

OBJECTIVES OF GOVERNANCE:

A COMPARISON OF ISLAMIC AND WESTERN TRADITIONS IN THE CONTEXT OF PAKISTAN

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ABSTRACT

An Islamic state led by a Caliph works to achieve objectives of Islamic governance. The objectives of governance between Western (secular democratic system) and Islamic traditions have close proximity, at least in words. These objectives include collective action (*ijtimaiyat*) and social justice (*Aadalah*). Collective action is used to provide basic human rights, while the comparable Islamic term *ijtimaiya* is aimed at providing basic protections. A Western nation state is defined by having legitimacy to tax and maintain an army for defence, while in Islam, comparable terms, though having difference, are Zakat and *Jihad*. It is required that an Islamic state should achieve effective internal governance by developing legal instruments for achieving the objectives, even if it works under *Khilafah*, or democracy.

INTRODUCTION

An Islamic state is a form of government led by a Caliph, which, on the negative side, may be considered by many as the return of autocracy in the cloak of *Khilafah*. The term *Khilafah* has yet to be compared against the established secular norms of liberty, human rights and democracy. This paper studies the ultimate objectives of governance in Western and Islamic traditions in order to compare Western governance with the pure Islamic theocratic state, ignoring the middle line solution of a “democratic Islamic state”, at the philosophical level. It compares definitions of a state and its objectives in both of the traditions, besides explaining the objectives. The study also provides a theoretical ladder of logic for the objectives of governance. Though various legal traditions have similarities, different political methodologies may be adopted to achieve them.

Governance and State

Rhodes defines governance as “methodology for managing the state affairs”.¹ The state is governed through formal and informal institutions, as Stoker explained.² Objectives of governance include 1) “creating conditions for collective action and public order”, according to Stoker. Wright et. al.³ state that collective action aims at improving conditions of a group (such as status or power), and it is enacted by a representative of the group, while Roel De Lange is of the view that normal and undisturbed life in the public sphere is called ‘public order’.⁴ In economics, collective action deals with the public goods or public choice of a group. The theory of collective action is also applied in politics, anthropology and other fields. The public order/*ordre public* has broad and diverse meanings. It is about peaceful situations in the public sphere, yet it includes

¹ Rhodes, R. (1996). The new governance: governing without government. *Political Studies*, Volume 44, pp. 652-653.

² Stoker, Gerry. (1998). Governance as theory: five propositions. *International Social Science Journal*, 50(155), pp. 17.

³ Wright, Stephen, C., Taylor, M. Donald and Moghaddam M. Fathalli. (1990). Responding to Membership in a Disadvantaged Group: From Acceptance to Collective Protest. *Journal of Personality and Social Psychology*, Volume 58, p. 994–1003.

⁴ Lange, Roel de. (2007). *The European Public Order, Constitutional Principles And Fundamental Rights*, s.l.: School of Law, Erasmus University Rotterdam, pp 3.

patterns of values that are vital for a community of citizens.

A state is the most legitimate structure to pursue objectives such as collective action and maintaining public order. So, there is need to understand the concept of 'state' itself and the level of legitimacy in political thought. Allan defines the state in Weberian terms, stating that it has "legitimate monopoly over the use of power", including the ability to tax people and maintain an army.⁵ According to Collins, legitimacy for a group is an emotional attachment, which one feels when facing death in the company of others.⁶ For Allan, nation-states are defined by factors like territory, rational law and a standing army.⁷ Power, according to Allan, is the ability of people to do what you want, while legitimacy is the willingness of people to do what you want. In that manner, a legitimate governance structure or the state, in other words, enables people, by coordinating their formal and informal institutions, to willingly work for the attainment of a common goal, and for that purpose, it codifies social rules or develops a legal system. In modern structures of a state, there are attempts to coordinate formal and informal institutions, as is the practice of the European Union. These are visible efforts to improve from government (or control) to the level of state, where people may be coordinated to willingly work for the attainment of common goals.⁸

Beyond this simple conception, there is an idealistic and holistic conception of the state as well, wherein Jones (1990)⁹ cautions that the "Challenge for governance is to understand connections across social, cultural, political, economic and environmental challenges". The state is a centre for managing societal systems, yet not the sole structure or an authority for these systems. Monty Marshall is of the view that a state regulates activity, manages conflicts and facilitates interaction in these systems, however, it is constrained by external dynamics.¹⁰ For him, the state should be able to govern independently and through a "sovereign regime" within and without.

Objectives of Governance in Islam

Islamic scholars defy the impression that Islam is based upon autocracy. Khattab and Bouma point out in detail that there is no institution or body, whose rules are binding upon Muslims; instead, authority is a legal tradition provided in the holy texts *Quran* and *Sunnah* of the Prophet Muhammad (BPUH).¹¹ If Islam defies the autocracy and it is based upon a legal tradition too, then there must be some higher objectives that have to be achieved.

