

## Islamization of State: Vision of Jamaat-e-Islami Pakistan

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### **Abstract**

*Jamaat-e-Islami (JI) Pakistan has played a discernible and instrumental role in the process of Islamizing the state of Pakistan. With a well-structured and democratic foundation, JI, established on Islamic principles even before Pakistan's inception, successfully crafted a comprehensive program dedicated to the Islamization of the state. This research delves into the ideological nuances of Jamaat-e-Islami Pakistan within the context of state Islamization, employing a qualitative research approach that encompasses both primary and secondary sources. By scrutinizing the historical evolution and doctrinal foundations of JI, the study explores the intricate relationship between the party's ideology and its active contributions to shaping Pakistan's Islamic identity. The research goes beyond a mere examination of JI's organizational structure and delves into the substantive nature of its Islamization program, revealing the multifaceted dimensions of its impact on the state. The qualitative research methodology allows for a nuanced analysis, capturing the depth of JI's influence on the Islamization process. It becomes evident that JI's role extends beyond rhetoric, manifesting as a tangible force in guiding the nation towards Islamic ideals. The study underscores the party's involvement not only in the political domain but also in the formulation and implementation of laws that align with Islamic principles. The research work concludes that due to its well-organized structure and efforts, JI played a significant role in the Islamization of the state of Pakistan.*

*Keywords: Islamization, Jamaat-e-Islami, Pakistan, Political Party, State, Society, Islam, Democracy, Laws.*

## INTRODUCTION

Founded in 1941 by Maulana Syed Abul A'la Maududi, Jamaat-e-Islami is a well-organized party in Pakistan (Afzal: 2011). Initially, it was founded to revive Islamic values and to practically implement Islam as a complete code of life for the Muslims in the sub-continent (Rehman: 1988). Its objective was explained at its first convention in 1941 which included presenting and implementing Islam as the ultimate shape of a practical movement (Mahmood: 200). Its founders declared that it was neither a religious nor a political party but an ideological movement that aimed to encompass all features of life. As a matter of principle, the Jamaat did not restrict its activities to a state or boundary rather it intended to change the ethical, economic, and social system of the entire world. In the start, Jamaat focused all its energies on social and educational pursuits (Manifesto: 2013). The party established small-scale libraries, traveling dispensaries, and educational institutes, and published magazines for the religious training of the people. Although its membership is restricted, it still managed to become an effective body. Unlike other political parties in Pakistan, it never tried to grow into a mass organization as it had set high standards to adhere to for qualifying as members. The party was organized to establish an Islamic society and State (Dastoor: 2013). Jamaat-e-Islami considers Islam as a complete code of life that encompasses all aspects of human life, fundamental human rights, and global affairs. (Maududi, 2013, pp. 8-9).

### **The Purpose of the Islamic State**

Jamaat-e-Islami has constructed its mechanism of the Islamic State in the pursuance of the following injections of the Holy Quran:

*"We verily send our messengers with clear proof and revealed with them the Scripture and the Balance, that mankind may observe right measure; and we revealed iron, wherein its mighty power and (many) uses for mankind (Quran. 57:25).*

Here steel is symbolized with political power. The verse explains the purpose of the prophets was to create social conditions for the masses, in general, to attain justice according to the teachings of the Quran. In the Quran, there are clear-cut provisions for a well-disciplined life. There is another verse in which God says that:

*"Muslims are those who, when given power in the land, establish Salah and Zakat and follow virtue and abstain from evil and inequity" (Quran. 22:41).*

There is another verse in the Quran that:

*"You are the best community sent forth unto mankind ye enjoin the right conduct and forbid the wrong? And believe in Allah" (Quran. 3:110).*

From the above verses, it may be comprehended that the purpose is to visualize a state with a positive end rather than a negative one. The state based on Islamic principles bears not only the function of preventing the masses from exploiting each other, safeguarding their liberties, and defending them against foreign aggression rather it also has the responsibility of providing conditions for developing and evolving a system of balanced social justice provided by Allah in the Quran. (Tafheem- ul-Quran). Its main purpose is to undo evil and promote virtue and excellence as divine wells. Jamaat believes in utilizing the political mechanism as a means of peaceful persuasion and propagation of well. It is also about making endeavors to give due attention to moral education in society and to mold public opinion (Maududi:1975).

