##  <br> 

## THE MODERN ISLAMIC STATE

## Mad ADA

English Monograph Series - Book No. 27


Say: O Allah! Omner of Sovereignty! Thou givest sovereignty unto whom Thou milt, and Thou withdramest sovereignty from whom Thou milt. Thou exaltest whom Thou wilt, and Thou abasest whom Thou wilt. In Thy hand is the good.

The Holy Qur'an,<br>Aal 'Imran, 3:26

THE
MODERN ISLAMIC STATE

## OTHER BOOKS

I. The Amman Message 2008
2. Forty Hadith on Divine Mercy 2009
3. Jihad and the Islamic Law of War 2009
4. A Common Word Between Us and You 2009
5. Body Count 2009
6. The Holy Qur'an and the Environment 2010
7. Address to H.H. Pope Benedict xvi 2010
8. Keys to Jerusalem 2010
9. Islam, Christianity and the Environment 201 I
io. The First Un World Interfaith Harmony Week 2011
if. Islam and Peace 2012
12. Reason and Rationality in the Qur'an 2012
13. The Concept of Faith in Islam 2012
14. Warfare in the Qur'an 2012
15. Address to the Jordanian Scholars Association 2012
16. On the Israeli Demand for Recognition of a 'Jewish State' 2012
17. Why Should Muslims Visit Al-Masjid Al-Aqsa? 2012
18. The Qur'an and Combat 2012
19. Condemning Terrorism 2012
20. A Common Word Between Us and You: 5-Year Anniversary Edition 2012
21. What is Islam and Why? 2012
22. How to Integrate the Remembrance of God into Teaching 2012
23. On Invoking the Divine Name 'Allah' 2012
24. War and Peace in Islam: The Uses and Abuses of Jihad 2013
25. Twenty Years of Historic Religious Initiatives 2013
26. The Project of a Viable and Sustainable Modern Islamic State 2013
27. Searching for Consensus 2013
28. The Challenges Facing Arab Christians Today 2013

## From

# THE PROJECT OF A VIABLE AND SUSTAINABLE MODERN ISLAMIC STATE 

The Royal Aal al-Bayt Institute for Islamic Thought's ${ }_{1} 6^{\text {th }}$ General Conference

AMMAN, THE HASHEMITE KINGDOM OF JORDAN I2-I4 SHAWWAL, I434 AH /<br>I9-2I AUGUST, 20I3 CE

№ 26
M越BDA
English Monograph Series
mabda • English Monograph Series • No. 26
The Project of a Viable and Sustainable Modern Islamic State ISBN: xxx-xxxx-xxx-xx-x
© 2013 The Royal Aal Al-Bayt Institute for Islamic Thought
20 Sa'ed Bino Road, Dabuq
ро вох 95036 I
Amman ili 95 , Jordan
http://www.rissc.jo/
All rights reserved. No part of this book may be reproduced or utilised in any form or by any means, electronic or mechanic, including photocopying or recording or by any information storage and retrieval system, without the prior written permission of the publisher.

Views expressed in the Essay Series do not necessarily reflect those of rabit or its advisory board.

English typesetting by Besim Bruncaj
Set in Ehrhardt Pro
Arabic typesetting by Amnah Saleh and Besim Bruncaj
Set in Tasmeem's Emiri and Naskh

LEGAL DEPOSIT NUMBER
The Hashemite Kingdom of Jordan National Library xxyx/x/xxyx


## Contents

Introduction p. 7
Speech of H.M. King Abdullah II ..... p. 7
Speech of H.R.H. Prince Ghazi ..... p. 15
Concluding Statement ..... p. 34

## Introduction

The Project of a Viable and Sustainable Modern Islamic State was the subject of The Royal Aal al-Bayt Institute for Islamic Thought's i6th General Conference. Held in Amman on August 19-21, 2013, the conference included 73 scholars and dignitaries from the Middle East; North, West, and Sub-Saharan Africa; Europe; Southeast, Central, and South Asia and the United States.

Scholars addressed a number of issues including, most importantly, the existential problem: What is a modern Islamic state? Traditional Islamic concepts of bay'ah (oath of fealty) and shura (consensus) were compared head-to-head with the modern concepts of constitution and democracy. Modernity notwithstanding, the fundamental values, rights, and responsibilities of the Islamic state and its citizens return to Islamic Law. Scholars examined how these ideas apply to both Muslim and Non-Muslim citizens of the state, ensuring the rights of all.