Islamic scholars have defined objectives of governance in various manners and ways. Collective action (*ijtimaiyah*) is a goal of *Shariah*. *Sadrudin Islahi* has written a short but commendable book on the subject, where he explained *Ijtimaiyah* as a tool for creating an "environment to achieve other vital objectives".¹² *Islahi* defines, in a quite classical Islamic way, the objectives of *Shariah* from the verses of the Holy Qur'an, which include: 1) "being witness for the truth against the people" before God, 2) establishing the religion (*din*), and 3) to enjoin the virtue and prohibit from undesired actions (*amr*

⁵ Allan, Kenneth, D. (2011). *The social lens. An Invitation to Social and Sociological Theory*. s.l.:Sage Pine Forge Publishers.

⁶ Collins, R. (1986). *Weberian sociological theory*. New York: Cambridge University Press, pp 156.

⁷ Whether population as a factor for nation state? Of course, one may not infer from "territory" as the barren land, instead it includes population as well. Whether recognition is a factor for a state? Recognition means external legitimacy. Nowadays, UN is a recognizing body. Internal legitimacy is achieved once a state achieves a territory. For those nation states which are in the process of recognition, there are few extreme and interesting examples. Israel is recognized by the UN but not by Arab states and Pakistan. On the other hand, Islamic Emirat of Afghanistan was not recognized by the UN and most of the countries except for Pakistan, Qatar and Saudi Arabia. Both cannot be denied as nation states when having territory. So, the definition is valid that a nation state may continue to exist until it has territory, rational law and a standing army (Allan, 2011: 257).

⁸ Thomas (2003) mentions a white paper by the European Commission which suggested more structured relations with the informal institutions like NGOs and interest groups. He complains that the European governance is affected by the interest groups and networks. He blames that the European Commission is interested in working with the groups for voluntary acceptance and compliance rather than enforcement of laws.

⁹ Jones, B. (1990). *Sleepers Wake! Technology and the Future of Work*. Third Edition. Melbourne. Oxford University Press.

¹⁰ Marshall, Monty. (2010). *The Measurement of Democracy and the Means of History*. Society. 48. 24-35. Pp 27-28. 10.1007/s12115-010-9390-7.

¹¹ Khattab, Sayed and Bouma D. Gary. (2007). *Democracy in Islam*. Routledge, pp 23.

¹² Islahi, Sadrudin. (1985). *Islam aur Ijtimaiyat (Islam and Collectivity)*. Islamic Publications Lahore. Trans by the Author.

bil maaroof wa nahi an almunkar).¹³ The first one is more of a spiritual nature, while the third, *Amr bil maaroof wa nahi an almunkar*, seems to be a tool to achieve an objective. Though a few tools are extremely important for achieving the objective effectively, the premise of the study does not include a discussion on tools. The second objective defined by *Islahi*, “establishing the religion”, is an important mechanism of collective action. It may be termed as a tool to create an atmosphere where the religion could flourish at an individual as well as a collective level. The same sort of phrase is defined in article 31 of the Constitution of the Islamic Republic of Pakistan.¹⁴ The atmosphere conducive to Islam is created when the state fulfils its duties. As Maududi Sayyid¹⁵ describes, the duties of an Islamic state include the establishment of justice, the enactment of prayer (five times a day at the collective level), the collection of *Zakat* (religious taxes), and ejoin the virtue, as well as prohibition from undesired actions. Imam Maududi Sayyid further describes that none of these functions may be performed without establishing a state that should implement laws through the power of the state (*sultan*).¹⁶ So, in that manner, establishing a religion is a comprehensive phrase that is akin to establishing an Islamic state or, in other words, opting for collective action.

Then, there are five objectives of *Shariah* as defined by Imam Al-Ghazali¹⁷ and his teacher Al Juwaini. These include protection of religion (*Din*), protection of life (*nafs*), protection of posterity (*nasl*), protection of wealth (*mal*), and protection of the intellect (*aql*). An interesting debate regarding public interest (*ijtimaiyah*) and the objectives of *Shariah* was initiated by Al-Ghazali, who criticised the principle of public interest (*ijtimaiya*) and suggested that it should be constrained by the limits mentioned in the objectives of Islamic law (Maqasid al-shariah). Amin, Tahir¹⁸ as well as Qutb Sayyid¹⁹ explain the concept of social justice in Islam, where it is clarified that society should keep a balance between the role of the individual as well as that of the community.

Here, Islamic society should develop its own strategy to protect the welfare and related aspects of the individual Islamic citizen and avoid the thorny debate to adopt the Western regime. It is important to note that Islam is a complete and comprehensive way of life (religion, or *Din*), where it is a stigma to accept any external principle, law or way of life. An inward and compatible terminology is required for such a religion, otherwise it may face internal rifts and eventual breakups. A broken society cannot withstand any internal or external challenges, while an integrated society may progress in a coherent manner. In order to avoid such sort of issues, Islamic concepts need to be explored and organised genuinely to strengthen the society from within. So, Islam may not need reference to external philosophy (like the one based upon the regime of freedom, rights and democracy) to protect their citizens’ interests from the crunch of state, from the aggression of negative groups or from the coercion of the collective. Islam does have its own context to take care of social justice, collective action and provide vital protections to lead to quality life, development and governance.