Islam has given a concept of a universal welfare state to the world to be followed in

every place and time. The set of laws that have been provided by Islam has two kinds of laws, one is permanent all the time while in the second, change is permitted according to the need of time and is termed as Mubah. The latter is left open for future legislation to be made under age and time. So as far as the nature of the Islamic state is concerned, it is not democratic in the sense of the Western concept of state because Shariah is not subject to change. The majority of the people cannot alter or amend it according to their wishes. For instance, the prohibition of alcohol cannot be revoked in an Islamic state. It is so because God has termed it as an evil thing by providing clear-cut injunctions in the Quran therefore, it has been prohibited in all the times to come for Muslims and is not subject to discussion for them.

The type of democracy that the Islamic system contains, for the conduct of political setup, is quite different from that of Western minister democracy. It is also different from that of the socialist system as Islam is not in favor of strict regimentation of the social life. Socialism provides a materialistic view of society and makes ethics subservient to the material position which reduces the status of an individual to a part of an economic machinery (Asad: 1961). Contrary to the above-mentioned systems Islam guarantees the individuals equality of opportunity and economic security. An Islamic state aims at the equal distribution of wealth among its citizens therefore, it may be concluded that it resembles a welfare state.

It is argued that the Islamic state may be termed theocracy due to its observance of the divine which has been prescribed as the limits to be kept in all times and circumstances by the Islamic state along with every individual of an Islamic state (Asad: 1961). On the other hand, it is not theocracy in the sense that it existed in the Christian West where the religious priests enjoyed a paramount authority in the political affairs of the state however; Islam does not assign any special role to the priests and even does not provide for priesthood.

The entire endeavor for an Islamic state to establish the principles and lines of the Islamic state of Madina was established long before in 623 A.D., is to copy that ideal state in purpose not in form. In fact, in modern times neither a state can be molded on the model of Madina state, nor it is needed to do so because of social change and the progress of time, science, and technology, it has become somewhat impossible to make a state in modern time which existed in a social setup fourteen centuries ago. However, all the states inhabited by Muslims must have the purpose to promulgate its purpose, not its form. The main goal of the Muslims of the world is to live their lives according to the teachings of Islam. The rest of the activities of life have a secondary importance. In Islam, the spiritual nature of the government makes it different from the rest of the governmental systems of the world in the past and present. Therefore, it is unique in its nature and spirit.

Muslim society is required to make their states on the model of Islamic state to have the spiritual fulfillment of the real objective of life in the world. All activities of the state should be arranged according to the divine principles as prescribed in the Quran and Sunnah. However, the situation in the Muslim world presents a different picture. It has no Islamic state while keeping in its front the ideal of the state of Madina.

The main purpose of an Islamic state is to bring justice and equity. The state is responsible for creating such conditions to make its citizens live and mold their lives according to the teachings of Islam. The message of Islam is based on the establishment of a worldwide

society based on justice and the eradication of injustice. The Quran states that Muslims as the "best community of all the times, in mankind which has been chosen to enjoin right and forbid wrong and have faith in the God" (Quran. 3:110). Without the state, this kind of society cannot be realized. The demand for such a state is based on the injunction of the Quran. In one of the verses of the Quran, God has directed the Muslims to obey their creator and obey the reformers which are sent in the Shape of Apostils and those people among them who have authority among them" (Quran.4:59). Islam emphasizes obedience to legitimate authority in the Quran. The basic responsibility of an Islamic government is to implement the laws of the Shariah. The Quran states: "Those who do not judge by what Allah has revealed – those indeed are evil-doers" (Quran. 5:47).

In an Islamic state everyone should mold his/her life according to the spirit of Shariah and no one is allowed to get diverted from it. In one of its verses, Allah explains in the Quran that "Whenever God and His Apostle have decided a matter, it is not for a faithful man or woman to follow another course of his or her own choice" (Quran. 33:36). The Quran orders the believers to submit the authority of the Islamic government, on the condition that it has been established in a right manner. It must be constituted on the consent of its citizens. Society is supposed to submit to the right actions of the government and if those in power deviate from the path described by God and his Apostil, then they are not bound to obey the men of authority.

