

MUHAMMAD ASAD'S POLITICAL THEORY REVISITED: Epistemological Review on Contemporary Islamic Politics in Global South

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Abstract

The article examines Muhammad Asad's epistemological ground, reflected in his works on the principle of Islamic governance and its basic constitution and foundational structure. In this regard, he formulated the constitutional ideas of the Islamic state, whose constitution contains the provision of Islamic law that practices and implements the norms and postulates of the Divine Writ. This idea was partly enshrined in some of Global South constitutional law, whose political establishment was formed in 1947. It essentially discussed Muhammad Asad's political ideas and their underlying philosophy as espoused in his works. The work was conducted using qualitative approaches to library research. The data were analyzed using descriptive, analytical, and comparative techniques. The finding shows that Muhammad Asad had formulated a comprehensive theoretical framework of the legal aspect of Islamic governance drawn up from the fundamental principle and doctrine of the sharia and its moral norms deriving from the Qur'anic and the sunnah bases while advocating democratic ideals and principles based on conventional practice and requirement of the modern context of the nation-state.



[Artikel ini mengkaji landasan epistemologis Muhammad Asad, yang tercermin dalam karya-karyanya tentang prinsip pemerintahan Islam dan konstitusi dasar serta struktur dasarnya. Dalam hal ini, ia merumuskan gagasan konstitusional negara Islam, yang konstitusinya berisi ketentuan hukum Islam yang mempraktikkan dan menerapkan norma-norma dan dalil-dalil Kitab Suci. Gagasan ini sebagian diabadikan dalam hukum konstitusional di salah satu negara wilayah Global South yang pendirian politiknya dibentuk pada tahun 1947. Penelitian ini pada dasarnya membahas ide-ide politik Muhammad Asad dan filosofi yang mendasari mereka seperti yang dianut dalam karya-karyanya. Artikel ini menggunakan pendekatan kualitatif melalui penelitian kepustakaan. Data dianalisis artikel ini menggunakan teknik deskriptif, analitis, dan komparatif. Temuan artikel ini menunjukkan bahwa Muhammad Asad telah merumuskan kerangka teori yang komprehensif tentang aspek hukum pemerintahan Islam yang disusun dari prinsip dasar dan doktrin syariah serta norma-norma moralnya yang berasal dari dasar-dasar Al-Qur'an dan sunnah. Ia juga mengadvokasi cita-cita dan prinsip-prinsip demokratis yang didasarkan pada praktik konvensional dan persyaratan konteks modern negara-bangsa.]

Keywords: *Islamic Politics, Islamic State, Constitution, Pakistan*

Introduction

This article addresses Muhammad Asad's political ideas, an erudite scholar and diplomat born in July 1900 at Lemberg and died on 20th February 1992 at Mijas. Its objective is to highlight the wide-ranging philosophical arguments he developed concerning the underlying principles of Islamic government in light of its theoretical discussion and argument explaining an Islamic state's fundamental ideals and principles. These included the critical elaboration of the principle of shura (mutual consultation), the concept of governance based on the scriptural sources of the Qur'an and sunnah, and its manifestation in a modern context, which underlie the democratic process and constitutionally related institutional bodies and structure.

Regarding sources and references, we have identified a range of relatively pertinent and outstanding works of extensive scholarly output

and publication that examined the nuances of Asad's political thought and ideals in the form of books, articles, manuscripts, and theses. These included the writings of Tadzkira Nadiya Tsauri,¹ MA Sherif,² Pipip Ahmad Rifai Hasan,³ H. Idzam Fautanu,⁴ Acep Bahrul Rivai,⁵ Zaimul Asroor⁶ and Kenneth X. Robbins,⁷ That provided authoritative references to the conceptual framework of Muhammad Asad's political thought.

Tadzkira Nadiya Tsauri examines the influence of Muhammad Asad's socio-political ideas in forming the Republic of Pakistan in 1947. It explains the historical background of his life, political philosophy, and career, the traditional influence on his progressive thought, and the significant learning and experiences in India that inspired his reformative project of working for the newly-founded Islamic state. Despite its modern foundation and construct, Asad emphasized its need to be rooted in the essential Islamic tradition and practice sources. Asad was responsible for drafting and formulating the basic ideas and concepts that underlie Pakistan's constitutional ideologies. He certainly supports the ideas of its sociolegal foundation based on the moral and ethical principles forthcoming from the explicit texts of the Qur'an and

¹ Tadzkira Nadiya Tsauri, "Pengaruh Pemikiran Muhammad Asad dalam Pembentukan Negara Islam: Studi tentang Terbentuknya Negara Pakistan" (UIN Syarif Hidayatullah, Jakarta, 2017), <https://repository.uinjkt.ac.id/dspace/handle/123456789/42126>.