Beyond mere existence, any state must be viable and sustainable. Scholars stressed the importance of a civic state and its associated institutions. The relationship between education, development, and civil continuity was emphasized. Finally, it was agreed that there are a number of different schools of Orthodox Islamic Law, which, between them contain the intellectual tools to accommodate future challenges.

## SPEECH BY

## H.M. KING ABDULLAH II

In the name of God, the Most Merciful, the Compassionate,
Blessings and peace be upon our Master Mohammad, the seal of prophets and messengers,

God's peace and blessings be upon you,
Esteemed scholars,
It is a pleasure to welcome you in Jordan. I also thank the Royal Aal al-Bayt Institute for expanding the list of participants in its general conference, as a distinguished group of clerics from outside the Royal Academy has been invited to attend.

The challenges surrounding us are at the core of your conference: equal citizenship rights and justice are basic requirements when it comes to the sustainability of states and political systems.

With regards to democracy, Shura and the representation process, we have to think of democracy as a goal in itself, rather than mere figures and percentages the majority uses against the minority. Majoritarian rule is not the essence of democracy, because democracy is achieved when all share the feeling that they are truly represented. This is the essence of political consensus in Islam.

In addition, this conference coincides with our repeated calls to reject and end ethnic and intra-religious sectarian violence, which entails a recipe for the destruction of the Islamic World (Ummah). I warn again against the danger of manipulating religion for political purposes and sowing the seeds of hateful ethnic and intra-religious sectarian division.

You are the scholars of the Islamic World and it is your responsibility to confront the ethnic and sectarian strife (Fitna) in Syria, and prevent its spillover into the Arab and Muslim world. The bloodshed in Syria should be stopped and the unity of this country, and that of the rest of the Arab and Islamic nation should be preserved.

In fact, we hope that your deliberations during this conference would be built on the three main aspects of the Amman Message, which you all endorsed and contributed to achieving consensus over. The Amman Message defines the true Muslim, confronts apostatising others (Takfir) and determines who is qualified to issue religious edicts (Fatwas). The message has contributed to bringing closer the followers of the different schools of Islamic jurisprudence (Madaheb) and promoted respect among them.

Your role is crucial in ensuring continued commitment to the aspects of the Amman Message. I am keen to work with you to implement any initiative you suggest to serve our Islamic World, preserve its unity, discourage Muslims from apostatising each other, promote respect among the followers of the eight schools of Islamic jurisprudence, Sunni,

Shiite - including Salafists, Sufis, Alawites and Ibadhists. I call upon you to use this conference to come up with recommendations rejecting the rhetoric of ethnic violence and intra-religious sectarian division and to confront such false thought and advance our Arab and Islamic societies. I wish you all success from God, who says: "The Believers are but a single Brotherhood: So make peace and reconciliation between your two (contending) brothers; and fear Allah, that ye may receive Mercy."

God's peace and blessings be upon you.

## OPENING SPEECH OF H.R.H. PRINCE GHAZI

## In the Name of God, the Compassionate, the Merciful

## May Peace and Prayers be Upon the Seal of the Prophets and Messengers

Esteemed Scholars, Dear Friends,
Al-Salamu alaykum wa rahmatu Allah ma barakatuh, I bid you all a warm welcome to your institute's i6th General Conference. The title of the Royal Aal al-Bayt Institute for Islamic Thought's Conference this year is: 'Towards a Viable and Sustainable Modern Islamic State'.

Before I delve into the topic at hand today, I should mention the Fellows who have passed away since our last

> $\mathcal{I}_{\text {mong the believers are men who are true to the }}^{\text {covenant they made with God. Some of them have }}$ fulfilled their vow, and some are still awaiting; and they have not changed in the least; (Al-Ahzab, 33:23)