The main aims of the Islamic State are as follows:

- a) Making Shariah as governing law of the state.
- b) The creation of a society where all individuals can live with freedom and dignity.
- c) The Muslims will be provided with enough opportunity to utilize their potential and shall not abstain from doing so (Asad: 1961).
- d) The Muslims will be allowed to realize Islamic ethical aims concerning their beliefs and practical life.
- e) Religious minorities will be guaranteed religious freedom and will be free to develop their cultural and social institutions along with the personal security of these individuals (Mahmood: 1989).
- f) Civil liberties will be equally guaranteed to all citizens. Minorities will have the right to be governed by their religious laws regarding their court cases (Ahmed: n.d)
- g) Defense of the state against foreign aggression and/or inside disorder.
- h) Worldwide propagation of the teachings of Islam (Asad: 1996)
- i) Public well-being and the establishment of an Islamic welfare state.
- j) Discouraging the accumulation of wealth within a few hands and decreasing economic disparities with the help of the Islamic economic system (Ahmed: n.d).

### **Islamization of State**

Maulana Maududi constructed his concept of an Islamic state on three basic principles, which are Tawhid, Risalah, and Khilafah. The first principle means that Allah is the only sovereign and HIS commands as stated in the Quran are the primary laws in Islam. Risalah is the belief in the prophethood of Muhammad (PBUH) which stands for Shari`ah (Quran and Sunnah) as supreme law. The third one is Khilafah which means Vicegerency of

man. Westminster democracy provides for popular sovereignty, while in the Islamic concept of state, it is God who is sovereign (Maududi: 199). The main objective of the Islamic State is the eradication of evil and the establishment of virtue. Governance in such a state is made through an Amir, who must be a personification of virtues in the Islamic spirit. There will be an advisory council to advise the Amir on important matters. Within the legislation, the limits prescribed by God must be strictly observed, and not to be exceeded. It will have an independent judiciary and there will be equality and justice in such a society. The system provides for political, social, and economic equality in society. The individuals are guaranteed the right to constructively criticize the Amir or the government of the time. Minorities are protected and are given freedom of belief and conscience (Maududi: 1996).

In such a state the government has many functions which are bellowed:

### **LEGISLATURE**

The Legislature may be termed as Fiqh in the old terminology of Fiqh. It was a body that resolved the problems of Muslim society and prescribed cures to the same. A state that has been established based on the sovereignty of God, cannot legislate on the matters mentioned in the Quran utmost clearly or the ones that have been set out in Sunnah, even in the event the public wishes for it. The Quran says that Allah and HIS Apostle have been given the ruling authority. The Muslims have no right to decide it on their opinion. If they do so they are non-believers. It means that the lawmaking body of an Islamic state can only legislate on the delegated powers as it cannot be in confrontation with the Divine and the Prophet's directives. If a legislature does so, it will be considered as invalid and unconstitutional.

The Legislature of an Islamic State performs various functions:

- a) Where there are clear-cut directives of Shariah, the legislature cannot amend or alter these, as Shariah is the only competent authority to articulate it provide definitions and explanations, and make arrangements for its enforcement in society.
- b) Where the directives of Shariah are capable of multiple interpretations, the legislature has the authority to choose the interpretation to put it in the statute book. For this purpose, the legislature is required to be composed of learned people to be able to interpret the Quranic injunctions for deciding the interpretation. Therefore, the legislature has the authority to put the more suitable interpretation, to enact and enforce it into a law. It will be just an interpretation and there must be no deviation from the spirit of the Shariah principles.
- c) If there is no clear-cut provision about a matter in Shariah, then the legislature has the authority to make laws regarding the matter. But here the legislature must also keep in consideration that the general spirit of Islam must not go against it.
- d) Where the evidence is not available from Shariah or the Righteous Caliphs, it means that God has left the area for the popular legislation. In such matters the law-making body of the Islamic state can legislate freely however, here too, the legislature is not supposed to go against the spirit of Shariah.

These four functions of the Islamic state are deduced from the Quran, Sunnah, and the precedents of four righteous Caliphs and the decisions of eminent jurists.

## EXECUTIVE

According to Maulana Maududi, the executive powers of an Islamic state shall be exercised within the limits prescribed by Shariah. The main purpose of this body is to enforce and implement the laws of God which are laid down in the Quran and Sunnah and develop a society that is favorable for practicing the principles of Islam to make it prosperous and a welfare society. These laws should be practically implemented to make it a model state for the rest of the world to follow. It is the executive of the Islamic state who should distinguish it from its Western counterpart. In Islamic terminology for executive, the term *Ulul-Amr* and *Umara* is used under the Quran and Sunnah. To the executive or *Ulul-Amar* obedience is only on the condition that he obeys God, and his Prophet does not fall in sins and does not deviate from the path shown by the Shariah.

