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Session 17: Relationship between Religious Legislative Lordship (rububiyyat-e tashri'i), and Sovereignty and Legislation

Necessity of determining thematic principles

In proving the claim that a correct and wholesome social system must be harmonious with the above description of government, we pointed out that if we want to prove this point to those who believe in our juristic and ideological foundations, we shall do so by presenting religious proofs foremost of which are noble verses of the Qur'an.

But there are those who do not believe in the truth of the religion of Islam or other rudimentary principles which are the foundation of this theory. Thus, if we want to prove this theory to such individuals, we have to first point out the thematic principles of the subject and prove them. Thematic principles refer to a series of points which begin in the preliminary axioms and end up in this theory.

Those who are familiar with the argumentative account or method of proving geometrical cases know that a case is stated as the main subject on the basis of which the second case is proved. The second case has the same function with respect to the third case, and so with the third and fourth cases, and the trend continues gradually. If we want to prove the 20th case, the 19th case should have been proven beforehand, and similarly, proving the 19th case necessitates proving the preceding case. In considering the person who is our addressee and to whom we want to prove a geometrical case, we have to see to what extent he has accepted the previous cases so that we can set them as the thematic principles and basis of the discussion.

On the contrary, if in proving every case we only repeat the previous cases—for example, the definition of a straight line as the shortest distance between two points, or the definition of parallel lines as lines

that will never intersect each other—we cannot move ahead. Thus, to prove a rational case, we have to point out its thematic principles which must be proven earlier in another discussion. Once we assert that the law must be divine, the existence of God must be proved earlier.

Thus, if a person says that he does not accept the existence of God, we have to engage in a scholastic theological [*kalami*] discussion with him in order to prove the existence of God the One and Only and His right of Lordship [*rububiyyah*], and thus, prove the necessity of linking the government to God.

Therefore, if we want to begin with the preliminary principles, the discussions will become repetitive and wearisome. As such, we have to raise the closest acceptable principles and leave remote subjects to their relevant fields of science. This means that once we commence solving the 10th principle in a geometrical case, we can prove all the previous cases, having proved them beforehand and on their basis arrive at the next conclusions. I have mentioned this point because some people can be heard saying, “You are dealing with these subjects on the basis of your own criteria which are unacceptable to others.” Thus, it is necessary that our addressee agree with us on certain principles and cases so that based upon those principles and cases other cases can be proved. If he or she does not accept the preliminary principles, we have to return to the basic and prove those preliminary points in a different field of science.

Some have complained that we have based Western culture on humanism and liberalism and presented it as an atheistic culture whereas there are people in Western countries who also believe in God. I have stated time and again that those who say “Western culture” do not refer to the geographical west. It does not mean that all those who live in the West think like that. Of course, there are also religious individuals there who believe in God and are attached to moral values and we respect them.

But what is actually prevalent in Western societies is based upon these principles. Some consciously reject that culture. Similarly, it was stated in the previous discussions that the eclectics are those who gather ideas from different schools of thought and mix them together without proving beforehand the rational foundation of each of them, and at times, these ideas are inconsistent and incongruent with one another. As a whole, it is necessary to point out that if a person pays attention to the totality of our subjects, he or she will never encounter such problems.

In any case, we shall engage in argumentation in order to prove that the political system endorsed by Islam is the most rational and judicious system. Here, we naturally assume the principle of the existence of God and His Attributes to be axiomatic, and base our argument on this principle. Those who reject the existence of God and do not believe in some of His Attributes have to refer to scholastic theology [*ilm al-kalam*] because our present discussion is not scholastic. It is related to political philosophy and, therefore, we cannot engage in scholastic discussions here.

Divine sovereignty and legislative Lordship

The political system of the Islamic government stands on the edifice of God's sovereignty which necessitates the legislative Lordship [*rububiyyat-e tashri'i*] of God. In explaining this point, we have to note that undoubtedly, monotheism [*tawhid*] is the slogan of not only Islam but all the religions with heavenly origins. The formulae "There is no god but Allah" [*La ilaha illallah*] which has been the prime slogan of the Prophet (s) also exists in all other religions, albeit distortions have taken place. The question now raised is: What does "*La ilaha illallah*" mean?