The esteemed Fellows we have lost are:
i. Prof. Dr. Abdul-Aziz Al-Douri-the great Iraqi historian and scholar of Islamic History - may God have mercy on him.
2. H.E. Shaykh Prof. Dr. Nuh Ali Salman Al-QudahFormer Grand Mufti of the Hashemite Kingdom of Jordan-may God have mercy on him.
3. H.E. Shaykh Prof. Dr. Abdul-Aziz Al-Khayyat—Former Jordanian Minister of Awqaf and Religious Antiq-uities-may God have mercy on him.
4. H.E. Dr. Abdul-Hamid Uthman-Minister in the Malaysian Prime Minister's Department-may God have mercy on him.
5. H.E. Shaykh Dr. Muhammad Al-Habib Al-KhojahFormer Secretary-General of the International Islamic Fiqh Academy-may God have mercy on him.
6. H.E. Dr. Tharwat Ukasha-Former Egyptian Minister of Culture- may God have mercy on him.
7. Prof. Dr. Roger Garaudy-French researcher, intellectual, philosopher and defender of Islam in western forums-may God have mercy on him.
8. And lastly, I must mention the martyrdom of one of the first Fellows of the Institute, the great scholar, Shaykh Prof. Dr. Muhammad Sa'eed Ramadan Al-Buti, who was treacherously assassinated on 21st March, 2013 in the Iman Mosque in Damascus with his grandson Ahmad and more than fifty of his students-may God have mercy on them all. '...'Surely me belong to God, and to Him we will return'.' (Al-Baqarah, 2:156)

Let us recite the Fatihah for all their souls.

The subject at hand today: 'Towards a Viable and Sustainable Modern Islamic State', is really the issue of the day and the most important subject that the Islamic World needs to consider seriously, particularly after the events of the last three years. We eagerly await to hear the opinions of the Fellows of the Royal Academy for Islamic Thought on this subject in particular, because-in our humble opinion-recent events have overtaken thought and dialogue.

We Muslims-'And I do not exculpate my omn soul ...' (Yusuf, ı2:53)—are so divided amongst ourselves that we have resorted in some states to repression; and sometimes to violence; and sometimes-and I say this with great sad-ness-to bloodshed, as we see these days; and sometimes to deposition; and sometimes to taking to the streets in arms without there being declared 'open' kufr (al-kufr albammah ${ }^{1}$; and sometimes to sectarian strife within the one religion and all this without most of us knowing the difference between all of these issues, so that we have reached a blind and deaf sedition (fitnah). Moreover, it seems to me that there is a deficiency in explaining the differences between: expressing an opinion; enjoining what is right and forbidding what is wrong and saying what is just before an unjust ruler-(which is not only permissible but also a duty at all times) -and a just word with the intention of

[^0]causing harm and riling others in the name of freedom and democracy through demagoguery, chaos and anarchy. Thus we cherry-pick from our religion what conveniently justifies our ideas, purposes and biases without looking to the texts and rulings of the Holy Qur'an and the Sunnah and the wisdom emanating from both with impartiality and objectivity and recalling God's words in the Holy Qur'an:
ather man has insight into his [own] soul, / though
he should offer his excuses. (Al-Qiyamah, 75:14-1 5)
In any case, it seems to me that the subject is filled with ambiguity, confusion, illusion, self-delusion and deception. Thus, we must consider four major intellectual issues (at least), all of which are included in the points to be discussed in the conference, they are:

1. The Modern State: Is the concept of the modern state the same as the concept of the state in Islamic history or in Shari'ah (Islamic Law)? Does it wield the same authority over the individual in Islamic thought, or even in modern liberal thought? For example, there are dozens of groups in the United States that oppose and resist the authorities of the government and the state and this is a right guaranteed them under the American Constitution. At any rate, the powers of modern states change yearly, if not daily, so how can scholars comprehend, monitor and judge these authorities especially since most of them are confidential and technologically and legally complex?
2. Do Islam and Democracy Mirror Each Other?: We have heard some scholars say that democracy and Islam are one and the same, or that they are in harmony, or that they assert the same principles and purposes. We have also heard others completely reject these claims and say that democracy is forbidden in Islam and label it a western contrivance or bid'ah. There are also those who do not believe in democracy but are prepared to temporarily go along with the idea in order to reach power, and then exercise their authority in an undemocratic manner, and use that authority to completely get rid of democracy such that democracy becomes a means and not an end, a weapon and not a means for peace; a tool of repression and not freedom.

This is a long and complicated subject, but doubtless, most Muslims, and even many Muslim scholars, need more clarification of, and details on, the issues pertaining to this important subject, because-like it or not-most Muslims, and even observant and committed Muslims, have come to believe in democracy as a political system.

