated by an ocean.

⇒ (3) Successions:-

(1).

The ruling Imam can nominate his successor. Al-mawardi holds that there is complete consensus on this point in the Muslim community.

(2).

The Imam can easily nominate any suitable person as his successor provided he does not happen to be his father son. In case Imam nominates his father, no concurrence is required but if the Imam nominates his ~~son~~ son, concurrence must be obtained.

(3).

Al-Mawardi says that the nomination of a person as heir apparent becomes effective only when he declares his consent to it. The Imam cannot withdraw the nomination until there occurs in this heir apparent some important change which legally invalidates him. So also an Imam cannot be deposed until a similar change occurs in him.

attempt this part by giving subheadings.....

(4)

The Imam can appoint the Electoral college as well as the person who may contest for the Imamate. This opinion of Al-Mawardi is based upon the election of Usman, which was held by a limited Shura ~~which was held by a limited Shura~~ appointed by Umar.

(5)

The Imam can nominate two or more heirs-apparent to succeed him one after the other. The argument has been derived from the battle of Mutah.

⇒ (6). Designation and Privileges:-

(i)

When a person is duly elected as Imam the people should entrust him all the affairs and must give him unquestioning obedience. The Imam may not consult them in the affairs of state.

(ii)

The Imam may be addressed as the Khalifat Allah, but the majority of jurists say that this title

is forbidden, for no human being can represent God on earth, since man is mortal and imperfect. Hence the Imam may either be called a mere Khalifah or Khalifah Rasul Allah.

⇒ (S) Duties and Functions of the Imam:-

1. Defence Principles of Religion:-

To safeguard and defence of the established principles of religion as understood and propounded by the consensus of ancient authorities.

2. Dispensation of Justice:-

The dispensation of justice and disposal of all litigations in accordance with the Shari'ah.

3. Maintenance of law:-

The maintenance of law and order in the country, to make it possible for the people to lead a peaceful life.

(4) Enforcement of Criminal Code:-

The enforcement of criminal codes of Holy Quran to ensure that the people do not outrage the prohibitions of God, and that the fundamental rights of men are not violated.

(5)

Defence of frontiers:-

The defence of the frontiers against foreign invasions, to guarantee the security of life and property to muslims and non-muslims both in the Islamic state.

(6) Religious wars:-

The organization and prosecution of religious wars against those who oppose the call of Imam or refuse to enter the protection of Islamic state of non-muslims.

(7)

Collection of Kharaj and Zakat:-

The imposition and collection of Kharaj and Zakat taxes in accordance with the laws of the Shariah.

(8) Sanction of allowances:-

The sanction of allowances and stipends from the State treasury to those

who are needy.

(9). Appointment of honest men:-

The appointment of honest and sincere men to the Principal offices of the State.

discuss the critical analysis part as well.

⇒ (6) Conclusion:-

Al-Mawardi's theory of Imamate provides valuable insights into Islamic governance, emphasizing the importance of justice, knowledge, and accountability in leadership. While its limitations and contextual nature should be considered, the theory remains a significant contribution to Islamic political thought, offering principles that can inform modern discussions on governance and leadership.