13 Islahi (1985: 81-82) mentions three verses from the Holy Quran to prove objectives of collective action. 1) *عَادَةُشِ أَوْ نُؤْتُواكَ تِلْ أَطَسْ وَ قَدْ أَمْ كُنْ لَعَجَ كَلْدَاكَ* (Translation: Thus have We made you a Community of the “Golden Mean” so that you may be witnesses in regard to mankind and the Messenger may be a witness in regard to you). 2) *يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا لِلدِّينِ عَدْلًا وَاذْكُرُوا مَا كُنْتُمْ عَلَيْهِ قَدْ رُفِعَ لَكُمْ دِينُكُمْ فَذُكُرُوا لَكُمْ وَأَنْتُمْ عَلَىٰ آيَاتِهِ أَقْسَمًا* Translation: You are now the best people brought forth for (the guidance and reform of) mankind. You enjoin what is right and forbid what is wrong and believe in Allah. 3) *يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا لِلدِّينِ عَدْلًا وَاذْكُرُوا مَا كُنْتُمْ عَلَيْهِ قَدْ رُفِعَ لَكُمْ دِينُكُمْ فَذُكُرُوا لَكُمْ وَأَنْتُمْ عَلَىٰ آيَاتِهِ أَقْسَمًا* Translation: (He has appointed for you the same Way of life which He had ordained for Noah and which (O Muhammad) We have now revealed to you; and which We had already enjoined on Abraham and Moses and Jesus, stressing: “Establish this Way”). Translation by Imam Maududi, Sayyid.

14 Article 31 of the Constitution states as under: Islamic way of life.-(1) “Steps shall be taken to enable the Muslims of Pakistan, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam and to provide facilities whereby they may be enabled to understand the meaning of life according to the Holy Quran and Sunnah”. One should note that it is part of the ‘principle of policy’ and not a ‘fundamental right’ and hereby not enforceable and this is why the non-enforcement of principles of policies create panic among Muslims.

15 Maududi Abulala Sayyid. (1967). *Islami Riasat* (Islamic State). Islamic Publications Lahore, pp 555-557. Translation of selected paragraphs by the Author.

16 Ibid pp 308

17 Al-Ghazali, Muhammad Bin Muhammad. (d. 505 AH/1111 AD). (2010). *Al-Mustasfa min 'Ilm Al-Usul* (The Clarified in Legal Theory), Darul Kutub Ilmiah. Beirut. (P 1:174)

18 Amin, Tahir. (1991). Nationalism and internationalism in liberalism, Marxism and Islam. s.l.:International Institute of Islamic Thought, pp 10.

19 Qutb, Sayyid. 1953. *Al-'Adalah Al-Ijtima'iyyah Fi Al-Islam*. American Council of Learned Societies. Translated by Hardie, J.B. (2000). Social Justice in Islam. Islamic Publication International.

The objectives of Islamic law (*Shariah*) need a little more explanation, though it is not the direct focus of the article. Munir²⁰ explains that they are, in fact, higher objectives to take care of the individual welfare and protection. The implementation of *Sharia* is driven by “*masalih*” or seeking of benefit and repelling of harm from the individual and the public. *Maslaha* (plural of which is *Masaleh*) may be used instead of *ijtimayyiah* for collective action. Though both have different meanings, Islamic scholars have used the word *Maslaha* frequently for the governance. Munir further divides the *Masaleh* in three categories: *Daruriyat* or necessary interests, *hajiyat* or supporting interests, and *tahsiniyat* or complementary interests.²¹ If necessities (*Daruriyat*) are ignored, chaos and disorder may prevail in the worldly affairs and loss in the life hereafter may be expected. *Hajiyat* (requirements) facilitate life and remove hardships, while the *Tahsiniyat* are aimed at adding beauty to life, which may include better utilisation, beautification and simplification of *daruriyyat* and *hajiyat*. Imam Shatibi mentions the relationship between *daruriyyat*, *hajiyat* and *tahsiniyyat*, where *daruriyyat* are essential for *hajiyat* and *tahsiniyyat*. Any decline in *daruriyyat* reduces *hajiyat* and *tahsiniyyat*, while the reverse may not be true.