Therefore, allow me to pose a question here: In Islamic rule or government, what is the source of authority? Is it the Shari'ah? Or the people? Or a constitution? Or consensus? And are human rights under the concept of democracy the same as human rights in Islamic Law and the goals of Shari'ah in Islam? And what of the right to self-expression (which in democracy includes the 'right' to insult the Sacred) and what about 'sexual freedom'?

I heard a scholar say: 'There is no problem so long as

Islam remains as a ceiling of democracy＇，but what of the rights that Islam grants that are rejected in democracy－for example－polygamy or the right of Muslims to travel freely through God＇s vast earth？At any rate，people＇s rights in Is－ lam are a gift from God 䶂，and no elections，judges，courts， legislation，state，constitution can detract from them．God话 says in the Holy Qur＇an：

0Prophet！Why do you prohibit what God has made lawful for you ．．．（Al－Tahrim，66：1）

Now we come to a crucial issue which I believe，if unrav－ elled and solved，would enable us as an Ummah to avoid half the problems that have plagued us these past three years： ＇majority rule＇and＇consensus＇，and the difference between them．In the text of the Holy Qur＇an－and the Sunnah—God 䶂 makes it clear that having a majority of people（and democracy is built on the majority of people and not on the majority of Muslims）is not a principle upon which legislation should be built or that signifies Truth．If we contemplate the Holy Qur＇an，we find that whenever the words＇most＇or＇most people＇occur in the Holy Qur＇an， they are followed by something bad．God 號 says：
> $\int$ et，most people homever eager you might be，will not believe．（Yusuf，I2：I03）．．．but most people are not thankful．（Al－Baqarah，2：243）．．．but most of them do not know．（Al－An＇am，6：37）．．．but most of
them are ignorant．（Al－An＇am，6：III）．．．but most of mankind do not believe．（Hud， $11: I 7$ ）．．．but most of you mere averse to the truth．（Al－Zukhruf，43：78）．．． most of them mere idolaters．（Al－Rum，30：42）

And there are many other verses like these．
In addition to all of these，God＇s words in the Holy Qur＇an make this clear：
> ffyou obey most of those on earth，they mill lead you astray from the way of God；they follow only sup－ position；they are merely guessing．（Al－An＇am，6：115）

## And：

> $\mathcal{I}_{\text {the heavens and the earth and whoever is in them }}^{n d}$ mould have been corrupted ．．．（Al－Mu＇minun，23：71）

Moreover，in the Sunnah we find that，in general，the Prophet Muhammad 触 did not consult with the majority of Muslims or follow the majority opinion．However，the Prophet 触 did once consult the Muslims who wished to fight in battle and the majority of them were of the unsound opinion that the Muslims should fight in the area of Uhud． Later，after they saw the Prophet 雄 put on his armour，they
 their opinions．Their opinion in this instance led to the loss of the Battle of Uhud＇．．．that God might try what mas in your breasts and that He might prove what was in your hearts； and God knows what is in the breasts．＇（Aal－＇Imran，3：154）．

Thus，during the first 1300 years of Islamic history，not a single scholar，as far as we know，suggested political plurality as a standard for government or rule instead of consensus．

As for the affairs of rule and government，the Prophet旅 used to listen to the opinions of the senior Companions， and naturally，he was not bound to their opinions．Thus shura（consultation）was merely instructive and not bind－ ing．God 期 says in the Holy Qur＇an：＇．．．and consult them in the matter．And when you are resolved，rely on God ．．．＇ （Aal－＇Imran，3：159），i．e．：and when you，O Prophet Mu－ hammad，are resolved；God 基 did not say：＇when you all are resolved＇．

This is an implementation of God＇s words：‘．．．and whose courses of action are［a matter of］counsel betmeen them＇（Al－ Shura，42：38）．One example of this is when the generals of Balqis＇army say（as is related in the Holy Qur＇an）：‘We possess force and we possess great might．The matter is for you ［to decide］．So see what you will command＇＂（Al－Naml，27：33）． Shura has always been the course of action for Muslims，but through consensus and not a $5 \mathrm{I} \%$ majority or a plurality． Moreover，the Prophet 触 detailed the matter when he said緮：＇Allah will not unite my Ummah in agreement over an error，so follow the overwhelming majority（al－samad al－ $a$＇zam）of people，and those who deviate，deviate in hell．＇${ }^{2}$

