

## Chapter 2: The Relationship between Religion and Politics

### Secularism

Many talks have already been made regarding the relationship between religion and politics. In our country and in Muslim and Western countries, diverse ideas and opinions have been presented in this regard. If we place these different ideas and opinions in a spectrum, “the theory of separation of religion and politics” will occupy one side and “the theory of inseparability of religion from politics” the other side.

Of course, there are also moderate theories which fall between these two opposite poles. We do not intend here to examine and criticize all these theories. Rather, we intend to examine and criticize “the theory of separation of religion from politics” to state our view regarding the relationship between religion and politics.

In academic circles and current literature, the theory of separation of religion from politics is usually referred to as “secularism”. Of course, the word “secularism” has various connotations. In any case, it must be noted that the word “secularism” is used to mean separation of religion from politics.

The meaning of separation of religion from politics (i.e., secularism) is that the arena of each of them is different from that of the other, and none of the two must interfere in the matters related to the realm of the other. In other words, “neither religion nor politics is involved in the arena of one another.” For those who are familiar with technical and scientific definitions, it is clear that the first definition falls in the category of value-oriented concepts (“must and must not”) while the second definition falls in the category of epistemological concepts (“is and is not”).

According to this theory (secularism), religion and politics are like parallel lines which never meet, and each one has a separate direction. Each of them has a certain end. A study of the subsequent discussions will make us form a more vivid picture of this theory.

# The early development of secularism

Secularism actually started in the Medieval Europe, and its roots should be traced back to the period of the dominance of the Church over all the affairs and people in Europe. The Church at that time was divided into two: Western Roman and Eastern Roman.

The center of the Eastern Roman Church was in today's Constantinople in Turkey while the center of the Western Roman Church was in the present-day Rome in Italy where the popes used to have enormous power and influence so that the kings and monarchs of different countries extending as far as Spain received orders from them.

Having at their disposal big trades and industries as well as enormous endowed properties and vast agricultural fields, the popes and Church enjoyed great economic and military power. In practice, their authority was such that they had control over the entire European continent and challenged the rulers and monarchs of other lands and confronted them.

Of course, this power was not constant and was occasionally undermined by rebellions of kings and rulers, but the pope had practical authority over the entire Christian countries, and monarchs had to submit to and obey him. This was the claim of the Church which tried its hardest to exercise it. This sovereignty and dominance covered all spheres ranging from individual aspects, laws and religious rituals to the sociopolitical aspects as well as various sciences.

Training and education, learning and teaching sciences including mathematics, literature and astronomy were also under priests' control. The court rulings of the Inquisition during that period such as the sentence issued against Galilei Galileo (1564–1642) on account of his view about the earth as spherical in form which was contrary to the Ptolemaic view adopted by the Church and its revolution around the sun contrary to the Church's notion of geocentrism i.e., the earth is the center of the universe and all planetary bodies revolve around it are proverbial to all and sundry.

This is while the Christian Church at that time had no solid intellectual and religious basis. It mainly borrowed its ideas from empirical scientists and philosophers and had no firm material of its own. Naturally, in this system with its vast extent alongside the weakness and dearth of scientific foundations and theoretical underpinnings, corruption began to develop and gave rise to movements against the papacy and the Catholic Church.

Figures such as Martin Luther (the founder of the Protestant Church) came from within the ecclesiastical establishment to carry out a reform in the Christian teachings and take actions alongside other political and cultural reform movements. All these activities resulted in the formation of a great movement against the Pope which gave impetus to the Renaissance. One of the most major effects of the Renaissance which was also advocated by some church leaders and priests was condemning the Catholic Church's conduct and its interference in the matters related to the society such as political affairs.

It was claimed that what the Catholic Church had preached and practiced until then was deviant from the teachings of Christianity and that true Christianity had nothing to do with government and political activities, and it is only concerned with strengthening man's relationship with God inside the church.

Therefore, all the misfortunes, deprivations and backwardness of Europe throughout those centuries were attributed to the Church and its teachings, and so it must be expelled from the scene. The main subjects of the Church were on God, the heaven and celestial kingdom. The Europeans decided to use other teachings and slogans in lieu of those teachings which brought about the society's misfortunes, replacing man with God, earth with heaven, and terrestrial life with celestial kingdom.

In this way, the slogan of "God, heaven and celestial kingdom" gave way to another three-pronged catchphrase, i.e. "man, earth and terrestrial life" and Westerners separated religious questions from the serious issues of life, assuming that life affairs are worldly matters and must be solved on earth instead of resorting to God in the celestial world for solution. This trend became known as "secularism," i.e. this world and earthly life.

It was on this basis that it was supposed that if there are God and religion, those who believe in them, they and their God know; they must not be concerned with social matters. The place of religion is in the church and temple; there, you may cry, supplicate and repent as much as you want, but once you step out of the church and be in the social scenes and face serious life affairs, you will have nothing to do with religion.

Religion has a specific domain and politics has another. Politics means management of social affairs while religion is concerned with the relationship between man and God. In this way, the relationship between religion and politics in Europe and Christianity was severed, and a demarcation line was drawn between the two so that personal matters were placed at one side and social affairs at another.