Social justice needs more explanation because it is the central aim of Islam. It is also a vital objective of *Sharia* (Maududi Sayyid 1967: 570; Amin 1991: 10, Qutub S 2000: 25-28). Social justice provides the basis of the Islamic order, though it is also an important pillar of other societies (Islahi 1985; Maududi Sayyid 1967: 539-540). Maududi Sayyid (1967) explains that “social justice is sole reason (objective) to establish an Islamic state”. Qutub Sayyid (2000: 27-28) is more philosophical, defining Islam as a religion of justice and unity (or Oneness of God). His book is titled *Al-Adalah Al-Ijtima’iyyah Fi Al-Islam* (Social Justice in Islam). The title literally means “Collective Justice in Islam”, and so the word collective or social are synonyms for the translator of the book. He defines the purpose for the collectiveness in an amazing way as “solidarity, love, cooperation and mutual understanding which is based on faith in One God”. To him, social justice is not a matter of outward orientation, instead it is linked to the inner self, and then it should be required by the society as the highest purpose, not merely a societal issue. Qutb Sayyid goes a little further to look at social justice from a balancing act between groups, generations, parties, etc., and that regardless of differences in colour, sex, race and belief, stating that “It is because it all depends upon ‘rights and duties’ and not on being a specific person”. He further establishes social justice upon the freedom of three elements: conscience, human equality and mutual cooperation, but reverence for Allah is the final guarantee of the establishment of justice. For Qutb Sayyid, social justice exists once there is human liberation intellectually and emotionally from the instinct of servitude and worshipping any but Allah.²² There is a complete equality of all human beings because everyone has access to Allah. Qutb Sayyid, thus terms this form of liberation as one of the ‘cornerstones to establish social justice in Islam’. But again, justice is not in the mere form of a one-sided act by the ruler; instead, it is practically linked to the duties of the masses through the consultation process between the rulers and the ruled.²³ As is written in the Quran, “Take collaboration with them in the matter” (Quran Sura 3, 153).²⁴ Here, in Islamic governance, the ruler is obeyed because he submits to the authority of Allah.²⁵ There could be issue in the behaviour of the privileged ruling classes. For that matter, the words of Qutb Sayyid²⁶ may provide the guidance, “Islam sets a strict limit to the powers of a ruler so far as he is personally concerned. Yet, Islam gives him the broadest possible powers looking after the collective matters.” But it should be guided under the Messenger’s phrase, “There must be no hardship and no contention”. Then, another addition

²⁰ Munir, Muhammad (2014) *Shari’ah and Nation-state: the Transformation of Maqasid al-shar’iah Theory*, International Seminar on “The Practice of Islamic Law in the Muslim World” held in Jakarta on 11-12 November, 2014.

²¹ For Muslim jurists *maslahah* is the seeking of benefit and the repelling of harm as directed by the Lawgiver.

²² Qutb, 1952: 774 as mentioned in Asyraf et al. 2012. Asyraf et al. 2012. *Islamic Concept of Social Justice in the Twentieth Century*. *Advances in Natural and Applied Sciences*, 6(8): 1423-1427, 2012. In another book, Qutb explains that “He (The God) establishes and maintains (real) justice, since justice is an essential quality of Godhead.... Throughout history, justice was established only during those periods when God’s method was adhered to”. [In the Shade of the Quran. (1965). Verse 19-20, Surah III, Volume II.]

²³ Qutb Sayyid. (1952). *Al-Adalah Al-Ijtima’iyyah fi’l-Islam* (Social Justice in Islam). Cairo: Mactbaa Dar al-Kitab Al-Arabi, pp 95

²⁴ Few translations of the same verse use the word “consult” instead of “collaboration”. There is vast literature available on consultation (*Shura*) that is a process through which many scholars justify Islamic democracy as well. Effindy (2008: 41) refer to the principles of justice (adl), consultation (shura), egalitarianism (musawah), trust (amanah) and freedom (hurriyah).

²⁵ Qutb Sayyid. (1952). *Al-Adalah Al-Ijtima’iyyah fi’l-Islam* (Social Justice in Islam). Cairo: Mactbaa Dar al-Kitab Al-Arabi, pp 96-97.

²⁶ *Ibid.* pp. 98

to the objectives is by Abdullah Al-Ahsan (n.d), a contemporary scholar who adds *Amanah* (Trustworthiness and honesty) as another objective of governance.²⁷ In short, collective action or collectiveness (*Ijtima'iyah*) of Islam makes it a religion of popular masses, as it emphasises public issues and asks for the individual's sacrifice for the sake of collective benefit. In this manner, Islam is a popular faith and requires its followers to work in groups and not individually, yet considering the welfare of the individual under the five objectives of *Shariah*.

Sayyid Maududi,²⁸ while explaining the objectives of an Islamic state, adds another dimension; defence (*Jihad*), as an objective of an Islamic state (and so a way for collective action). For Qutb Sayyid too, Islam is a spiritual power which encourages the fostering of material powers; it enjoins self-defence and defensive war. The explanation of Maududi Sayyid is very enlightened, as he explains *Jihad* (defence) as a struggle against the (negative) self (wishes), an effort against the dominant segments of society around, and a fight against the wrong systems (which are incompatible with Islam), including that of religious, cultural and political systems of the world.²⁹ Here, we may find that collective action and state are rather synonyms for Maududi Sayyid. It seems that, for him, establishment of an Islamic state or collective action should lead to a revolution at all stages of one's life in personal as well as in collective spheres. For him, *Jihad* is a broader concept, yet it includes practical war as well. It is quite interesting that Maududi Sayyid is the strongest supporter of democracy and human rights in Muslim society. His party contests in elections regularly.