² M.A. Sherif, *Why An Islamic State: The Life Projects of Two Great European* (Kuala Lumpur: Islamic Book Trust, 2009).

³ Pipip Ahmad Rifai Hasan, "The Political Thought of Muhammad Asad" (Concordia University, Canada, 1998).

⁴ H. Idzam Fautanu, "Konsep Negara Islam Muhammad Asad: Studi atas Pemikiran dan Kontribusinya terhadap Pakistan" (UIN Syarif Hidayatullah, Jakarta, 2007).

⁵ Acep Bahrul Rivai, "Negara Islam Menurut Muhammad Asad: Studi Pemikiran Muhammad Asad dalam Buku The Principles of State and Government in Islam" (UIN Sunan Gunung Djati, Bandung, 2012).

⁶ Zaimul Asroor, *Ayat-Ayat Politik: Studi Kritis Penafsiran Muhammad Asad (1900-1992)* (Tangerang: Yayasan Pengkajian Hadits el-Bukhari, 2019).

⁷ Kenneth X. Robbins, "Four People of the Book: From Foreign Jewish Roots to South Asian Islamic Roles," ed. William L. Richter Zohaib Ahmad, Omar H. Ali, Sifra Lentin (Maryland: Kenneth X. and Joyce Robbins Collection, 2022).

Sunnah. Although his ideas were only included in the preamble of the governmental structure's constitution, which has ceased to be in force, they continued to have a lasting impact on the nation's historical memory as its leading founders and formulators.⁸

The idea of an Islamic state espoused by Muhammad Asad was also highlighted by MA Sherif in his periodical paper *Why an Islamic State: The Life Projects of Two Great European Muslims*, which compared the ideas of two intellectual giants of European Muslims, Alija Izetbegovic and Muhammad Asad in articulating the concept of an Islamic state in the twentieth century and outlining its vision consistent with the original and legitimate ideal of the sharia and its moral and legal imperative. Their project found expression in the Islamic Republic of Pakistan and Bosnia-Herzegovina in the Balkan Peninsula, manifesting the sustained spirit of Islamic ideals and the dynamic force of its political order. Their ideas have inspired the thriving of a democratic constitution to propel with its legal and socio-ethical implications for the Muslim nation. Both were staunch advocates of the political and religiously-based entity of nation-state, which allowed for the thriving of the universal consciousness of Muslim society that invoked wide-ranging religious-moral and ethical teachings to be realized and find its practical expression.⁹

In his master's thesis Pipip Ahmad Rifai Hasan addresses the political ideas of Muhammad Asad, highlighting Asad's distinguished writings on the classic model of the Sharia state in the context of Pakistan, which deals with constitutional issues relating to the nature and power of various state organs and regulations, the formation of Islamic law and its legal basis, the functioning of state mechanism, the status of women, minority and non-Muslims, and the relationship between Muslim and non-Muslim states. He submits that to achieve the ultimate goals of Muslim cultural revival, conscious of their intellectual and

⁸ Tsauri, "Pengaruh Pemikiran Muhammad Asad dalam Pembentukan Negara Islam: Studi Tentang Terbentuknya Negara Pakistan."

⁹ Sherif, *Why An Islamic State: The Life Projects of Two Great European*.

spiritual potential, Islam should be made a program of life, where the establishment of Islamic polity is imperative if Muslims want a vehicle through which they could translate the principles of Islam into action. Otherwise, he believed that the freedom and prosperity of Muslims would not be achieved unless their followers submit wholeheartedly to its principles and strive to implement them. Hasan's thesis was developed from a historical point of view, which chronologically analyses Asad's politico-religious ideas through his books, articles, foreign reports, and interviews. It finally concludes on the reliability and applicability of the sharia state model that he proposes in the context of contemporary development and current needs and issues facing Muslim society.¹⁰

Acep Bahrul Rivai argue that the essence of Asad's legal thought and its influence in projecting the modern structure of the Islamic State as articulated in his book *The Principles of State and Government in Islam*. In his reviews, Acep summarizes particular themes of importance, featuring Asad's socio-political ideas that a country mainly comprising or even entirely Muslims is not necessarily equal to the Islamic state. It can only be genuinely Islamic by consciously applying its social and political teachings in the community's life through its incorporation in the fundamental constitution of the country. Generally, the work looks into Asad's traditional views and arguments in justifying the need for an Islamic state, the *raison d'être* of its formation, and the form and context of government he envisages.¹¹

Zaimul Asror also highlighted the broad consequence of its political dimension in his book, which discussed the contextual interpretation of political verses in the Qur'an by Muhammad Asad, contrasting his textualist and contextualist approaches in addressing state and governmental issues. He analyzed his compelling arguments and debates concerning the relationship between religion and state,

¹⁰ Hasan, "The Political Thought of Muhammad Asad."