Some think that *tawhid* means that a person should believe that the Creator and Sustainer of this universe is the One and Only Allah. But does *tawhid* only mean that there is no creator except Allah? Is the Oneness of Allah in creation and nourishment the only basis of monotheism in Islam? In a series of talks I had some years ago at this same venue under the theme "Monotheism in the Ideological and Value Systems of Islam", I stated that *tawhid* does not only mean that a person has to believe in the Oneness of the Creator of the universe. The monotheism accepted by Islam is not only confined to this meaning. The polytheists of Mecca also believed in 'monotheism in creation'. For example, God indicates this point, thus:

﴿وَلَئِن سَأَلْتَهُمْ مَنْ خَلَقَ السَّمَاوَاتِ وَالْأَرْضَ لَيَقُولُنَّ اللَّهُ...﴾

"If you ask them, 'Who created the heavens and the earth?' they will surely say, 'Allah'..."¹

Similarly, Satan believes in the existence of God and monotheism in creation, but God still enlists him among the infidels.² The dialogue between Iblis and God as mentioned in the Holy Qur'an, shows that he believed in monotheism in creation and cosmic Lordship [*rububiyyat-e takwini*], as well as in the hereafter and the Day of Judgment:

﴿قَالَ رَبِّ فَأَنْظِرْنِي إِلَى يَوْمِ يُبْعَثُونَ * قَالَ فَإِنَّكَ مِنَ الْمُنْظَرِينَ * إِلَى يَوْمِ الْوَقْتِ الْمَعْلُومِ * قَالَ رَبِّ بِمَا أَغْوَيْتَنِي لَأُزَيِّنَنَّ لَهُمْ فِي الْأَرْضِ وَلَأُغْوِيَنَّهُمْ أَجْمَعِينَ﴾

"He said, 'My Lord! Respite me till the day they will be resurrected.' Said He, 'You are indeed among the reprieved until the day of the known time.' He said, 'My Lord! As You have consigned me to perversity, I will surely glamorize [evil] for them on earth, and I will surely pervert them."³

Thus, Satan also believes in monotheism in creation and the cosmic Lordship of God as well as in the Resurrection. What needs to be examined is the factor that led to his *kufr*. In order to recognize the

source of Satan's *kufr*, it is necessary to identify the foundation of monotheism in Islam. According to Islam, to be recognized as a monotheist [*muwahhid*] is belief in the Oneness of the Creator, Oneness of the cosmic and legislative Lord and Oneness of the Worshipped Being.

That is, man has to regard the Creator as One and Only, as well as, the Sole Authority and Agent in the universe, and, the Original Legislator. In addition, he has to believe in monotheism in divinity [*uluhiyyah*] and servitude [*'ubudiyyah*] and to recognize God as the only Being worthy of being worshipped. In view of the foundation of '*tawhid*', it becomes clear that the source of Satan's '*kufr*' was denial of the legislative Lordship and not denial of the cosmic Lordship.

Also, God, the Exalted, commands His Messenger (s) to invite the People of the Book [*ahl al-kitab*] during the dialogue with them to the common platform of belief in the Unity of God and worship of His Unique Essence. Then, God makes a statement to dissuade them from believing in the legislative lordship of other-than-God and save them from becoming infidels:

﴿قُلْ يَا أَهْلَ الْكِتَابِ تَعَالَوْا إِلَى كَلِمَةٍ سَوَاءٍ بَيْنَنَا وَبَيْنَكُمْ أَلَّا نَعْبُدَ إِلَّا اللَّهَ وَلَا نُشْرِكَ بِهِ شَيْئًا وَلَا يَتَّخِذَ بَعْضُنَا بَعْضًا أَرْبَابًا مِنْ دُونِ اللَّهِ...﴾

“Say, ‘O People of the Book! Come to a word common between us and you: that we will worship no one but Allah, and that we will not ascribe any partner to Him, and that we will not take each other as lords besides Allah’...”⁴