OBJECTIVES OF GOVERNANCE AND PAKISTAN

The Constitution of the Islamic Republic of Pakistan may also be studied under the objectives of governance. The Constitution is an effort to enjoin both of the legal traditions; Islam and the West, without setting limits or providing a mechanism of resolving the critical issues. The preamble of the Constitution of the Islamic Republic of Pakistan states these principles as, "where in the principles of democracy, freedom, equality, tolerance and social justice, as enunciated by Islam, shall be fully observed. ... Faithful to the declaration made by the Founder of Pakistan, Quaid-i-Azam Mohammad Ali Jinnah, that Pakistan would be a democratic State based on Islamic principles of social justice".

The Constitution of the Islamic Republic of Pakistan utilises the word *Sharia*, though it is not well defined. A Federal *Sharia* Court (the second-tier court equivalent to the High Court) is a constitutional body that exists in the country, while there exists another higher body, the "*Sharia* Appellate Bench", which works with the Supreme Court, the highest constitutional body. So, the word *Sharia* is not new to the constitutionalists and legislators of the country, yet there is a need to define these phrases and to prioritise as well as carve out practicable solutions under these terminologies and existing institutions.

For Pakistan, until very recently when the justice system was freed from political manoeuvring, there was critique by a few scholars that "social justice is not ensured in a country which is the aim of Islam, democracy and human rights as well as mentioned in the Constitution of Pakistan categorically" (Hasan³⁰ and Hussain I³¹).

All what one may conclude is that the terminologies and words for governance are mixed up. They are not properly defined, nor is there strict implementation of these words according to the spirit of the Constitution. If managed with care, the

²⁷ Al-Ahsan, Abdullah and Young, Stephen B. (nd.) Guidance for Good Governance Explorations in Qur'anic, Scientific and Cross-cultural Approaches. International Islamic University Malaysia and Caux Round Table. http://www.cauxroundtable.org/view_file.cfm?fileid=134

²⁸ Maududi Sayyid. Ibid. Pp 558-559

²⁹ Apart from entering into the debate of religious, non religious and good or bad, one should try to explore whether there is a way to reestablish an Islamic society. Islamic society is a reality which cannot be ignored in anyway. It has got its own dynamics, terminologies and criteria for governance of people, which is independent of any other sets of political governance. The paper attempts to look at those principles in abstract and then compare the terminologies with other prevailing political systems.

³⁰ Hassan, Lubna. (2010). Rule of Law, Legal Development and Economic Growth, Perspectives of Pakistan. Pakistan Institute of Development Economics.

³¹ Hussain Ishrat. (2011). Redefining Governance. Paper read at the SDPI Fourteenth Annual Conference held at Islamabad on Dec 13, 2011. <http://ishrathusain.iba.edu.pk/papers.html>

experience of Pakistan could have become a precedent of an Islamic political model, to provide enough examples to other societies besides providing an explicit basis for legal traditions. Still, there are enough reasons to define and practice these terminologies and phrases as a model for governance.

Comparison of Governance Related Terminologies in Islam and Western Thought

Here, the study compares various notions of governance. First, the conception of a state itself in the West vis a vis Islam. Allan uses the Weberian terms “legitimate monopoly” of the state, which is akin to “sovereign regime – within” by Monty Marshall.³² But the legitimacy or sovereignty is defined by the minimalistic yet practical notions of “ability to tax and use of power”. One may find the comparable Islamic terms of “obligatory religious taxation; the ‘*Zakat*’”, and ‘*Jihad*’ (defence). A practical example is the Constitution of the Islamic Republic of Pakistan, where Article 7 defines the state as existing at various levels; federal, provincial and local, which have the authority to impose taxes or cess, while articles 243-245 of the Constitution detail the formation and working of the Armed Forces. So, for the requirement of a definition of a state, Western, Islamic and Pakistani thoughts are on the same page.

For the second aspect, collective action, which is an objective of Western thought, is guided by the regime of rights, while the Islamic stream provides the synonym of *Ijtima’iyah*. Collective action in Islam is guided and constrained by five objectives of *Sharia*, which include protection of religion (*Din*), life (*nafs*), posterity (*nasl*), wealth (*mal*), and the intellect (*aql*). The protection of life and wealth may be compared with vital elements of Western regime such as rights to life and property. The conception of rights by John Locke (1689, 229)³³ also describes that a man has the natural right to preserve his property, his life liberty and estate. Here the study avoids the differences among Islam and Western thought, which are too many and appear too often leading to fierce philosophical as well as real conflict. But the use of terminologies leads to commonalities among the concepts regarding collective action.