¹¹ Rivai, "Negara Islam Menurut Muhammad Asad: Studi Pemikiran Muhammad Asad Dalam Buku *The Principles of State and Government in Islam*."

especially in the constitutional topic of establishing the Islamic State of Pakistan, in which he was directly involved and participated. Asad's interpretation of the political verses in his writings forms the basis of his compelling arguments for Islamic politics from the Qur'anic viewpoints. This has arguably brought forth interesting discourse and interpretations by other commentators and exegetes in response to discussions about understanding and contextualizing the ayah from scriptural sources.¹²

Recent publication of Kenneth X. Robbins reviewing the historical background and lifetime journey of Muhammad Asad in his transformation from Leopold Weiss to Muhammad Asad, was particularly welcomed that analytically described his rising influence and careers and connections made in India and Pakistan.¹³

Thus, this article seeks to complement and fill some gaps in previous writings on Muhammad Asad's political thought and further strengthen those findings and efforts by reinforcing arguments and providing more comprehensive evidence and justifications of Muhammad Asad's compelling political ideas and vision. The article data was derived from primary and secondary sources in the form of books, manuscripts, and journals from Asad's original writings.

Asad's Political Theory

Asad is arguably one of the leading architects and critical founders of the Islamic Republic of Pakistan. Established in May 1947, he was granted full citizenship in August 1947, legally making him her first citizen. Historically, he has played a significant part in its formation, as recounted in his autobiography *The Road to Mecca* of an inspiring role as its original conception along with the great Muslim poet-philosopher Muhammad Iqbal (1877-1938), who held the formative vision of Pakistan idea. In his narrative, he recounted his meeting with the visionary Iqbal in the

¹² Asror, *Ayat-Ayat Politik: Studi Kritis Penafsiran Muhammad Asad (1900-1992)*.

¹³ Robbins, "Four People of the Book: From Foreign Jewish Roots to South Asian Islamic Roles."

early 1930s in India, who gave birth to the concept of partition of the Indian Subcontinent, where he had many discussions with Iqbal about the government of a future Pakistan:¹⁴

To me, as to Iqbal, this dream represented a way, indeed the only way, to a revival of all the dormant hopes of Islam, the creation of a political entity of people bound together not by common descent but by their shared adherence to an ideology.¹⁵

It was Iqbal who persuaded Asad to give up his plans of traveling to Eastern Turkestan, China, and Indonesia and to remain in India to help elucidate the intellectual premises of the future Islamic state and thus realize the vision of forming a newly Islamic political entity reflecting an organized Islamic nation and statehood made up of a Muslim community identified with Islamic religious and social identity.¹⁶

Asad extensively outlined his political ideals in his work *Islamic Constitution Making*, which was prepared as director of the Department of Islamic Reconstruction and was responsible for drafting the Constitution of Pakistan and its conceptual basis. This was subsequently developed with its establishment in 1947 by the Government of West Punjab, Lahore, whose task was to elaborate the ideological, Islamic concepts of statehood and community upon which the newly born political organization might draw.¹⁷ It formed the groundwork of the fundamental conception of the political ideology of the Pakistani nation. The Pakistan idea inspired by Iqbal had widely impacted Asad's future undertaking and role as its foreign ambassador, as highlighted in his book *The Road to Mecca*, which recounted his stimulating experiences and career in the Pakistan Foreign Services, where he dedicated himself to "strengthening the ties between Pakistan and the rest of the Muslim

¹⁴ Muhammad Asad & Pola Hamida Asad, *Home Coming of the Heart (1932-1992): Part II of The Road to Mecca* (Lahore: Pakistan Writers Co-Operative Society, 2016).

¹⁵ Muhammad Asad, *The Road to Mecca*, Second edi (New Delhi: Islamic Book Service, 2004).

¹⁶ Asad, 1.

¹⁷ Asad, 1.

world”; and ultimately in his mission to the United Nations at New York, campaigning for the liberation of colonial countries in North Africa.

Asad's thoughtful insights on the Islamic state and its constitutional principles and the structural formation underlying its political organization infused with Islamic spiritual values and democratic ideals found expression in the preamble of the Constitution adopted by the Constituent Assembly in 1949. It reflected his profound understanding of the essence and implication of religious ideals and its spiritual horizon and the consequential legal and cultural impact of Islamic law and tradition in practical life, which contributed to establishing his reputation as a leading interpreter of Islam. For years, Asad devoted himself to this ideal, studying, writing, and lecturing, and in time gained a reputation as an Islamic law and culture interpreter.¹⁸

The idea of reconstruction was put at his disposal to define and conceptualize the ideological basis of the newly born political organization by Quaid-e-Azam, Muhammad Ali Jinnah. It began with a connection with broadly intellectual circles who were impressed and passionately interested in the future of the Islamic state in Pakistan, until that time, Muslims did not have any model of an Islamic state. Most of the writings published before the 1940s focused on the Caliphate. Asad started the debate on the likely nature and form of government of Muslim countries in the modern age.¹⁹

Martin Kramer pointed out that after his release from British internment camps in India (September 1939-December 1945) in August 1946, Asad, having resolutely tried to consolidate his Muslim identity, had wholly identified with the cause of Pakistan, which he saw not simply as a refuge, but as the framework for an ideal Islamic polity.²⁰ He aimed to

¹⁸ Asad, 1.