The Qur'an clearly says that:

*"And obey not a person whose heart, we have permitted to become unmindful of our remembrance, one who is following the dictates of his desires and his case is that in which due limits are transgressed"* (Quran. 18: 28).

And again:

*"Obey not those who overstep the limits (We have set) and create trouble on the earth and not tend to reform themselves"* (Quran. 26: 151, 152).

The Holy Prophet has also repeatedly stressed it very clearly and emphatically.

He says:

1. *"Even if a defaced slave is made your Amir, listen to him and obey him as long as he leads you in accordance with the Book of God."*
2. *"Obedience is obligatory on every Muslim, whether he likes the command or not unless he is ordered to commit sin,-in which case the obligation lapses automatically."*
3. *"There is no obedience in an act of sin. Obedience is obligatory only in virtue."*
4. *"Whosoever innovates anything contrary to the spirit of this order of ours, is everlastingly cursed."*
5. *"Whosoever honors and reveres an innovator, helps in bringing down the edifice of Islam."*

## JUDICIARY

The scope of the Judiciary (which in the terminology of Islamic Jurisprudence is called *Qada*) is well prescribed in the *de jure* sovereignty of God Almighty. When Islam established its state per its eternal principles, the Prophet himself was the first judge of that state, and he performed the functions in strict accordance with the Law of God. Those who succeeded him had no alternative but to base their decisions on the Law of God as transmitted to them through the Prophet.

In the Quran, one full section of the fifth chapter, *Al Ma'idah*, specifically deals with this very subject. There the narration begins with the history of Israel, next going to the Christians, and finally referring to the Muslims. We have been told that God revealed the Torah to Moses, after which all the Israelite Prophets and the Jewish Rabbis followed it as the Code of Law in all their affairs, settling the disputes of the people by it. Afterwards came Jesus

*with a fresh Revelation, and the Quran tells us that his followers too were ordained to decide their affairs by that revelation. Then comes the reference to the Holy Prophet Muhammad (peace be upon him). Addressing him directly God Almighty says:*

*“So, judge between them by that which Allah has revealed, and follow not their desires (that may take you) away from the truth that has come unto thee” (Quran. 5: 48).*

*The discourse finally ends with these words:*

*“Is it the judgment of the time of Ignorance that they are seeking? Who is better than Allah for judgment for people who have certainty (in their belief?)” (Quran. 5: 50).*

*During the course of this peroration, it has been stated with emphasis that those who do not adjudicate by the Divine Code, are not believers and are unjust and rebels.*

*After this, it hardly needs to be stressed that the Courts of Law in an Islamic State are established to enforce the Divine Code and not to violate it as they are doing at present, in almost all Muslim States (Maududi: 1997).*

*Maulana Maudidi remained very strict in the identification of sources of derivation of Islamic Law. For him, the basic sources of Islamic law were the Quran and The Sunnah, in the secondary sources were the domain of Shariah, like the reinterpretations of early Ulama to meet the changing complexities of the modern world.*

#### **FUNDAMENTAL RIGHTS**

*An Islamic state set up anywhere on earth does not seek to limit the privileges and rights of believers and humans to a limited geographical unit rather it lays down universal fundamental rights that are respected and observed in all situations irrespective of whether an individual lives in the territories of the Islamic state or outside it, and whether he is at peace with the state or war. For instance, the sacredness of human blood is not to be shed without just reasons. Women are respectable and are not to be oppressed, along with the old, sick, children, and wounded. The hungry are to be fed and the wounded are to be medically treated.*

*There are other fundamental human rights provided by Shariah based on humanity. Islam gives the right to life, property, and honor. It also makes sure that these rights must not be interfered with by anyone until and unless due to some legal imperatives. These rights are also given in the charter of the United Nations. (Maududi: 1975).*