Now, the third one, social justice provides the basis of Islamic order, though it is also an important pillar of other societies (Islahi 1985; Maududi Sayyid 1967: 539-540), like the Western one. Maududi Sayyid explains that “social justice is the sole reason to establish an Islamic state”. The Western literature provides that social justice is part of the Western democratic system. A few theorists such as Brian Barry consider that democracy and justice are one and the same thing³⁴. The role of political institutions is widely accepted to ensure social justice through democracy.³⁵ But there are others like Meijenfeldt³⁶, who notes that the link is ambiguous, as for him the market should provide social justice, though it is not an automatic process. By theory, democracy cannot be envisaged if it does not provide social justice. Amartya Sen also supports democracy for being capable of managing disasters such as famine.

Social justice is provided to the citizens of the state, yet it may work as a way of developing relations with the external environment too. It is noteworthy that societies may develop different ways and means of social justice.

While states manage their own matters, there is increased integration of the countries and so external relations are important while managing the nation states. Islam also describes principles for such matters. Mahmood Ghazi³⁷ described a number of Islamic principles concerning the relation of an Islamic society with other societies and among them is ‘reciprocity’, while Husein Nasr³⁸ is of the view that relations among societies may be established through spiritual experience. I could

³² Marshall, Monty. *ibid.* 28

³³ John Lock. (1689). *Second Treatise of Government*.

³⁴ Dowding, Keith. (2004). *Justice and Democracy: Essays for Brian Barry*. Edited by Keith Dowding, Robert E. Goodin, Carole Pateman, Brian M. Barry. Cambridge: Cambridge University Press.

³⁵ *Ibid.* pp 92

³⁶ Doorn, M. ., & In Meijenfeldt, R. . (2007). *Democracy: Europe’s core value? : on the European profile in world-wide democracy assistance*, pp 44.

³⁷ Ghazi, Mahmood Ahmad. (1997). *International law of Islam*. Bhawalpur speeches Volume 2. Islamiya University Bhawalpur. Urdu Book. Translated by the Author.

³⁸ Nasr, Hussain. (1988). *Islam and the plight of modern man*. Published by Suhail Academy Lahore for Dawah Academy. Islamabad.

not read through any details, which could explain “how to depend upon spiritual experience for visible relations”. On the other hand, reciprocity may be practiced, and there are institutional ways for adopting the reciprocity. One such way could be the legal process of social justice. It is interesting to note that *Amirul Momineen*, Mullah Muhamamd Umar of Afghanistan had suggested to conduct a judicial inquiry of Usama Bin Laden in a neutral Islamic country³⁹. So, Islamists do not deny the importance of social justice. The justice, particularly, social justice, may have interesting notions, as it may have mechanisms to govern the communities within a state. Once a state is better managed within, it may have good relations with other countries. The justice system shows flexibility too, as it is not tightly chained to the political system. If traditions of justice are well entrenched in the society, the justice system will work on merit to resolve matters instead of following the immediate and short-term political interests. It is quite plausible that real differences of the societies may come out.

Against this backdrop, we consider the similarity of objectives of governance like collective action and social justice. It requires that the nation states and civilizations should not enforce the mechanisms of implementation of the objectives. Each and every society or civilization follows its own ways and means of achieving the objectives, and in that very process it considers the background knowledge, past traditions, values and many more. So, the institutions that enforce Western-style democracy and human rights could also be part of the problem for the world peace and its integration. Few Western scholars have mentioned that democratic countries may not deal with other nations in democratic ways until they are internally democratised, as has Monty Marshall. It is also mentioned that the US and the EU have adopted democracy promotion as their foreign policy.⁴⁰ In such sort of situations, we may seek, alternatively, guidance and resolution of issues through working at the level of higher objectives and use of common terminologies to avoid differences. There should be no attempt to integrate societies into one political or legal tradition, because humans, individuals and groups, are not brands of a production factory which should have standardised outputs, packaged and labelled into one.

There are issues with the democratic tradition because of which it cannot be adopted as a common criterion or tool to assess the governance among various types of states and societies. Democracy and human rights are based upon secular thoughts. “Human rights assume that the state is secular and that its power over citizens must be limited as Vervoorn describes.⁴¹ The word “secular” is defined as, “not connected with religious or spiritual matters”.⁴² The antonym of the same is defined as “godly, holy, religious and spiritual”.⁴³ On the other hand, the state religion of Pakistan is Islam, according to Article 2A of the Constitution. Similarly, the *Khilafah* (theological) state, if established anywhere, will be based upon religious thought. So, in that manner, there is a direct conflict between the Western democratic political system and the religious ones. Durkheim’s conception is enough answer to such definitions, where he equates the word “social” with “religion”, as noted by Malinowski and Van Gennep from Durkheim⁴⁴, 1897 /1917.⁴⁵ So, any common platform that aspires to use “democracy” or “secular” or “religion-less” system, may declare the religious groups or their social as well as political manifestations to be “unnecessary” or “harmful”. But in fact, these are based upon social phenomena and add to the integration of society.