¹⁹ Muhammad Arshad, “Muhammad Asad: Twenty-Six Unpublished Letters,” *Islamic Sciences* Vol. 14, no. 01 (2016): 1–66.

²⁰ Martin Kramer, “The Road from Mecca: Muhammad Asad (Born Leopold Weiss,” in *The Jewish Discovery of Islam: Studies in Honor of Bernard Lewis* (Tel Aviv: The Moshe Dayan Center for Middle Eastern and African Studies, 1999).

establish an Islamic state as a liberal, multiparty parliamentary democracy. He meant to challenge the antithetical perspective toward democracy by showing evidence in Islamic sources that favor elections, parliamentary legislation, and political parties.

The implementation of Asad's democratic ideas nevertheless met with resistance from certain orthodox and fundamentalist groups, claiming the doctrine to conflict with Islamic conceptions. Some Muslim scholars argue that the concept of democracy is not compatible with the concept of an Islamic state. However of course, it is, and the Qur'an outlines the essence of democracy.²¹

The movement to realize the political struggle and ideology of the nation was actively propagated through radio and television broadcasting and regular talks on Radio Pakistan, reminiscent of his aspiring and stimulating activity in drafting the constitutional ideas of Pakistan and delivering lectures on many occasions on these pertinent topics in Lahore and Delhi, in which he was directly involved in elaborating the principles of Islam and such themes of state responsibility to provide conducive environment for the population to practice their lives by the principal injunctions of Islam.²² In this regard, Asad recalls that if we stand united in these days of upheaval, and cooperate with the consciousness of purpose and honest determination, our long-cherished dream of an Islamic state will come true despite all the obstacles which our enemies may place in our way.²³

Following Iqbal's suggestion, Asad wrote a series of articles on the *raison d'être* of the creation of Pakistan, which were subsequently published in European periodicals and gazettes and Urdu translations and brought to the attention of its newspaper outlet. As Asad recounted, Iqbal first identified, in clear-cut political terms, the idea of an Islamic state in

²¹ Muhammad Asad, *This Law of Ours and Other Essays* (Gibraltar: Dar al-Andalus, 1987).

²² Asad, 68.

²³ Asad, 123.

northern India and thus gave the concept “its body and life.” Iqbal was a seer who had grasped the innermost reality of Muslim life, its virtues and faults, its errors and its great potentialities.”²⁴ Asad painstakingly devoted his utmost effort to realizing this dream, although his vision of an independent, liberal democracy did not materialize.

In the original document prepared by Muhammad Asad as director of the Department of Islamic Reconstruction (West Punjab, Lahore, 1947-1949), whose function was to elaborate the ideological, Islamic concepts of statehood and community upon which the newly born political organization might draw.²⁵ Asad delineates its objective and underlying mission and espoused the drafting of the proposal of the first Constitution of Pakistan. From the outset, the department was formed at the provincial level (Punjab) to influence the Constituent Assembly in the constitutional making process in the interest of Islam and the central government, as evident in the ‘Memorandum for enforcement of ‘sharia in Pakistan’ sent by Asad to Constituent Assembly on 18th August 1948. It suggested that what is most urgently needed is an unambiguous declaration on the part of the government that the establishment of an Islamic policy was not just a pre-partition slogan but the real aim behind its demand.²⁶

The memorandum further outlined the essential function and task of the department and proposed the formation of regional councils in all cities, which should be comprised of prominent citizens and social workers to help build up a truly Islamic society, as well as a separate ‘sharia committee’ constituted of ‘responsible *ulama* (clerics)’ of all school of thought to codify laws devised from the Qur’an and sunnah. In this regard, he explicitly stated that sharia committee must be appointed by

²⁴ Asad, *Home Coming of the Heart (1932-1992): Part II of The Road to Mecca*, 68.

²⁵ Asad, *The Road to Mecca*, 1.