Furthermore, it was claimed that in essence, religion is something which has to do with one's personal taste, and it corresponds to such subjects like literature and poetry. For example, when a poet says, "O my moon! O my sun! O gentle breeze! Carry this message to my beloved" such expressions are nothing but personal imagination because in reality no gentle breeze can carry someone's message, and likewise, the moon and the sun cannot hear someone's voice.

These words merely express the poet's emotional excitements and agitations. Similarly, when a person goes to a corner and cries, "O my God! O my Lord!" it is not known whether or not there is God. The poet says, "O full moon, you are so beautiful!" Today's astronomy, however, says that the moon is a cold and lifeless heavenly body, and it is like a waterless and barren desert that has no beauty. When a person says, "O my Lord, You are so good!" this is only a psychological outpouring that gives the person emotional tranquility.

In sum, to be realistic man must work, earn money, live and amuse himself; form a government, enact laws, punish and imprison criminals and offenders, and wage war and make peace, and these things

have nothing to do with religion. In fact, they are in line with positivist philosophy, which was introduced in the West after the Renaissance. Positivism considers whatever we feel and see real and we must think about it and set a plan for it. Since God and the celestial kingdom are not seen or experienced by anyone, they should be taken for granted.

With the passage of time and the hybridization of cultures which is expedited by the emergence of modern and advanced technologies, secularist ideas have permeated down to Muslim countries and Muslim thinkers. Also this question was put to Muslim thinkers: “Why must Islam not be like Christianity? Islam is also a religion which deals with the relationship between man and God. So, it must not interfere in the social life of the people.”

Following the Islamic Revolution which was also staged and triumphed in the name of religion and Islam, similar ideas were put forward. Some people who assume that they are concerned about Islam (of course, some do so ostentatiously) say: “You have integrated religion with politics, and designated religion as the foundation of your government. Your venture, like that of the Catholic Church, will end up in failure and so there is no use trying the experience that was already tried. It is wrong to experience that which is experienced already.

In order to save the religion and in order not to give ground for attributing problems, unpleasant things, ignorance, and sabotages to religion, it must not be held accountable for the unbecoming behavior of some clerics and religious figures who hold government posts. And this will not be possible unless religion is separated from politics.

If you want your religion to remain safe and the Qur’an and Islam be respected, you have no alternative other than taking religion away from the political scene and entrusting politics to the politicians so that the reputation of clerics and religious scholars will be preserved, their image not tarnished and their undue interference in the political affairs not disrupt things.

The notion that religion must be involved in politics is wrong and a new interpretation must be brought out. It is necessary to have an Islamic Protestantism and a Muslim Martin Luther otherwise your religion and Islam will be completely destroyed.”

In any case, secularist tendency has influenced some Muslim countries such as Turkey to the extent that their constitution has adopted a laic system, and a Muslim employee in government offices has no right to mention the name of Islam or have any religious motto or religious symbol. Even wearing an Islamic clerical garb is prohibited in Turkey.

If a person wears religious attire or puts on his head a scarf or handkerchief that resembles a turban, he will be held accountable. This is the situation of a country which was one day the seat of a great Muslim caliphate and the Ottoman Empire, which a large part of Asia and approximately half of Europe were at its disposal.

## Secularism viewed from outside religion

In a bid to establish the theory of separation of religion from politics, some local writers and so-called intelligentsia argue that prior to touch on religion it is necessary to look at things from outside religion and discuss this question: In essence, why does man need religion, and when can religion be a good guide for man? In reply to this question, two answers are put forward. One is to say that man is in need of religion in all things and in all aspects of life, and has to see what answer, instruction or solution religion gives—for example, how to eat foods, how to weave cloth, how to wear clothes, how to build houses, how to marry, how to form a community, etc.

In brief, religion must solve all man's problems. If we accept such an answer and have it as a basis for the idea that if one wants to weave cloth, he is supposed to know what religion says about it; if one wants to take foods, he has to know what religion says about it; if one wants to see a doctor, he has to know what Islam says about it. Along this line, it is natural that when we need to form a government, we have to know what religion says about it. But everybody knows and obviously this is not the case.

No religion claim that it can meet all the needs of mankind and it teaches you how to build this house or that building. If it was so, then there would be no need to conduct academic or scientific research because it would be possible to solve any problem through religion. But we know for certain that the presence of religion and religious laws does not nullify the need for acquiring knowledge and conducting research.

Religion cannot provide mankind with the information about the technology of the phantom jet aircraft, computer, satellite, and atomic physics. Therefore, such an answer, i.e. to say that religion is responsible for solving all mankind's problems is definitely incorrect. In other words, we are not supposed to have the "maximum" expectation from religion by imagining that it is a means of solving everything.

So, since we are not contented with the first reply, the only thing that can be said about our expectation from religion is that basically religion is an otherworldly affair and its main aim is building man's hereafter. It is not concerned with the worldly life and man's social and mundane affairs which have to be taken care of by man's own knowledge, intellect and prudence. So, according to the meaning they use, we are supposed to have only a "minimum" expectation from religion.

Thus, the domain of religion includes only otherworldly affairs—such as how to offer prayer, how to fast, and how to perform the *Hajj*. In other words, it deals with what we have to do in order not to be placed in the hellfire and to be admitted to paradise. Regarding the things related to this world, one has to resort to knowledge and reason and regarding the things connected to the hereafter, one has to refer to religion.