Students of politics, Islam, philosophy and sociology may find very interesting comparisons in the study of constitutions of Islamic states and the nation states and their underlying philosophies. Apart from few categorical differences at critical points, there are ambiguous and undefined terminologies that need more thought and effort for comparisons.

³⁹ Though Islamic Emirate of Afghanistan was not formally recognized by the UN, yet some of UN members recognized it. Similarly after a long time of war in Afghanistan, it is not yet assured that the Taliban are totally vanished away. There are signs that the UN and its departments may have to come ahead to recognize the Taliban or arrange truce with the warring factions.

⁴⁰ Lord Dahrandorf, the former EU Commissioner notes, “Promoting democracy is a noble cause”. According to him, the countries in transition face troubled trajectories (Meijenfeldt 2007, pp 75).

⁴¹ Vervoorn, Aat. (1998). *Re-Orient: Change in Asian Societies*. Oxford University Press, pp 80-81.

⁴² <http://oxforddictionaries.com/definition/english/secular>

⁴³ <http://thesaurus.com>

⁴⁴ Durkheim, Emile. (1982). *The Rules of Sociological Methods and Selected Texts on Sociology and Its Methods*. Ed. Steven Lukes and Translated by W.D. Halls. The Macmillan Press Ltd. Pp 6.

⁴⁵ Religion is most primitive of all social phenomena. It is from it that have emerged all other manifestations of collective activity – law, morality, art, science, political forms, etc. In principle, everything is religion (Durkheim 1897, printed in 1982 referred to an article “Materialistic Conception of History”. Steven Lukes explains referring to Hobbs and Roussou that “man is naturally inclined to politics, domestic and religious life and to commercial exchanges , etc., and it is from these natural inclinations that social organization is derived (Durkheim 1982,: 143).

Though the article may have proved or tried to prove various faulty assumptions or half-baked thoughts, it aims at pointing to an important conclusion. Apart from the intermediate objectives like democracy, human rights, etc., there are a few common higher-level objectives that exist in Islamic as well as Western traditions. These need more effort to be considered for better coordination among diverse societies, apart from enforcing the unnecessary terminologies for the sake of standardisation, democratisation or else. Common platforms should explore other ways to coordinate societies for the sake of common terminologies, which are found in the literature and have been present since decades, instead of utilising energies on the achievement of intermediate objectives and immediate political standoffs.

Ladder of Governance Objectives

There may be a ladder of governance objectives, if logically developed around the cause and effect relationship. A ladder is required to clarify the thought, define the terminologies, set the order of the rationale, and work out the limits of the terminologies.

Collective action is the first step in the governance ladder in the Western tradition, while human rights are the second step. This means that the Western political managers govern the society and take collective action to provide human rights, liberties and freedoms. The third step in the ladder is development of each and every person because democracy is considered a “process through which citizens learn to be self-determined individuals”.⁴⁶

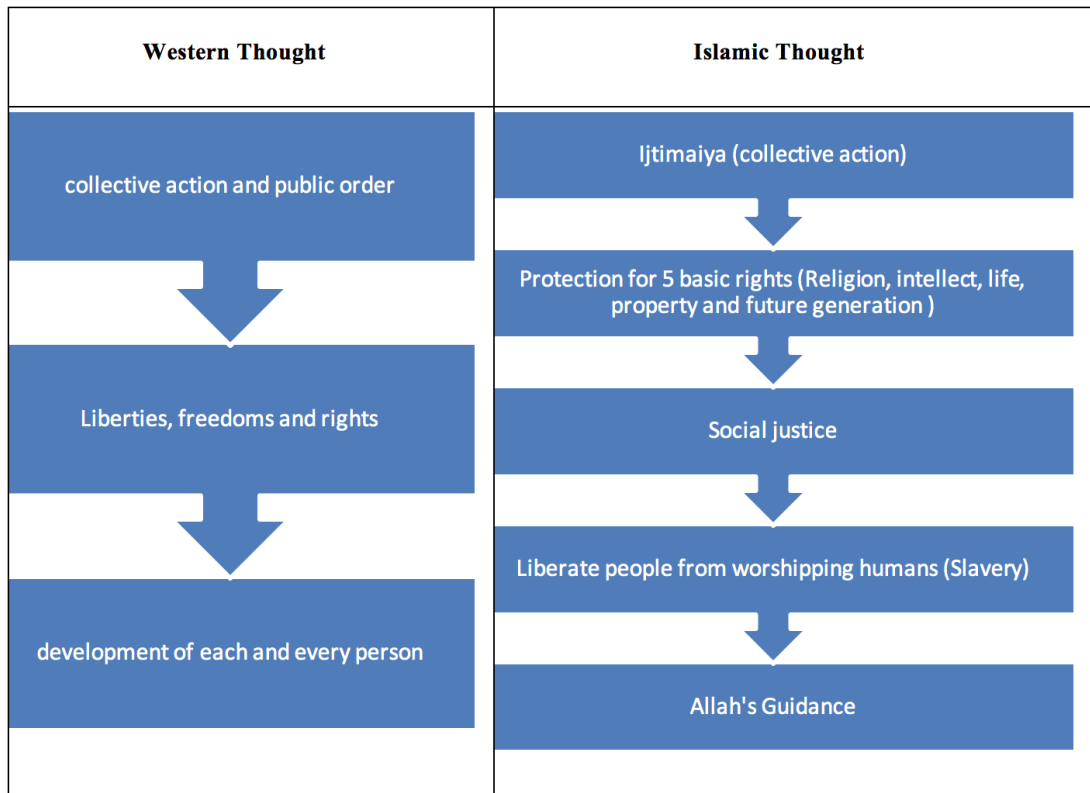
For Islam, *Ijtima'iyah* or collective action is the first step. In the second stage, collective action is utilised for the sake of five basic protections: religion, life, intellect, wealth and progeny. In the third stage, these protections are a way to provide social justice, which is an aim of Islam, as Maududi Sayyid puts it. Beyond that, in the fourth stage, we ensure social justice in Islamic society to liberate people from worshipping humans and guide them towards the Creator, the God (the ultimate salvage from slavery), as a *Sahabi* (a companion of the Prophet Muhammad, Peace Be Upon Him) described the core of Islam to a Roman king.⁴⁷ This is a very logical step in the ladder because all human beings are treated equally in Islamic society, and so they have to receive freedom from enslavement of humans. Qutb Sayyid also explains the same that everyone is equal as mentioned above⁴⁸. There is a fifth logical step in Islamic tradition, for which I got support from the words of Qutb Sayyid that “the ruler and his subjects together must bow to the authority of Allah in all things”. So, a common scripture, the Words of Allah and the Prophet (Peace Be Upon Him) are final to guide and unite everyone, where all the differences should converge.