²⁶ Muhammad Sajid Khan Mansoor Ahmed, Ghulam Mustafa, “Delineations of Governance through Islam in Nascent Pakistan: Department of Islamic Reconstruction and Islamic Law Commission,” *Academic Journal of Social Sciences* 04, no. 04 (2021), <https://doi.org/10.54692/ajss.2020.04041274>.

the government in near future that should be composed of responsible ulema from all the sects to carry out the codification of the social and economic laws from the Qur'an and hadith that can be promulgated in the country.²⁷

Unfortunately, Pakistan did not work out as Iqbal and Asad had hoped, and his ideas were not implemented. The new state had been "a historical necessity," and without it, Muslims would have been submerged in the much more developed and intellectually and economically stronger Hindu society. But unfortunately, it did not quite develop as we wanted it to. Iqbal's vision of Pakistan differed from that of Mohammed Ali Jinnah [1876-1948, first governor-general of Pakistan], who did not initially want a separation. Pakistan became a state for Muslims, but its secular founders put aside its mission as an Islamic state.²⁸

Thus, the Department of Islamic Reconstruction was ultimately burned down and wholly vanished with its archives after the death of Quaid-e-Azam, without trace. Nevertheless, its memory remains with newly found documents and historical evidence which suggest that it played an influential role in that moment, as recorded in the influential journal *Arafat: A Monthly Critique of Muslim Thought* edited by Muhammad Asad, showing correspondence he made with the early generation of freedom-fighters and forefathers of Pakistan movement in its formative years.

Asad's Concept of Islamic State

Asad's defining arguments and insights on the essential framework of the Islamic state are practically derived from traditional premises relating to the theory of Islamic government and constitutional principles, as brought forth in classical works of *fiqh* (Islamic jurisprudence). It presents the vision and hope of the *ummah*, highlighting "our desire to

²⁷ Mansoor Ahmed, Ghulam Mustafa, 852.

²⁸ Kramer, "The Road from Mecca: Muhammad Asad (Born Leopold Weiss"; Mushtak Parker, "Death of a Muslim Mentor," *Middle East*, 1992.

build our socio-political existence in terms of Islam and for the sake of Islam”²⁹ while conceiving on the complex structure and framework of the institution of the nation-state and its competitive edge, invoking for modern policies and structure in the system of government.

Asad submits that the formation of the Islamic State of Pakistan must consider the essential requirement of its moral imperatives and sociolegal and ethical basis. In his estimation, the state was unlikely to sustain itself if people continued to pursue ignorant culture and habits. Instead, it requires conscious commitment toward practical Islamic life, forthcoming from the consciousness of the Muslims of the dream and struggle of the founders to uphold their vision demanding full integration of religious life. Asad argue if the meaning of struggle for Pakistan is true to be found in words *Lā ilāha illā Allāh*, our present behavior must be a testimony of our coming nearer and nearer to this ideal—that is, of becoming better Muslims not only in our words but in our actions as well.³⁰

Such a significant viewpoint was further articulated in Asad's article “What do we mean by Pakistan,” which was published in Arafat journal in February 1947³¹ and reissued in his book *This Law of Ours and Other Essays*. Asad argue that Pakistan movement can become the starting point of a new Islamic development if the Muslims realize that the real, historical justification of this movement does not consist in our dressing or talking or salaaming differently from the other inhabitants of the country, or in the grievances which we may have against other communities, or even in the desire to provide more economic opportunities and more elbow-room for people who—by sheer force of habit—call themselves ‘Muslims’. However, that such a justification is to be found only in the Muslims’ desire to establish a truly Islamic polity: in other words, to translate the

²⁹ Asad, *This Law of Ours and Other Essays*, 94.

³⁰ Asad, 95.

³¹ Asad, 31.

tenets of Islam into terms of practical life.³²

In conceiving the basic principle of Islamic government, he outlines its prerequisites, which has adopted the fundamentals of sharia and in line with the clear text and evidence of the Qur'an and sunnah and its explicit proof as well as the practice of the *salaf* (the righteous forebears), thus we must look for guidance to no other sources than the Qur'an and the sunnah, and to rely on no authority other than the explicit Word of God and the explicit teachings of the Last Prophet.³³

Furthermore, Asad asserted that if our present leaders listen to the people's heartbeat, they are bound to realize that what the common man desires is not merely a state in which Muslims would have greater economic facilities than they have now, but a state in which God's Word would reign supreme.³⁴

In his article "Calling All Muslims," which was published in the periodicals *Arafat*, Lahore, 1948, Asad argued in light of the progress and development of the Islamic state and its socio-political imperative as enshrined in the constitutional framework of Pakistan, which he was directly involved in setting up and preparing its draft. The article, initially made for his Radio Talk broadcast in September 1947, expresses the aspiration of its national leader, Quaid-e-Azam, and his vision to uphold Islamic law based on the values and principles of tawhid.

Such arrangement reflected the basic structure and framework of Islamic constitutional ideas that uphold the value of freedom and safeguard human rights and public reason and participation, defending the standard practice of democratic ideals and the rule of law by forming the key legislative, executive, and juristic bodies, as well as emphasizing on the need to applying resolute moral imperative in realizing this program.