The meaning of some traditions in commentary of the above verse is that the People of the Book do not regard human beings like them as their creators. Instead, they recognize their priests and clerics as their legislative lords and consider their decrees as equal to that of God. The Qur'an describes unconditional and unwavering obedience to the priests and clerics as equivalent to taking them as lords: *“And that we will not take each other as lords besides Allah.”*

That is, do not make unconditional and unwavering obedience to your leaders for this is a form of polytheism. But this form of polytheism is not polytheism in the creative power and cosmic Lordship. It is not polytheism in divinity and servitude either because they do not worship their priests and clerics per se. It is rather polytheism in the legislative Lordship. That is, apart from God, they also believe in the existence of other legislators. They say that other beings including us have the right to enact law; and not only is the law of God binding, that one should obey whatever He commands.

For example, when Iblis denied the legislative Lordship of God, he said: “I am better than him”. That is, “I am not supposed to bow down to Adam.” Although God commanded him to bow down to Adam, he said: “I will not bow down to Adam because I am better than him.” That is to say that Satan did not comply with this decree and command of God. In other words, he did not regard the right of sovereignty

as exclusive to God.

This was the same source of Iblis' *kufr* for, as we have said, he was not a denier of God's Lordship and the Day of Resurrection. The source of Iblis' *kufr* was the denial of God's absolute sovereignty. That form of *kufr* which Islam ascribes to some of the People of the Book—calling upon them to relinquish it and return to *tawhid*—is *legislative polytheism*. As the Qur'an says,

﴿اتَّخَذُوا أَحْبَارَهُمْ وَرُهْبَانَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ وَالْمَسِيحَ ابْنَ مَرْيَمَ وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا إِلَهًا وَاحِدًا...﴾

“They have taken their scribes and their monks as lords besides Allah, also Christ, Mary's son; though they were commanded to worship only the One God...”⁵

Never did they bow down on earth in front of their leaders, or prostrate and worship them. Their taking of their scribes and monks as lords means unconditional, unwavering and blind obedience to them, and in reality, it means not considering legislation as solely belonging to God.

Meaning of pure monotheism

Therefore, pure monotheism is that which is not tainted and mixed with any form of polytheism; neither the polytheism of Iblis nor that of the People of the Book. The foundation of monotheism in Islam, apart from belief in the Oneness of the Creator, the cosmic Lord and the Worshipped Being, is the belief in the Unity of the legislative Lord. These four elements constitute the pillars of monotheism in Islam. If any one of them becomes defective, real monotheism will not be realized.

If a person believes that other than God there is another creator or cosmic lord who independently administers the world or has the right of sovereignty or being worshipped, he is expelled from the realm of Islamic *tawhid*. Thus, belief in the legislative Lordship is one of the pillars of Islamic monotheism, and without it Islamic monotheism cannot be realized.

A person may ostensibly recite the testimony to God and Prophet Muhammad (s) [*shahadatayn*] and even be considered ritually pure [*tahir*], but this is apparent purity. Its only impact is that he shall be included among the Muslims in this world.

If ever in the treatise on the practical laws of Islam [*risalah al-'amaliyyah*] it is written that he who recites the *shahadatayn* is a Muslim, ritually pure, permissible to marry, and whose slaughtered animal is *halal*, it does not mean that anyone who recites the *shahadatayn* shall definitely be admitted to paradise and be saved from the chastisement of hellfire. He also has to accept the obligatory things in religion and be bound to them; otherwise, recital of the *shahadatayn* is not the end of the story. Is he who denies the

Resurrection a Muslim? Or, is he who rejects prayer and *zakat* a Muslim?

So, recital of the *shahadatayn* is only a symbol and indication that he believes in “what Allah has revealed” and is apparently considered as a Muslim. But if he has no faith in God in his heart, denies the Resurrection, or does not heartily accept the essentials of Islam, he is actually an infidel no matter how ostensible a Muslim he might be. As such, outward Islam is one thing while real faith which saves one from the chastisement in the hereafter is another. When it is said that one of the criteria of *tawhid* is monotheism in the legislative Lordship, it refers to the source of one’s otherworldly bliss and protection from eternal damnation; otherwise, to establish outward laws, recital of the *shahadatayn* is enough.