*However, the citizenship of an Islamic state is not given on birth rather Islam is the validating condition for its citizenship of the state. In such a state Muslims are given citizenship irrespective of their place of birth. Muslim becomes the citizen of an Islamic state as soon as he sets foot on its territory to live there. Therefore, he becomes the claimer of equal rights that are enjoyed by the rest of the citizens. The citizenship of such a state is common to all the Muslims who live in the world. A Muslim person will not be required to have a passport or other legal complexities for exit or entry into the state concerned. This condition of an Islamic state makes each Muslim eligible to get any public office without the discrimination of class, color, or race (Maududi: 1984) Islam has also provided many rights to non-believers living in the jurisdiction of an Islamic state which is the essential part of the constitution of the Islamic state. In Islamic terminology such people are known as dhimmis in English it means covenanted, which means they have entered the state, and the state is now responsible for protecting them and giving them certain rights in the territories of the country. Dhimmis have*

the same respect and protection of their rights in the state as Muslims in matters of honor, property, and life. There is no discrimination between Muslims and non-Muslims in respect of criminal and civil law. It also provides for non-interference in the jurisdiction of personal laws of non-believers in the country. The non-Muslims enjoy full freedom of belief, and conscience and are given full opportunity to practice their rites concerning their religion and their ceremonies. They are provided with the full opportunity to practice their religion freely without any hurdle however, they have the right to criticize the policies of the state. However, these rights are limited. They are needed to fully respect the civil law of the land and their criticism should be within the framework of the civil rights.

The rights mentioned are irrevocable. The non-believers are deprived of it only if they go out, out of the covenant concluded within the Islamic state in granting citizenship. Some non-Muslim countries encroach on the rights of Muslim citizens and violate the basic rights of Muslim citizens; however, it is not allowed for a Muslim state to do the same with the non-Muslim citizens within its territory (Hussain: 2014).

The Holy Quran vividly says that the main objective of the Islamic state is to build the state based on Tawhid, Risalat, and Khilafat, which is the realization of the virtues that God wants human lives should be enriched with, it provides for eradication and prevention of the evils which are repugnant to God's will. Islamic state places much higher goals before the state. Its main aim is to encourage prosperity, success, beauty, and purity which God wants in his creatures' lives. He wants to eradicate all kinds of suppression, injustice, and exploitation of humanity. Islam puts a high ideal before the believers and clearly illustrates that for the attainment of desired virtue and avoidance of evil, an Islamic state is supposed to design its welfare programs for the betterment of its citizens in every environment and at every age.

Islam persistently emphasizes the principles of morality. Its moral principles must be observed in all circumstances and all aspects of life. Therefore, the state puts much emphasis on the unilateral requirement that the politics of such a state be based on honesty, truth, and justice. In any circumstances, it is not in the position to give way to injustice, falsehood, and fraud for national, administrative, or political expediency. It is allowed neither in the relation of those who are ruled and the ruler nor in one state to another state relation. Importance should always be given to justice, truth, and honesty. Islam puts duties on the Islamic government and orders for the fulfillment of all obligations and contracts to have fair dealing in all affairs of life. The state should use its authority to make the environment for the providence and establishment of justice in society. The state is to look at its duties as sacred obligations. The power given to it is regarded as a sacred trust from God with the belief that one must render an account of one's actions to Him in the Hereafter.

Then there come the whole social relations. In this system, society is considered a collective whole. The wider principle, which Islam adopts and bases its social system upon is to assist each other in matters of goodness and similarly not assist each other in matters of injustice and sin (Quran. Al-Maidah 5:2)

According to the sayings of the Prophet (PBUH) a Muslim should give anything because God wills so and will withhold giving something because God does not will so. This means that life's like and dislike like will be governed by the will of God and not by his own



*will or the will of society. (Tirmidhi)*

*In the Quran, God says that you people are the best people inside of all. You people must call people towards goodness and prevent them from evil. (Quran. Al `Imran 3:110)*

### **Conclusion**

*The vision of JI Pakistan is to Islamize the state to revive the original spirit of Islam by preaching, practicing, and presenting Islam to implement the will of God in the State and get power through peaceful, political, and constitutional manner to implement the laws of God in it. JI contributed to the Islamization of the state participated in the constitution-making process and is still struggling to preserve the Islamic identity of Pakistan. It has opposed each drive to give Pakistan a secular status. JI wants to approach the governmental power structure in a peaceful, political, and constitutional manner to realize the goal of full-scale Islamization of the state.*



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