³² Muhammad Asad, *The Principles of State and Government in Islam* (Berkeley: University of California Press, 1961), 14.

³³ Asad, *Home Coming of the Heart (1932-1992): Part II of The Road to Mecca*, 47.

³⁴ Asad, *The Principles of State and Government in Islam*, 47.

For Asad, we are passing through unprecedented stress, a time that calls for the utmost moral and physical effort on the part of every one of us. The social and political life of Muslims (Pakistan) is bound to suffer grievously, and the very achievement of an Islamic State may prove to have been an illusion.³⁵

In the Islamic State, the values developed were directed toward realizing its spiritual and metaphysical teachings and tawhid worldview, encompassing a holistic approach to political and economic policy. In the large segment of the ethical-legal system, it projected, “the *raison d'être* of Pakistan was the desire of the vast majority of these inhabitants to live an Islamic life. Therefore, the first and most important principle of Pakistan's foreign policy was the fulfillment of Islamic duties”.³⁶ The classic norms and practices formed in its earliest historical period provide insightful examples of that accomplished era of the universal *ummah*, embedded in the *tawhid* consciousness of the early Muslim community, consciously adopting its higher transcendental ideal in practical life.

The development of Asad's political ideal and conception of an Islamic state is explicitly clarified in his standard work, *The Principles of State and Government in Islam*, which emphasizes the intrinsic nature of Islamic government and its historical precedence. It was conceived based on the prevailing political structure and framework of the 7th century Madinah society, developed by the Prophet Muhammad and his Companions, that provided the example of an ideal manifestation of political entity and statecraft in Islam. In this work, Asad argue that

there has never existed a truly Islamic state after the time of the Prophet Muhammad and of the Medina Caliphate headed by the Prophet's immediate successors, the four Right-Guided Caliphs: Abu Bakr, 'Umar, 'Uthman and 'Ali. That Medina Caliphate was truly Islamic,

³⁵ Muhammad Asad, “Calling All Muslims,” *Arafat: A Monthly Critique of Muslim Thought* 02 (1948): 86.

³⁶ Muhammad Hamidullah, “Islam's Solution to the Basic Economic Problems – the Position of Labour,” *Islamic Culture* 10, no. 02 (1936).

fully reflecting the pristine teachings of both the Qur'an and the Prophet's sunnah and was unburdened by later-day theological accretions and speculations.³⁷

The fact that only the Medina Caliphate established in Islam's early period truly reflected the pristine teaching of the Qur'an and sunnah is due to its historical realization of the *tamhidic* framework that makes up the essential fabric of government and foundational ideas and doctrine of statecraft, based on the integral teaching of Islamic scripture and authoritative religious source. This provided the background of Asad's conception of political organization taken from scriptural sources as an indispensable reference, constituting the approximate prototype of Islamic government, as Islamic in the full sense of the word, and would also take the practical requirement of our time.³⁸

In this sense, it contextualizes the modern ideas of a nation-state and its prerequisite of moral imperative, projected to realize the conscious application of sharia that reflected the force of *tamhid* and its higher ideals and values through the practice of *ijtihad* and the accurate application of sharia, and so to strip it down to its original, fundamental essentials, without all the accretions of the many centuries that followed which prevented it from being workable.³⁹

In this sense, Asad's approach to the questions of sharia is grounded on the clear and explicit word of the Qur'an and hadith, in that whatever forms of state and government came into being in Muslim countries after that first, earliest period were vitiated, in a lesser or higher degree, by ideological deviations from the erstwhile simplicity and clarity of Islamic law, or even by outright, deliberate attempts on the part of the rulers concerned to deform and obscure that law in their interests.⁴⁰

³⁷ Asad, *The Principles of State and Government in Islam*, v–vi.

³⁸ Asad, *The Principles of State and Government in Islam*.

³⁹ Asad, *Home Coming of the Heart (1932-1992): Part II of The Road to Mecca*, 263.

⁴⁰ Asad, *The Principles of State and Government in Islam*, viii.

Such unwarranted addition has confused about the true meaning and implication of the sharia law and the essence of the divine writ revealed from on high since the real sharia is extremely concise and, therefore, easily understandable and because it is so small in volume it cannot provide detailed legislation for every contingency of life.⁴¹

Thus, in his drafting and formulating of the principal ideas of the future constitution of Pakistan ideas, Asad based his work on scriptural sources and *ijtihad* (legal reasoning) and broad and explicit text of the Qur'an and sunnah and higher objective of Islamic law, forthcoming from the divine writ and its textual evidence as well as his insightful observation of the dynamics of social reality and its various manifestation encompassing entire shape of communal life.