Righteous reference authorities of legislation and sovereignty in Islam

Hence, according to the Islamic perspective and legislative Lordship, it accrues that the Legislator in principle must be God and beside Him, no one has the right of legislation. Now, the question here is: Is there no other type of legislation which is legitimate? In reply, it has been stated before that subordinate to God’s legislation and not parallel to Him, there are those who have the right to enact law by God’s leave, and that law is credible and binding with the permission of God.

﴿وَلَا تَقُولُوا لِمَا تَصِفُ أَلْسِنَتُكُمُ الْكُذِبَ هَذَا حَلَالٌ وَهَذَا حَرَامٌ لَتَفْتَرُوا عَلَى اللَّهِ الْكُذِبَ إِنَّ الَّذِينَ يَفْتَرُونَ عَلَى اللَّهِ الْكُذِبَ لَا يُفْلِحُونَ﴾

“Do not say, asserting falsely with your tongues, ‘This is lawful, and this is unlawful,’ to fabricate lies against Allah. Indeed those who fabricate lies against Allah will not be felicitous.”⁶

As such, one should not say to himself, “This is *halal* and that is *haram*” for *halal* and *haram* do not depend on your opinion and preference. This is a form of polytheism. You have to see what God has said. In another place, the Qur’an thus states:

﴿قُلْ ءَأَللَّهُ أَدْنَىٰ لَكُمْ أَمْ عَلَى اللَّهِ تَفْتَرُونَ﴾

“Say, ‘Did Allah give you the sanction [to do so], or do you fabricate a lie against Allah?’”⁷

Yes, God gave the Prophet (s) authority to legislate and to bid and forbid the people, saying: “Obey Allah and obey the Apostle”⁸ and “Whoever obeys the Apostle certainly obeys Allah.”⁹

Of course, the Messenger of Allah (s) would not act according to his own desire. Rather, his action was

based on divine inspiration and revelation. At times when a verse would not be revealed to him, he used to receive divine inspiration [*ilham*] and non-Qur'anic revelation [*wahy*] by the legislative will of God:

﴿وَمَا يَنْطِقُ عَنِ الْهَوَىٰ * إِنْ هُوَ إِلَّا وَحْيٌ يُوحَىٰ﴾

“He does not speak out of [his own] desire: it is just a revelation that is revealed [to him].”¹⁰

Therefore, if a person is authorized by God to enact laws, any law he enacts becomes respected and binding. The Shi'ah believe that such an authority granted to the Holy Prophet (s) is also granted to the infallible Imams ('a). Of course, in scholastic theology [*ilm al-kalam*] clear proofs substantiating this claim have been presented. One of these proofs is the tradition about the two weighty things [*hadith ath-thaqalayn*] in which the pure Imams ('a) are treated as partners ['idl] of the Qur'an:

إِنِّي تَارِكٌ فِيكُمْ الثَّقَلَيْنِ: كِتَابَ اللَّهِ وَعِترَتِي أَهْلَ بَيْتِي، مَا إِنْ تَمَسَّكْتُمْ بِهِمَا لَنْ تَضِلُّوا بَعْدِي أَبَدًا .

“Verily, I am leaving among you two weighty things [thaqalayn]: The Book of Allah and my progeny [itrati], the members of my Household [Ahl al-Bayt]. If you hold fast to them, you shall never go astray.”

Here we are not in pursuit of presenting and proving the Shi'ah doctrines but to point out that those who believe in this principle acceptable to the Shi'ah regard the infallible Imams ('a) besides the Holy Prophet (s) to also have such authority. On the contrary, there are also those who say that only the Messenger of Allah (s) was infallible and incumbent upon us to follow. But this difference in opinion does not make such a difference as far as our subject is concerned.