Politics is related to worldly affairs and basically it has nothing to do with the domain of religious concerns. Politics falls in the province of knowledge and reason, and naturally religion has no access to

it. As such, it is the scholars of social sciences and politicians who should manage political affairs and attend to social concerns, and the jurists and religious scholars should be concerned with people's hereafter, and it does not behoove them to involve themselves in governance, and if they do, their performance will not be grounded on theoretical foundation or correct logic, and as stated earlier, it will be unscientific and illogical.

It is clear that the above account of secularism or the separation of religion from politics is much harsher than that introduced in the Western world after the Renaissance.

## **Assessing the relationship between religion and politics**

First of all, it is necessary to point out that what we mean here by "religion" is Islam and not any other religion. Therefore, our main concern is "the relationship between Islam and politics". Now that we have clarified this point, it is necessary for assessing the relationship between religion and politics to have a consensus of opinion on the meaning of these two concepts, and point out what we mean by religion and politics.

"Politics" in common usage is something loathsome. It is laden with negative connotation linked with deception, ruse, trickery, and fraud. It must be noted, however, that what we mean is something other than this meaning of "politics". Rather, in simple terms, what we mean by "politics" is the "method of governing a country". To be more precise, politics in this discussion means "a method of managing the affairs of society in which both political and spiritual interests of the society are taken into account." Therefore, it is concerned with managing social affairs.

By "religion" i.e. Islam, we mean a set of laws, beliefs and values decreed by God for the guidance of mankind and to ensure man's felicity in this world and the hereafter which were conveyed to the people and explained for them by the Prophet of Islam (S) and the purified Imams ('a) or might be discovered by the definite ruling of the intellect.

After having clarified the meaning of "religion" and "politics", if we want to know whether or not Islam encompasses sociopolitical affairs, the best thing to do is to refer to Islam itself. If we want to know the viewpoint of Christianity regarding a certain subject though we are not Christians, the logical and correct way is to refer to the Bible in general and the New Testament in particular. Similarly, if we want to identify the status of politics in Islam, we have to refer to the Qur'an, and religious precepts and laws to see whether Islam is concerned with politics and the management of social affairs, or it only takes care of individual and personal matters.

If one says that Islam is not the same as that which the Qur'an says; it is not the same as that which the Prophet of Islam (S) has stated; it is not what the infallible Imams ('a) have said, but Islam corresponds with what I say, obviously such an assumption is illogical and inadmissible. If one wants to explore Islam, instead of referring to the Muslims, he has to see what the Qur'an and the *Sunnah* state in this regard,

and not take for granted what certain European or American orientalists say about it or rely on personal interpretation of some verses of the Qur'an and the *Sunnah*.

If someone says that he or she accepts Islam and assumes that Islam is not as the Qur'an has stated and not as the Prophet (S) has preached, this is definitely tantamount to disbelieving Islam. Therefore, in order to know the relationship between Islam and politics, we have to refer to the Qur'an and the *Sunnah*.

In order to clarify the view of Qur'an on this issue, all that we need is to have some knowledge of the Arabic expressions. We do not need to be well qualified in Arabic literature or be experts in the exegesis of the Qur'an and we do not need to study the brief exegesis of the Qur'an, but a general familiarity with the Arabic lexicon will do.

A study of the Qur'an will reveal that just as Islam takes care of such issues like individual devotion and morals, it also deals with the affairs of family, living and family relationship, marriage, divorce, trading and transactions, rearing of children, obedience to "those who are vested with authority" [*ulu'l-amr*], debt, mortgage, war and peace, civil law, penal and criminal laws, international law, and the like.

There are numerous verses in the Qur'an and many times more than that of the traditions and narrations related from the Prophet of Islam (S) and the pure Imams ('a) that deal with such issues. Given this fact, can we accept the idea that Islam has paid attention to politics and the organization of social relationship, or assume that it dealt only with the individual devotion and morals and with organizing the relation between man and God?! Here are some examples that demonstrate what we have put forward:

The longest verse of the Qur'an is related to money lending and asserts that if you want to lend money to somebody, you have to get written receipt from him in the presence of two witnesses before handing him the money. If no pen and a sheet of paper are available, take something valuable from him as a mortgage which is to be given back to the borrower when he gives back the money he borrowed.<sup>1</sup> Now, can one say that Islam pays no attention to social affairs and the organization of social relations?

Marriage and divorce also are examples of social issues. There are numerous verses in the Qur'an about marriage rites and etiquette,<sup>2</sup> divorce rites and etiquette,<sup>3</sup> the rules of payment and acceptance of dower [*mahriyyah*],<sup>4</sup> the person, whom one is allowed or not allowed to marry,<sup>5</sup> conjugal life,<sup>6</sup> settling family disputes, and others. For example, it states about settling family disputes:

﴿ وَإِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَابْعَثُوا حَكَمًا مِّنْ أَهْلِهِ وَحَكَمًا مِّنْ أَهْلِهَا إِنْ يُرِيدَا إِصْلَاحًا يُوَفِّقِ اللَّهُ بَيْنَهُمَا إِنَّ اللَّهَ كَانَ عَلِيمًا خَبِيرًا ﴾