⁴⁶ Shuifa, H., 2008. The concept of democracy. *Front. Philos. China*, 3(4), pp. 631.

⁴⁷ This may be supported by the words of Qutb Sayyid (2000) where he refers to social justice as “Therefore, the individual, the group, the party, the nation are governed by one law with one goal, that the activity of the individual and the activity of the group may proceed freely and all can work together without conflict, directing their lives to God, the Creator of life”.

⁴⁸ For Qutb Sayyid, social justice exists once there is human liberation intellectually and emotionally from the instinct of servitude to and worship to any but Allah (Qutb, 1952: 774). There is a complete equality of all human beings, and social solidarity in the sense that one can gain complete access to Allah without any feeling of fear of life or fear of someone's strength.

Figure 1: Ladder of Logic for Governance



A two-way chain of logic is provided as under:

- 1) *Ijtima'iyyah* (collective action) is constrained and guided by protection for 5 rights (religion, intellect, life, property and future generations), which is methodology to ensure social justice that provides liberty to people from worshipping humans (slavery) that guide people towards the way of Allah.
- 2) Guiding towards Allah is the highest objective that liberates people from worshipping other humans (slavery), which requires social justice that is ensured through protecting 5 rights (religion, intellect, life, property and future generation), for which the collective action (*Ijtima'iyyah*) is taken.

All these steps do not necessarily mean that the guidance of Allah is not sought at each and every step, but that it is the highest and final objective of a Muslim.

CONCLUSION

The state is defined as one claiming legitimate monopoly over the exclusive use of power, which includes the ability to tax people, create rational law and maintain an army. In Western tradition, the nation state performs all of these functions. Beyond that, it enables people, by coordinating their formal and informal institutions, to willingly work for the attainment of public order and collective action. Human management has improved from the government (or control) to the governance of networks at the level of the state.

Islamic scholars define collective action (*Ijtima'iyyah*) as one of the objectives of *Sharia*, just like the Western thought, yet there are further goals toward which the collective action should lead. These include the five objectives of *Sharia*, including the protection of religion, (*din*) life (*nafs*), posterity (*nasl*), wealth (*mal*), and the intellect (*aql*). There are other important

objectives: social justice and *Jihad*. *Jihad*, in a broader sense, is a struggle to establish and protect an Islamic society. In this manner, Islam is a popular faith and demands followers to work in groups. The specific objectives of Islam also include establishing the religion (*din*), which may include establishing a state system.

Social justice is considered as the sole reason for the establishment of an Islamic state by some of the scholars. This paper suggests that social justice may also provide basis for the required linkages in a better way than the political structures do. It is because of the absence of the immediate political resolve. Instead, the justice based decision may provide the longer-term view of the societies and may decide on the actual legal traditions. The differences that are reflected in the justice process may better represent the tradition of the society at the time.

An Islamic state may achieve effective internal governance by developing legal instruments for achieving these objectives, which are defined by *Sharia*. Once an Islamic state, working under *Khilafah*, ensures effective internal governance, external linkages may be developed.

Apart from testing or extending half-baked thoughts, the article suggests that common platforms should try to coordinate civilizations around common terminologies, which are too many and have been there since long, instead of aggrandising around immediate political standoffs.