Assuming that we were living at the time of the Holy Prophet (s) who appointed a governor of a city and asked us to obey the governor, was it obligatory to obey the governor under the aegis of obedience to the Holy Prophet (s), or not? Was obedience to him inconsistent with obedience to the Prophet (s) and God and the sovereignty of Allah? The answer is negative because that person was the representative and envoy of a prophet who in turn had been designated by God. Our belief is that the infallible Imams ('a) also have the same prerogative.

For the present time, they have also designated individuals on the basis of quality and not personality, and the one who is closest to the Infallibles ('a) and the most righteous is appointed by them to rule. Now, sometimes this belief can be proved through the *Maqbulah*¹¹ of 'Umar ibn Hanzalah,¹² *Marfu'ah*¹³ of Abu Khadijah¹⁴ and other traditions, and at times through rational proofs. Through various statements *fuqaha* have engaged in proving it.

Thus, the essence of the theory is that just as the Holy Prophet (s) during his lifetime appointed a person to rule and govern a region of the Islamic land and obedience to him was incumbent upon the people of the region, or just as the Commander of the Faithful (‘a) during his caliphate appointed individuals as governors and rulers of Islamic territories such as Bahrain, Ahwaz, Egypt, and others and obedience to them was obligatory, during this period of occultation [*ghaybah*] those who are like Malik al-Ashtar in political acumen and knowledge of jurisprudence and have the competence, merit and capability to lead and administer the Islamic society are designated to take charge of the government according to the principle of *wilayah al-faqih* and obedience to them is incumbent upon us.

This is not in conflict with the legislative Lordship of God. In fact, their sovereignty is under the auspices of Divine Lordship. Since God has commanded His Prophet (s), and the Prophet (s) in turn, appointed them as governors, or since the infallible Imam (‘a) designated his specific or general deputies, it is incumbent upon us to obey them. In other words, obedience to the governor is obedience to the Prophet (s) and God. On the contrary, opposition to him is tantamount to opposition to the Prophet (s) and opposition to the Prophet (s), in turn, is tantamount to opposition to God.

In the same vein, obedience to the *wali al-faqih* is obedience to the infallible Imam (‘a) and the Prophet (s), and thus, to God, and disobedience to him is disobedience to the infallible Imam (‘a) and the Prophet (s), and thus, to God. This point has been categorically stated in the *Maqbulah* of ‘Umar ibn Hanzalah when Imam as-Sadiq (‘a) says:

يَنْظُرُ إِلَى مَنْ كَانَ مِنْكُمْ قَدْ رَوَى حَدِيثَنَا وَنَظَرَ فِي حَالِنَا وَحَرَامِنَا وَعَرَفَ
 أَحْكَامَنَا فَلْيَرْضُوا بِهِ حَكْمًا فَإِنِّي قَدْ جَعَلْتُهُ عَلَيْكُمْ حَاكِمًا. فَإِذَا حَكَمَ بِحُكْمِنَا فَلَمْ
 يَقْبَلْهُ مِنْهُ فَإِنَّمَا اسْتَخَفَّ بِحُكْمِ اللَّهِ وَ عَلَيْنَا رَدٌّ وَ الرَّادُّ عَلَيْنَا الرَّادُّ عَلَى اللَّهِ وَ هُوَ
 عَلَى حَدِّ الشِّرْكِ بِاللَّهِ.

“They must seek out one of you who narrates our traditions, who is versed in what is permissible and what is forbidden, who is well acquainted with our laws and ordinances, and accept him as judge and arbiter, for I appoint him as judge over you. So, anyone who rejects his judgment is as if he belittles the judgment of Allah and rejects us, and anyone who rejects us is as if he rejects Allah, and rejection of Him is tantamount to associating partners with Him.”¹⁵

The Imam (‘a) said that it “is tantamount to associating partners with Him” because polytheism is the opposite of monotheism, and one of the pillars of monotheism is belief in the legislative Lordship. Now, if we accept the sovereignty of God, and under His auspices, the sovereignty of the Prophet (s) and the Imam (‘a) and those who are designated by God through the Imam (‘a), it follows that we have accepted monotheism in the legislative Lordship.