***"And if you fear a split between the two of them, then appoint an arbiter from his relatives and an***

**arbiter from her relatives. If they desire reconciliation, Allah shall reconcile them. Indeed Allah is all-knowing, all-aware.”<sup>7</sup>**

The question of inheritance is another example of social issues with which the Holy Qur’an has dealt, devoting to it many verses:

﴿يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثَيَيْنِ فَإِن كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ وَإِن كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ﴾

**“Allah enjoins you concerning your children: for the male shall be the like of the share of two females, and if there be [two or] more than two females, then for them shall be two-thirds of what he8 leaves; but if she be alone, then for her shall be a half.”<sup>9</sup>**

Another social issue is civil war which may take place at any time. In this regard, the Noble Qur’an states:

﴿وَإِن طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا فَأَصْلِحُوا بَيْنَهُمَا فَإِن بَغَتْ إِحْدَاهُمَا عَلَى الْأُخْرَى فَقَاتِلُوا الَّتِي تَبْغِي حَتَّى تَفِيءَ إِلَى أَمْرِ اللَّهِ فَإِن فَاءَتْ فَأَصْلِحُوا بَيْنَهُمَا بِالْعَدْلِ وَأَقْسِطُوا إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ﴾

**“If two groups of the faithful fight one another, make peace between them. But if one party of them aggresses against the other, fight the one which aggresses until it returns to Allah’s ordinance. Then, if it returns, make peace between them fairly, and do justice. Indeed Allah loves the just.”<sup>10</sup>**

Business dealings and transactions are other examples of social relations. Islam and the Qur’an have not disregarded them or delegated them to reason, knowledge and common view. In fact, the Glorious Qur’an has made known the rules and regulations of trading:

﴿وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا﴾

**“Allah has allowed trade and forbidden usury.”<sup>11</sup>**



﴿ يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نُودِيَ لِلصَّلَاةِ مِنْ يَوْمِ الْجُمُعَةِ فَاسْعَوْا إِلَىٰ ذِكْرِ اللَّهِ وَذَرُوا الْبَيْعَ ﴾

***“O you who have faith! When the call is made for prayer on Friday, hurry up toward the remembrance of Allah, and leave all business.”***<sup>12</sup>

﴿ يَا أَيُّهَا الَّذِينَ آمَنُوا أَوْفُوا بِالْعُقُودِ ﴾

***“O you who have faith! Keep your agreements.”***<sup>13</sup>

Concerning social crimes, there are numerous laws in the Holy Qur’an. For instance, regarding theft, which is one of the grave and manifold crimes of society, it states:

﴿ وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جِزَاءَ بِمَا كَسَبَا نَكَالًا مِّنَ اللَّهِ وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴾

***“As for the thief, man and woman, cut off their hands as a requital for what they have earned. [That is] an exemplary punishment from Allah and Allah is all-mighty, all-wise.”***<sup>14</sup>

With regard to committing fornication or obscene acts, when a Muslim authority or judge discovers that such an act had been committed, it is considered a crime in Islam and a severe penalty is assigned for it even if there is no complainant. The aim is to ensure social immunity from it and foster security against violations. The Holy Qur’an says with utmost clarity and explicitness:

﴿ الزَّانِيَةُ وَالزَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِّنْهُمَا مِئَةَ جَلْدَةٍ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَلْيَشْهَدْ عَذَابَهُمَا طَائِفَةٌ مِّنَ الْمُؤْمِنِينَ ﴾

***“As for the fornicatress and the fornicator, strike each of them a hundred lashes, and let not pity for them overcome you in Allah’s law, if you believe in Allah and the Last Day, and let their punishment be witnessed by a group of the faithful.”***<sup>15</sup>

These examples are among tens of Qur’anic verses about social relations and social affairs in addition to

a larger number of the sayings of the Holy Prophet (S) and the pure Imams (‘a). Now, are these Qur’anic verses and traditions about personal matters and relation between man and God, or about people’s relation with one another and organizing social relations? If what is contained in these Qur’anic injunctions and narrations represent the core of Islam, can it be claimed that Islam has nothing to do with the administration of social affairs and has totally delegated people’ worldly affairs to themselves and only dealt with the hereafter, paradise and hellfire? Fair-minded and rational people have no iota of doubt that Islam is not so.

Of course, out of obstinacy, some people may ignore lots of things, but the explicit contents of Qur’anic verses are solid evidence of Islam’s involvement in political affairs and administration of society, and ignoring this fact is like ignoring the existence of the sun, which appears everyday in the sky, giving heat and light to the entire world.

We can also examine if there are Qur’anic verses related to politics in another way. Therefore, it is possible to examine Qur’anic verses on the basis of the view that a government and political system should consist of three powers. In other words, it has been known that since the time of Montesquieu<sup>16</sup> an administrative body has had three powers, viz. the legislative power, executive power, and judicial power.

With this idea in mind, we can embark on examining whether or not the Holy Qur’an has dealt with questions related to each of these three powers. It is obvious that if we find that there are verses related to each of these powers, the involvement of Islam in politics, and as a result, the political nature of Islam, will become manifest.

The function of the legislative power is enactment of laws for managing society’s affairs—that is, under what specific conditions the people should observe certain behavior so that justice, security and order in society may govern, the rights of individuals not be trampled upon, and the society move toward reform and progress.