In summary, Asad's characteristic viewpoint of Islamic government can be concluded as follows: (1) there is no specific form of an Islamic state, (2) the principal duty of the Islamic state is to uphold sharia, (3) there can be no legal stipulation that runs contrary to the text and spirit of the sharia (4) adherence to Islamic constitutional rule is a Muslim religious duty (5) the decision of the shura council is legally binding on the executive body, that all governmental activities must be an outcome of consultation among the community's accredited representative⁴² (6) the Supreme Court should act as a guardian of the constitution, that is, sharia.

Thus, the extent of his political ideology gives the broadest possible resolution to the problem of differences of opinion based on the decision of the majority as the representative voice that empowers public reason, reflecting its underlying values of morality and rationality in light of social practice in pursuing public good, in that the ultimate purpose of an Islamic state is to provide a political framework for Muslim unity and cooperation.⁴³

⁴¹ Asad, 14.

⁴² Asad, 35.

⁴³ H. Idzam Fautanu, "Prinsip-Prinsip Ketatanegaraan dalam Islam Perspektif Muhammad Asad," Makalah Diskusi Dosen Madrasah Malem Reboan (MMR)

The political experience of Pakistan reflected the socio-political reality of the emerging nation-state prevailing in modern history, whose ideas and notion of the parliamentary and bureaucratic state were technically supported by many of the leading authorities and scholars of Islam, as highlighted by Charles Kurzman in his work on modernist Islamic movement, pointing out the religious interpretation of its leading jurist and polymath Muhammad Abduh, that Muhammad ‘Abduh (Egypt, 1849-1905)—the highest-ranking religious official in Egypt—wrote privately in 1904 that he supported a parliamentary democracy.⁴⁴ Such constitutional ideas were further developed and reinforced by Muhammad Asad in his textual interpretation of religious sources, as alluded to by Deny Fresyan in his analysis of Muhammad Asad’s fundamental doctrine of the Islamic state. In this context, Muhammad Asad conceived that it constitutes political establishment whose constitution contains the provision of Islamic law in such a way that its constitutional practice implements the norms enshrined in the Qur’an and hadith.⁴⁵

Such classic ideas of the Islamic state were expressed in the existence of Pakistan, whose structural foundation was shaped in line with Islamic principles and its religious spirit while accommodating the modern ideal of the civic state. In this context, Asad’s ideas have enduring relevance and far-reaching consequences in the contemporary world with the achievement of Pakistan, brought forth by his unprecedented effort as its leading ideologue in which his views on the centrality of Islam to everyday life consequently led him into the area of civil society and its proper governance.⁴⁶

Edward J. Jurji commenting Asad’s ideas about a discursive projection of the Pakistan. He argued that discussion of such religious (Bandung, 2017).

⁴⁴ Asad, *The Principles of State and Government in Islam*, 40.

⁴⁵ Deny Fresyan, “Konsep Negara dalam Islam: Studi Pemikiran Muhammad Asad Tentang Berdirinya Negara Islam” (IAIN Walisongo Semarang, 2006).

⁴⁶ Charles Kurzman (ed.), *Modernist Islam, 1890-1940: A Sourcebook* (New York: Oxford University Press, 2002), 3.

fundamentals must find an expression in a constitution professing to be authentically Islamic. However, a blueprint is not offered for constitutional craftsmanship in Pakistan or any other Muslim state. Asad invokes a standard supporting the viability of the religious law of Islam: should sharp differences divide an Islamic community, the believers must ever remember an injunction of the Prophet, which declared that the differences of opinion among the learned within my community are [a sign of] God's grace.⁴⁷

Asad in his work, *Sabih al-Bukhari: The Early Years of Islam*, commented on the indispensable need for a conducive environment that makes way for the creative application of sharia, as explained in "*The Book of Faith*:" the practical goal of the Islamic sharia is the construction of social conditions in which all individuals will find equal opportunities for their spiritual and material development. This practical, social purpose of the sharia gives the Muslims the moral right to strive for its establishment in the world.⁴⁸

Asad also acknowledged the consequential implication and reality of its fundamental postulate as requisite to form such a concrete and organizing force of life: the ideologies of religion are, in themselves, abstract conceptions, resembling a codex of laws before its application to life and its conditions. This application alone transforms an ideological postulate into an organizing force of life.

The existence of Pakistan has restored the ideological consciousness of the spirit of tawhid in public space. It stands to realize the aspiration of the Muslim *ummah* of an accomplished state that realized the objective of divine authority in carrying the divine mandate governing its overarching transcendental and spiritual ground through state apparatus. In this sense,

⁴⁷ Fresyan, "Konsep Negara dalam Islam: Studi Pemikiran Muhammad Asad tentang Berdirinya Negara Islam," 1.