And if we reject it, it means that we are committing polytheism in the legislative Lordship. Thus, “rejection of them” means that if a person rejects the *fuqaha* designated to rule over the people it is as if he has rejected the Imams (‘a). That is, if a person says, “I do not recognize *wilayah al-faqih*,” he is saying, “I do not recognize the infallible Imam” and if a person does not accept the Imam (‘a), he has in a sense associated partners with God because he has rejected an aspect of His legislative Lordship. Of course, this is spiritual and esoteric polytheism and it does not render a person ritually impure [*najis*].

As such, it is established that if a person accepts that sovereignty intrinsically belongs to God alone, he has to accept also that at a lower level, it also belongs to the Messenger of Allah (s). It is under the auspices of God’s sovereignty that the sovereignty of the Messenger of Allah (s) and that of the Imams (‘a) and their deputies are realized and acquire legitimacy. If we uphold the legitimacy of rule in a different way, we have actually upheld a form of polytheism in sovereignty.

Therefore, the rational reason why the Islamic system must be based on divine laws and under a ruler designated by God is the legislative Lordship of God. If we try to properly understand *tawhid*, we will arrive at the same conclusion, and if certain people reject this conclusion, their faith is essentially weak and their [state of belief in] *tawhid* is impure and tainted with *shirk*.

One may ask, “Why must laws of society be divine”? If certain people do not believe in God and His law and enact and implement laws by themselves, will the society not be reformed? If so, how have certain societies in the world reached a certain stage of life without acting upon God’s law? This is a skepticism raised by many “intellectuals” who ask, “Why should law be promulgated by God?” They are of the opinion that by using their intellect people can make laws and act upon them, without arising any problem.

Reasons behind God’s legislative monopoly

In order reply to this skepticism, it must be noted that man is a unitary being but he has various organs, senses and dimensions, and these dimensions are linked and knitted together. Man does not have an economic dimension alone. So long as one enacts laws for the economy and administers the economic dimension of his society, his condition shall be in order. His economy is related to his polity. His polity is related to his civil and social laws. His civil laws are related to his criminal laws, and all these are related to the international law. Their totality is firmly connected to man’s spiritual, psychological and moral dimensions.

Man does not constitute ten beings. He does not have ten souls either. Man has a divine spirit which has different dimensions and aspects, all interconnected. So, if there is a defect in one dimension, it will naturally affect the others. God who has created man and ordained social life for him has endowed his natural disposition [*fitrah*] with elements which naturally and innately draw him toward the establishment of social life. Therefore, God has a purpose in the creation of man which is to attain human perfection under the aegis of social life, and advance all dimensions of his existence which are at the service of the

spiritual and religious dimension toward perfection, and finally, achieve the ideal:

﴿وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ﴾

“I did not create the jinn and humans except that they may worship Me.”¹⁶

What is said must take place under the auspices of worship [*‘ibadah*] which is inextricably interwoven with *tawhid* and *rububiyyah*; otherwise, human perfection will not materialize. Of course, through another way, outward order may also be established in society which is worthy of reflection; for example, the “order” which exists today in countries whose symbol is America. It can be observed that in all high schools in the model of “civilized” countries in the world armed policemen must be stationed. Notwithstanding the presence of armed units, killing and crimes take place daily in these high schools. This is the order established by mankind. The same is true in cases of other corruption and crimes.

Even assuming that without acting upon divine laws and paying attention to the spiritual dimension of man, outward civil order can still be established in society, yet the ultimate purpose of his life can not be ensured. Is the life of man that of a termite? Or, is human society similar to bees which can be established through an outward order? All these systems, security measures, advancement, growth, science, industry, and technology are means to evolve the human soul and get closer to God. Who can grasp this relationship?

Who can identify which type of food or manner of living will contribute toward achieving proximity to God? Who ascertains whether eating pork and drinking wine will contribute toward the achievement of happiness? Notwithstanding their progress in the science of medicine, medical scientists of the world conclude that excessive consumption of alcohol may be harmful for the brain cells, but they do not know whether it affects the eternal bliss of man because they have no experience in this regard being beyond empirical observation.