Along with the legislative power is the executive power whose function is the execution of the laws enacted by the legislative body, which is represented by the cabinet and prime minister, or by the president and ministers.

Finally, alongside these two powers, there is what is known as the judicial power or judiciary, which is neither a law-making body nor executor of laws. Instead, it assumes the responsibility of putting into effect the general laws in particular cases and adjudicating the disputes that may occur between people or between people and government.

Now, let us see whether or not the Qur’an has said something about these subjects, mentioned something about these functions, and specified the pertinent duty of the Muslims, or whether it has delegated them to the Muslims themselves to do what they consider exigent and appropriate.

Regarding the law-making function (that is, social laws), as we have said earlier and cited some examples about it, Islam and the Qur'an have dealt with this subject by establishing civil laws, legal and penal laws, trade and transaction laws, and many others.

Therefore, Islam takes care of the issues pertaining to country management including enactment of laws for the purpose of managing society's affairs. In addition, the Qur'an has also mentioned that the Holy Prophet (S) has the right to lay down laws in certain cases in accordance with the conditions of the time and space and they have to be compatible with the changes in the conditions of the time and space, and made it incumbent on the people to comply with them. In this regard, the Qur'an states:

﴿ وَمَا كَانَ لِمُؤْمِنٍ وَلَا مِؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ ﴾

***“A faithful man or woman may not, when Allah and His Apostle have decided on a matter, have any option in their matter.”***<sup>17</sup>

According to this verse, if God and the Prophet (S) decide something for the people and enjoin a matter, no one has the right to go against it. The Muslims have no prerogatives for themselves against what has been decided by God and the Prophet (S). In other words, next to God's commands and the confirmed divine laws, the law of the Prophet (S) has to be observed by all those living in a Muslim society under the banner of the Islamic government.

No one has the right to oppose what the Prophet (S) has enacted and decided for the sake of the people or to set an alternative for oneself. The mentioned verse along with the verse *“The Prophet is closer to the believers than their selves”*<sup>18</sup> represents the highest legal and executive position which may be given to a person. In Islam, this privilege has been bestowed to the Holy Prophet (S).

Of course, the idea whether or not this position has been given to others after the Prophet (S) will be dealt with in the succeeding sections of this book. We have so far noticed that Islam and the Qur'an assign special importance to the function of legislative power, and apart from the enactment of social laws, the Qur'an has given the Prophet (S) the right of making laws under different circumstances and has made it incumbent on people to observe these laws. Similarly, we have noticed that the purport of the two mentioned verses (*Surah al-Ahzab* 33, verses 6 and 36) include some ideas about the function of executive power and implementation of these laws.

As for the judicial power and the idea of adjudicating disputes and conflicts, which constitute another dimension of governance and politics, they have been given attention by the Holy Qur'an, which states, hence:

﴿ فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا ﴾

***“But no, by your Lord! They will not believe until they make you a judge in their disputes, then do not find within their hearts any dissent to your verdict and submit in full submission.”***<sup>19</sup>

Not only has the very question of adjudication which is the function of judicial power been established in Islam, but it has also been made a requisite of faith. With the special emphasis (implied by the negative swearing in the Qur’an), it swears that “The people will not attain faith unless they take you as the judge in their disputes and come to you for adjudication (and not to refer to other people) and when you give judgment, they should not only not object but they should not nurse any grudge or be annoyed.

Rather, they ought to accept your judgment faithfully even though it is against them. With total satisfaction and approval, they have to accept your ruling.” What is more interesting is that the judgment given by the Holy Prophet (S) was not based on his knowledge of the Unseen [*ilm al-ghayb*] and esoteric information.

Rather, like any other Muslim judge, he used to make judgment on the basis of evidence, proofs and testimonies in order to adjudicate between two disputing parties. So, because of the weakness and deficiency of documents and proofs, the one who has to be given the right may not get it. Although the right belongs to a certain person, on account of lack of solid evidence, the ruling might not be in his favor. The Holy Prophet (S) says:

﴿ إِنَّمَا أَقْضِي بَيْنَكُمْ بِالْبَيِّنَاتِ وَالْإِيمَانِ. ﴾

***“Verily, I judge between you on the basis of proofs and testimonies.”***<sup>20</sup>

That is, “My criterion for making judgment is the judicial standards including testimony, confession, swearing, and the like.” Therefore, a just witness may bear witness but unintentionally makes mistake. Or, it may be that a witness does not tell the truth but since the judge (here, the Prophet (S) is meant) who relies on manifest proofs does not recognize that the testimony is incorrect, his testimony will be accepted and the ruling will be issued accordingly.

This verse says that although the decision or ruling is contrary to the truth, believers have to accept it; otherwise, they would not be considered believers because it is the Prophet (S) who issued it while observing judicial standards.

Here, this question arises, is there in the realm of enactment and execution of laws (legislative and

executive powers) or the realm of adjudication and judgment (judicial power) anything higher than what has been demonstrated by these verses regarding how to manage the country and deal with social affairs? Now, on the basis of what has been confirmed by these verses, will there remain any room for the claim that Islam has nothing to do with politics and has not dealt with social affairs?!