⁴⁸ John Mayberry, "Muhammad Asad: Traditionalist or Modernist?," *Journal of Contemporary Study of Islam* 04, no. 01 (2024): 33, <https://doi.org/https://doi.org/10.37264/jcsi.v4i1.03>.

the religious norms and doctrine propagated by the Department of Islamic Reconstruction were instrumental in setting forth Islamic policy that was accountable to inspiring higher ideals of political and religious orthodoxy in the best light of scriptural values and experience and their moral and spiritual insight.

The Principle of Justice and the Highest Objectives of Islamic Law

In analyzing the background of Asad's political struggle and its intrinsic ethics-legal bases, it is pertinent to see this in the context of his fundamental aspiration and national interest and activism in the pre-independent aggression for a separate homeland, underlying the theoretical argument outlined in his work on its primary historical and epistemological ground, in which he views the state as "a coordinating agency with the powers of command and prohibition...and a tool by which Islam's ideals can be brought to practical fruition".⁴⁹ It provides the bedrock upon which the constitution must explicitly lay down that no temporal legislation or administrative ruling, be it mandatory or permissive, shall be valid if it is found to contravene any stipulation of the sharia.⁵⁰

In this sense, and consequential to this, Asad argued that the state must provide socio-economic and political security to all its citizens⁵¹ and thus obliged to provide food, clothing, and shelter so that no person is forced to live in poverty.⁵² This ideal is elaborately outlined in his commentary of verse 5:38 in *The Message of The Qur'an*: "Now as for the man who steals and the woman who steals, cut off the hand of either of them in requital for what they have wrought, as a deterrent ordained by God."

⁴⁹ Muhammad Asad, *Sahib Al-Bukhari: The Early Years of Islam* (Petaling Jaya: Islamic Book Trust, 2013), 361.

⁵⁰ Asad, 361.

⁵¹ John Rawls, *A Theory of Justice* (Massachusetts: Harvard University Press, 1999), 1.

⁵² Asad, *The Principles of State and Government in Islam*, 4.

Asad explained that⁵³ in a community or state which neglects or is unable to provide complete social security for all its members, the temptation to enrich oneself by illegal means becomes irresistible—and, consequently, theft cannot and should not be punished as severely as it should be punished in a state in which social security is a reality in the full sense of the word.⁵⁴ Suppose the society is unable to fulfill its duties concerning every one of its members. In that case, it has no right to invoke the full sanction of criminal law (*hadd*) against the individual transgressor but must confine itself to milder forms of administrative punishment. It was an incorrect appreciation of this principle that the great Caliph ‘Umar waived the *hadd* of hand-cutting.⁵⁵

This arguably reflected the invaluable ideal and struggle of Muhammad Asad to uphold the legitimate aspiration of Pakistani people, reflecting his socio-religious commitment toward a sovereign nation-state in upholding the dignity of man and woman and their legitimate right as civilians, which was realized with the achievement of a newly founded independent political organization that govern its norms and values which embody the spirit of justice, fairness, moderation, simplicity, and *ibsan*. It seeks to realize the constitutional guarantee of religious freedom and the implementation of sharia by the common consensus through the secular practice of integral power of the executive, legislative, and judicial branches, functioning as the supreme bodies of state mechanism.

Conclusion

Based on this brief analysis of Muhammad Asad's political thought, it might be concluded that its basic conception and theoretical framework were initially founded upon the traditional practice and sources derived from the teaching of the Qur'an and sunnah and the practice of the *Salaf*

⁵³ Asad, M. (1961). *The Principles of State...*, 35.

⁵⁴ Asad, *The Principles of State and Government in Islam*, 35.

⁵⁵ Muhammad Asad, *The Message of The Qur'an* (Gibraltar: Dar al-Andalus, 1980), 213.

and the rightly-guided Caliphs that make an explicit and fundamental source from which Asad developed his coherence worldview of the modern conception of Islamic state.

These classical premises emphasized the universal principle of the sharia and the *tawhid* force as the principal guide of his socio-political ideal, envisioning a modern Islamic state that would approximately replicate the political order of the 7th century Hijrah of Prophetic era. In this, its basic formation lay in a genuinely democratic state and civic tradition that recognized the universal convention of the modern nation-state, forthcoming in the dynamic character and force of a socio-religious fabric of Islamic polity, embedded with the underlying spirit and doctrine of the Qur'an and sunnah. Its overriding objective and practical aims were to realize the Qur'anic principle of justifiably Islamic rule as the basis of the constitutional framework he espoused that brought forth the significant form of political organization meant to revive the socio-political order of the 7th century Hijrah guided by the higher principle of revelation and tawhid consciousness and carrying the deeply-seated religious principal and its perennial spirit and values that projected toward moral and spiritual upliftment and sustainable future of the *ummah*.

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