Man’s life must be codified in such a manner that all dimensions are taken into account and the focus is not only on his physical health and wellbeing and political–economic condition. The interrelationship of all dimensions must take place in a cohesive and harmonious system. No one except God the Creator, with his all–embracing knowledge can establish a relationship between these dimensions and guide them toward ultimate perfection. This is the reason why it is God who must enact the law. Furthermore, which legislator will set his personal interests aside at the moment of legislation? It is clear that any group that gains power tries to enact and implement laws which serve its interests. For instance, in Muslim countries, as soon as an administration assumes office, it enacts new rules and regulations which are mostly in favor of the ruling party. It makes no difference whether it is leftist or rightist. This is human nature, and by the way, most human beings are fallible.

Only God is immune from individual or group favoritism and His interest is not served in any way. The laws of God are neither favorable nor unfavorable to Him. His only concern is what is good or bad for human beings. Thus, on one hand, His knowledge is boundless, and on the other hand, He has no personal interest in enacting laws. Moreover, He has the right of Lordship over His creatures. If man wants to attain perfection, he has to observe the right of Divine Lordship. This is another subject that requires explanation which is not possible in this limited time.

Human beings have rights over one another and they know of latitudinal rights [*huquq al-‘Ardht*] like the right of the farmer over the worker and vice versa, or the right of the ruler over the people and vice versa. The people know these rights, yet do they know the right of God over the people and the manner of granting it? The hallmark of the Islamic outlook is that above all rights is the right of Allah [*haqq Allah*].

Therefore, it must first be granted so that the rights of people can be given under the aegis of God’s right. Can the rights of men be considered in statutory laws without taking the right of God into account? It is certainly unjust if not cruel, to deny the rights of God! With this ingratitude, can one attain human perfection?

Which ingratitude is greater than ingratitude to God which the Qur’an points out:

“Polytheism is indeed a great injustice”?¹⁷

The greatest of injustices is injustice toward Divine Lordship. As such, if we do not take into account the right of God, we will commit a great injustice. How then will we be just to others? How can a person be just who is unjust to his Creator? As we have said, one of the forms of *shirk* is the belief in *other than God’s* having the right of legislation.

Since God is perfectly aware of our interests, gains no benefit in legislation and has the right of legislative Lordship over man, the law of God must be observed, and rules obeyed which have been introduced by those who are designated by God as far as they are authorized, so that man is not guilty of what the following verse describes:

﴿قُلْ أَرَأَيْتُمْ مَا أَنْزَلَ اللَّهُ لَكُمْ مِّن رِّزْقٍ فَجَعَلْتُمْ مِنْهُ حَرَامًا وَحَلَالًا قُلْ ءَإِنَّ اللَّهَ أَذِنَ لَكُمْ أَمْ عَلَى اللَّهِ تَفْتَرُونَ﴾

“Say, ‘Have you regarded what Allah has sent down for you of [His] provision, whereupon you made some of it unlawful and [some] lawful?’ Say, ‘Did Allah give you the sanction [to do so], or do you fabricate a lie against Allah?’”¹⁸

And in another verse, it is stated:

﴿وَلَا تَقُولُوا لِمَا تَصِفُ أَلْسِنَتُكُمُ الْكُذِبَ هَذَا حَلَالٌ وَهَذَا حَرَامٌ لِتَفْتَرُوا عَلَى اللَّهِ الْكُذِبَ إِنَّ الَّذِينَ يَفْتَرُونَ عَلَى اللَّهِ الْكُذِبَ لَا يُفْلِحُونَ﴾

“Do not say, asserting falsely with your tongues, ‘This is lawful, and this is unlawful,’ to fabricate lies against Allah. Indeed those who fabricate lies against Allah will not be felicitous.”¹⁹

Therefore, in order to observe the right of legislative Lordship of God, one should first refer to the law of God and then examine whom He has granted the authority to enact laws or whom He has granted the authority to implement them. The reason for this is that if the implementation of those laws is beyond His command, exercise of authority [*tasarruf*] over the servants of God without the permission of their Master will again take place.