## The ‘minimal’ or ‘maximal’ nature of religion

As we have indicated earlier in discussing the relationship between religion and politics, some suggest that we have to examine this issue from an outward religious viewpoint, and adding that before referring to religion and its content, we have to see what in principle we expect from religion.

The answer they give is that we should expect the least from religion—that is what we must do so as to be worthy of paradise, in order not to be sent to the hellfire and in order not be subjected to the chastisement of the hereafter. In a nutshell, our expectation from religion must be elucidation of the issues relevant to the hereafter. Religion is neither responsible for explaining worldly affairs nor has it explained them. For explaining issues of this sort, mankind has to rely on its knowledge and intellect.

In connection with this theory, we should say that as a matter of fact although our life is manifested in two spheres: worldly and otherworldly, i.e. when we are born, our mundane life in this world begins, and it ends with death, and then we enter another world in purgatory [*barzakh*] until the general Resurrection takes place,<sup>21</sup> we have to keep in mind that this does not mean that our life affairs and actions in this world have two parts: one is related to the life in this world while the other is related to the hereafter. In essence, one’s deeds and one’s behavior that can ensure his good life in the hereafter are but part of the worldly affairs:

الْيَوْمَ عَمَلٌ وَلَا حِسَابَ وَ غَدًا حِسَابٌ وَلَا عَمَلٌ.

***“Today is a time for work and not for reckoning, and tomorrow is a time for reckoning and not for work.”<sup>22</sup>***

Therefore, the chief purpose of religion is to set instructions concerning the proper way of behaving in this very world, not to promulgate orders after our departure from this world! The question that arises here is: Does the period of a person’s life in this world (say, 60 years) have two parts one is related to this world and the other is related to the hereafter? For example, are the first 30 years related to this world and the other 30 years to the hereafter?! Or, does each day which consists of 24 hours have two parts: the day and the night and one of them is related to this world and the other to the hereafter?! Or, does the 24-hour day alternately belong to this world and the hereafter?! Or, do in essence, we have nothing in this world which does not belong to the hereafter and do all our actions and moments in this world have an otherworldly nature; i.e. are they such that they can be useful or harmful for the hereafter

and have, in one way or another, an effect on our life in the hereafter?

According to the Islamic viewpoint, our otherworldly life is determined by our deeds and conduct in this world:

الدُّنْيَا مَزْرَعَةٌ الْآخِرَةِ.

***“This world is the sowing ground for the hereafter.”***<sup>23</sup>

We have to sow here and harvest there, and it is not correct to separate mundane life from the hereafter. All that we do in this world such as breathing, winking of the eyes, walking, sitting, sleeping, rising up, looking, building social relations, talking, listening, eating, marital and family relations, the relations between the members of society, relations between government and people, and others can either have useful and beneficial effects or negative and arbitrary effects on our life in the hereafter.

Thus, our life in this world does not have two distinct parts or separate realms—that is, one is related to this world and another to the hereafter.

For example, it is true that eating food is something related to this world but it can be the cause of one’s chastisement in the fire of hell or otherwise:

﴿ إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَىٰ ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا وَسَيَصْلُونَ سَعِيرًا ﴾

***“Indeed those who consume the property of orphans wrongfully, only ingest fire into their bellies, and soon they will enter the Blaze.”***<sup>24</sup>

When such people seemingly eat food and feel satiated with it, they actually consume something that will turn into fire in the hereafter and burn them. In other words, the very foods will torture them in the hellfire. But, if a person takes in food so as to become strong and have the capability of worshiping and obeying God, the act of eating will be considered a kind of worship [*‘ibadah*], for which he will be rewarded and be worthy of dwelling in the paradise.

Every action performed by part of our body can contribute to our attainment of felicity in the otherworld (if it is for the sake of God) and it can also contribute to our wretchedness (if it is contrary to the command and good pleasure of God). Sometimes, the action can neither have a positive nor a negative effect as in the case of permissible [*mubah*] and lawful [*halal*] actions whose performance or abandonment entails no punishment or reward.

At any rate, our life does not have two distinct parts: one is devoted to the mosque, temple and *husayniyyah*<sup>25</sup> and is related to the hereafter, while the other one is related to ourselves, and has nothing to do with the hereafter or with God. This very false idea, which has been prevailing in the West for many centuries, has caught the attention of many, and is gaining ground in our country and among the Muslims.

It is propounded that the place of religion is essentially in the house of worship and its effect will be known in the hereafter and that the rest of the things have no place in the domain of religion. In fact, there is no such a thing in Islam<sup>26</sup> and what we understand from Islam is that man is created in this world so as to achieve felicity or wretchedness, and a person's achievement of felicity or wretchedness is determined by the kind of his actions in this world. If his actions are consistent with the commands of God, he shall attain eternal bliss but if they are contrary to the commands of God, they will bring them eternal damnation.

The fallacy of the theory of 'minimal' or 'maximal' nature of religion is that in reply to the question, "What do we expect from religion?" this theory claims that there are no more than two answers. The first is that we expect the 'maximum' from religion, for example, cooking food, eating food, constructing a house, building an aircraft and a ship, etc. It is clear that this option is false and incorrect.

The other answer is that the minimum related to religion is not more than prayer and fasting, and in sum, the relationship between man and God and things related to the hereafter. Also, there is a 'maximum' which is related to the world, including the management of government and politics and these have nothing to do with religion. Since the first option is definitely unacceptable, the second option is naturally established. The fallacy here is to assume that this question has only two solutions and answers.

In fact, a third option may be taken into account, which is the right one. It argues that it is not correct to assume that we have to learn everything from religion including how to cook food, wear clothes and construct a house. It also argues that it is equally wrong to assume that religion is merely concerned with the relationship between man and God and specific conditions.

The correct thing is that when everything acquires the tint of value, its effect and relation with the hereafter are considered and when its effect on man's ultimate perfection or perdition and on man's proximity to and distance from God is observed, religion will judge. In simple language, it tells us which of our actions is lawful and which of them is unlawful, but it is not concerned with how to perform them. For example, regarding food, it matters not if the food is placed in a chinaware or not, but it says that certain kinds of food are unlawful [*haram*] and consuming them is sinful.

Pork is unlawful to eat; meat of the dog is unlawful to eat; it is unlawful to drink alcoholic beverages. How to make alcoholic beverages or how to raise pigs is not the concern of religion, but eating pork or drinking alcoholic beverage has a negative effect on the perfection of man and thus acquiring a negative value. Taking in this kind of food and drink is unlawful and prohibited. Hence, it is true that eating and

drinking are worldly affairs, but since they acquire a positive value and are related to man's ultimate perfection, religion has dealt with them and issued a ruling about them.

Also, in constructing a house Islam is not concerned whether the windows and doors of the house are made up of aluminum or iron, or whether revetment or brick is used in building its façade, but it says that the house must not be constructed on a usurped land; it must not be built in such a way that it overlooks other people's house, thereby disregarding their right to privacy. So, a house must not be built with money earned through usury and other unlawful means. In wearing clothes and ornamentation, it is not the concern of Islam what style of sewing and what color of textile you choose.

However, it says that if you are a male, it is forbidden for you to wear pure silk and golden clothes; both men and women's clothes have to cover over their private parts [*'awrah*]. For men, it is forbidden to wear a gold ring and any other gold jewelry.

Concerning the amusement, going to a park or to places of interest at the vicinity of the city, or to the beach are not a problem in Islam, but Islam says that you have to avoid seeking amusement through gambling for gambling is unlawful; and it must not be sought through merrymaking because merrymaking is forbidden.

So, Islam judges things by observing the moral aspect of every action. It demonstrates the positive or negative value of the action, and whether this action contributes to man's perfection or downfall. Of course, the moral side and positive or negative effect of an action on man's perfection may be so clear that man can grasp them well.

Religion needs not to express its view on questions of this kind and God's decree can be discerned by reasoning. This issue is known among jurists [*fuqaha*] as "rational independences" [*mustaqillat al-'aqliyyah*]. The *fuqaha* argue that the mind can independently assess some issues, discern their good or evil, and discover the thing on which the will of God depends. For example, the common sense of every person dictates that taking and eating a slice of bread of an orphaned child is abhorrent and hideous.

Regarding this question, there is no need to cite a Qur'anic verse or a tradition but we can depend on our intellect to discover the will of God in this respect. In most cases, however, man's intellect fails to discern the value of human actions and to what extent they can affect our felicity or wretchedness and make us understand that a certain action (depending on whether it is positive or negative, and its degree of value) is obligatory [*wajib*] or prohibited [*haram*], recommended [*mustahabb*] or abominable [*makruh*], or permissible [*mubah*].

It is at this point that religion has to play an active role and show clearly the degree of impact of a certain action on our ultimate perfection. So, according to what the proponents of the theory of 'minimal' nature of religion say, Islam is concerned not only with the hereafter, but also with trade and transaction, mortgage and renting, marriage and divorce, food and drink, housing and clothing, amusement and recreation, etc. and has defined numerous instructions in this respect.



Furthermore, it has even defined for us the year and month and it has not left this affair to us to determine. Suppose that a certain person wanted to rent a house for one year. One should know the answer to the question “How many months and how many days are there in a year?” Can anyone say that a year has 19 months or a month has 19 days (with the total also of 361 days)? Or, have the Qur’an and Islam said something in this regard? The reply is this:

﴿إِنَّ عِدَّةَ الشُّهُورِ عِنْدَ اللَّهِ اثْنَا عَشَرَ شَهْرًا فِي كِتَابِ اللَّهِ يَوْمَ خَلَقَ السَّمَاوَاتِ وَالْأَرْضَ مِنْهَا أَرْبَعَةٌ حُرْمٌ ذَلِكَ الدِّينُ الْقِيمُ﴾

**“Indeed the number of the months with Allah is twelve months in Allah’s Book, the day when He created the heavens and the earth. Of these, four are sacred. That is the upright religion.”**<sup>27</sup>

The Qur’an and Islam have also said something about the crescent [*hila*] and its advantages to the Muslims:

﴿يَسْأَلُونَكَ عَنِ الْأَهْلِ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ﴾

**“They question you concerning the new moons. Say, ‘They are timekeeping signs for the people and [for the sake of] hajj.’**<sup>28</sup>

This moon which appears in the sky in different shapes helps people to know their devotional and legal issues which are the criterion for determining the time of their prayer, fasting and *Hajj* pilgrimage and shows them how to manage their legal affairs as, for example, when one wants to say, “I will lend you this sum of money for two *months*,” or “I will rent this shop for nine *months*.”