In the divine perspective, exercise of authority even on oneself is not permissible if it is against the pleasure of God, let alone exercise of authority over others. As such, man has no right to commit suicide. In Western liberalism, it may possibly be said that since man owns himself, he has the right to commit suicide if he wants to, but in the divine system it is not so. Man has no ownership of himself as he belongs to God. Thus, he has no right to commit suicide because God has not permitted him to do so. The authority over the life and soul of man is with Him and with none else. Hence, how can one who has no right to kill himself, grant permission to others to kill him?

None has the right to amputate his hands or blind his eyes because the Owner of these body limbs is God who has not given him that permission. How can a person give authority to another to amputate the hand of a thief or imprison a person? No one has such a right because others are also servants of God and without the permission of God, one cannot exercise authority over them.

Thus, in legislation as well as in the implementation of laws, the permission of God is binding. In a nutshell, the Islamic political theory in this regard stands on the proposition that God’s legislative Lordship is a pillar of *tawhid* and he who does not observe this pillar commits *kufir* similar to that which is committed by Iblis.

1. Surah Luqman 31:25.

2. Surah al-Baqarah 2:34: “He was one of the faithless.”

3. Surah al-Hijr 15:36–39.

4. Surah Al ‘Imran 3:64.

5. Surah at-Tawbah (or, Bara’ah) 9:31.

6. Surah an-Nahl 16:116.

7. Surah Yunus 10:59.

8. Surah an-Nisa’ 4:59.

9. Surah an-Nisa’ 4:80.

10. Surah an-Najm 53:3–4.

11. Maqbulah: a hadith to which one may make acceptable reference. [Trans.]
12. The maqbulah tradition is the tradition of ‘Umar ibn Hanzalah who asked Imam as-Sadiq (‘a) whether it was permissible in the event of a disagreement between two Shi‘ah concerning a debt or a legacy to seek the verdict of the ruler or judge. He replied: “Anyone who has recourse to the ruler or judge, whether his case is just or unjust, has in reality had recourse to the taghut (i.e., the illegitimate ruling power). Whatever he obtains as a result of their verdict, he will have obtained by forbidden means, even if he has a proven right to it, for he will have obtained it through the verdict and judgment of the taghut, that power which God Almighty has commanded him to disbelieve in: “They desire to seek the judgment of the Rebel, though they were commanded to defy it” (Surah an-Nisa’ 4:60).” Imam as-Sadiq then advised the Shi‘ah to refer to one of the fuqaha, i.e. one learned in the principles and ordinances of Islamic law or, more generally, in all aspects of the faith. See Wasa’il ash-Shi‘ah, vol. 18, the section on the attributes of judges, pp. 98–99. [Trans.]
13. Marfu‘ah: ‘traceable’ – refers to any tradition that can be traced back to a Ma‘sum (infallible – referring specifically to the Prophet (s) and the Imams (‘a)), regardless of the continuity in its chain of transmission.
14. Abu Khadijah, one of the trusted companions of Imam as-Sadiq (‘a), relates: “I was commanded by the Imam (‘a) to convey the following message to our friends (i.e., the Shi‘ah): ‘When enmity and dispute arise among you, or you disagree concerning the receipt or payment of a sum of money, be sure not to refer the matter to one of these malefactors for judgment. Designate as judge and arbiter someone among you who is acquainted with our injunctions concerning what is permitted and what is prohibited, for I appoint such a man as judge over you. Let none of you take your complaint against another of you to the tyrannical ruling power.’” Wasa’il ash-Shi‘ah, vol. 18, p. 100. [Trans.]
15. Usul al-Kafi, vol. 1, p. 67; Wasa’il ash-Shi‘ah, vol. 18, 98.
16. Surah adh-Dhariyat 51:56.
17. Surah Luqman 31:13.
18. Surah Yunus 10:59.
19. Surah an-Nahl 16:116.

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