Now, can a wise and fair person consider the religion that pays special attention to issues ranging from prayer, fasting, *Hajj* pilgrimage, ritual purification [*taharah*], and ritual impurities [*najasa*] to buying and selling, mortgage and renting, marriage and divorce, conjugal relation, children and parents relation, war and peace, and international relations, and to eating and drinking, wearing clothes and ornamentation, house building and recreation, and even determination of the months to have a minimum nature? Is such a religion not political? Is it concerned with social affairs and those pertaining to the administration of society, or only with personal and devotional affairs?

Can a rational person accept the idea that the religion which has to deal with things like consuming pork and alcoholic beverages because they have certain effect on man’s felicity or wretchedness considers the type of government and management of society’s affairs of no effect whatsoever in this respect and so Islam shows no positive or negative opinion about it or about its value? Does, for example, the

government of Yazid<sup>29</sup> not differ from that of the Commander of the Faithful (Imam ‘Ali) (‘a) and has Islam not shows its opinion regarding them? Does it say that the two merely represent two different types: one used to accept and behave this way while the other used to accept and behave that way, and that this issue has nothing to do with religion?

Do the type of government of ‘Ali (‘a) and the type of government of Yazid have no effect whatsoever on the felicity or wretchedness of either of them, or on the felicity or wretchedness of the community they governed, or on their perfection or perdition or on the perfection or perdition of the community they governed, and does this issue represent one of the affairs related to the world, and religion is concerned only with the hereafter and all about the paradise and the hellfire?! Or, referring to the present time, does religion say that the governments that butcher innocent children or bury them in the ground or attack them with bombs and kill them do not differ from the governments whose main concern is serving the deprived, oppressed and downtrodden, and that these two types of government have no effect on the people’s admission to paradise or hell?! The reply to these questions is not difficult; a little consideration will do:

﴿ إِنَّ شَرَّ الدَّوَابِّ عِنْدَ اللَّهِ الصُّمُّ الْبُكْمُ الَّذِينَ لَا يَعْقِلُونَ ﴾

***“Indeed the worst of beasts in Allah’s sight are the deaf and the dumb who do not apply reason.”***<sup>30</sup>

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1. Sūrah al-Baqarah 2:282–283.
  2. Sūrah al-Baqarah 2:240.
  3. Sūrah al-Baqarah 2:230; Sūrah al-A‘zāb 33:49.
  4. Sūrah an-Nisā’ 4:20.
  5. Sūrah an-Nisā’ 4:23.
  6. Sūrah al-Baqarah 2:222–223.
  7. Sūrah an-Nisā’ 4:35.
  8. That is, the deceased person.
  9. Sūrah an-Nisā’ 4:11.
  10. Sūrah al-Ujūrūt 49:9.
  11. Sūrah al-Baqarah 2:275.
  12. Sūrah al-Jum‘ah 62:9.
  13. Sūrah al-M‘idah 5:1.
  14. Sūrah al-M‘idah 5:38.
  15. Sūrah an-Nūr 24:2.
  16. Charles Louis de Secondat Baron de la Brede et de Montesquieu (1689–1755): French writer and jurist, who explored in depth in his *The Spirit of the Laws* (1748) the modern idea of the separation of powers as well as the checks and balances to guarantee individual rights and freedoms. Albeit not using the term “separation”, Montesquieu outlined a three-way division of powers in England among the Parliament, the king, and the courts, though such a division did not in fact exist at

the time. [Trans.]

17. Sūrah al-Ahzāb 33:36.

18. Sūrah al-Ahzāb 33:6.

19. Sūrah an-Nisā' 4:65.

20. Wasī'il ash-Shahāh, vol. 27, p. 232.

21. Of course, we may also include the world in the womb or even prior to that as part of the stages of the existence of man, but in any case, it is clear enough that the two parts of our life consist of the life in this physical world till the time of death, and the life after death and the hereafter.

22. Biḥār al-Anwār, vol. 77, p. 419.

23. Biḥār al-Anwār, vol. 70, p. 225. [Trans.]

24. Sūrah an-Nisā' 4:10.

25. Husayniyyah is a place for the remembrance of the third infallible Imām, the grandson of the Prophet (ﷺ), Imām al-Husayn ('a). [Trans.]

26. Of course, such a thing was not also present in other religions, but after their being distorted or wrongly interpreted, it began to creep in.

27. Sūrah at-Tawbah (or Barā'ah) 9:36.

28. Sūrah al-Baqarah 2:189.

29. Yazīd ibn Mu'awiyah (26–62 AH): succeeded his father to occupy the office of the caliphate in 60 AH. He was a young man devoid of knowledge and virtues and was known for his debauchery. Yazīd ruled for three and a half years. In the first year of his rule he killed Imām al-Husayn ('a) and his votaries at Karbalā' and took the latter's surviving kith and kin captives. In the second year, he ransacked Medina (the seat of the Prophet's rule and his burial site), and in the third year he invaded Mecca. [Trans.]

30. Sūrah al-Anfāl 8:22.

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