[^1]Consensus is the base on which the two basic pillars of any legitimate system in Islam are built: bay'ah (oath of allegiance to a leader) and shura (consultation). Indeed even in western democratic systems, the state is established through consensus and then governments and regimes change according to the majority's vote. This is an important point that must be properly absorbed. Linguistically, the word 'democracy' (from the ancient Greek demo-cratia) means 'rule by the many', in the West the search for basic consensus is called 'democratic culture'. There is no western democratic state with over $10 \%$ of its population dissatisfied with its democratic system. In other words, there is a consensus on democracy in these countries of over $90 \%$ and only a small percentage of the population deviates from this view. However, in Arab countries-and this is something peculiar which has surprised me ever since the new Iraqi constitution was drafted-constitutions are drafted according to a majority vote, sometimes not even by a majority of the population, but by a majority of voters on a particular day. This has lead to vast segments of society feeling that they have no role, no say and no share in their state. Hence they do not feel bound to the rights and duties of the state; and consequently take to the streets and cause sedition (fitnah). I ask myself why not even a single western journalist wrote that each new constitution must enjoy unanimous consensus,

[^2]and not the majority of the plurality of voters, so that the state is not split, torn, and does not fall prey to internal struggles and divisions? Logic insists that it is impossible to establish a flourishing state when, for example, a third of its people are dissatisfied with the process in which it was established. Had there originally been consensus in Egypt, in Iraq and in Syria between all the popular stakeholders we would not be in the situation we find ourselves in now. I think that scholars have a part to play in solving the intellectual quagmire: 'What is the "the overwhelming majority (al-sawnad al-a'zam) of people"'? Is it $5 \mathrm{I} \%$ of scholars-i.e. ahl al-hall wal-aqd or ahl al-dhikr-God Ged says in the Holy Qur'an: 'So ask the followers of the Remembrance if you do not know.' (Al-Nahl, 16:43) and (Al-Anbiya, 21:7)? In Islam what is right is built on truth-(as Plato says in Laches) -it is not built on the number of people who hold an opinion. God says in the Holy Qur'an: ‘... Say: Are those who know equal with those who do not know?' Only people of pith remember.' (Al-Zumar, 39:9)

In this day and age, can we not consider the general public learned in politics? Or can we consider 'the overwhelming majority (al-sawad al-a'zam) of people' $5 \mathrm{I} \%$ of people or of voters? Or two thirds? Or $75 \%$ ? Or as the Caliph Omar bin Al-Khattab concluded when he instituted the method of selecting the successor to the Caliphate through receiving the votes of 5 out of six functionaries?, i.e. by almost $90 \%$. We should remember that in a certain demagogic atmosphere, dictators or criminals may be elected by the larger group of
an electorate or by the majority for sectarian reasons. After all, Hitler was elected in 1932 in Germany; Mussolini was elected in Italy; Franco in Spain; Milošević in Serbia and Karadžić in Bosnia, and all of them were elected through demagoguery by a group of people with the intention of suppressing other groups. This situation is not new or unknown, Plato warns of it in Book viII of The Republic, and Herodotus (the world's first historian) warns of it in Book II of The Histories, more than 2500 years ago. Would Islam permit that?

What is wrong with 'convening until consensus is reached', or years of long meetings that lead to agreement? In modern South Africa-for example-after the collapse of Apartheid, people sat down together for three years until they agreed on the new constitution. All parties gave something and took something, until trust between all parties became mutual, in spite of their other problems. But we in the Arab world have rushed towards securing gains for some groups while ignoring the consequences of excluding groups of our peoples, until we have reached mutual hatred (al-baghdaa') and then sedition (fitnah). It is my hope that one of the results of this conference will be that scholars determine the percentage of 'the overwhelming majority (al-samad al$a^{\prime}$ 'zam) of people' which constitutes consensus. Of course, I mean here 'political consensus' and not 'scholarly consensus'. Al-Imam Al-Shafi'i read the Holy Qur'an 36 times-and according to some accounts 300 times-searching for the proof of consensus in the Holy Qur'an of which God 號 says:
'...and everything We have detailed very distinctly.' (Al-Isra', 17:12)—until he found it in the following verse:

But mhoever makes a breach mith the Messenger after guidance has become clear to him, and folloms other than the may of the believers, We shall turn him over to what he has turned to, and We shall expose him in Hell - an evil journey's end. (Al-Nisa', 4:I 5 5)
Therefore, scholars must follow his example and search for the percentage that determines 'the overwhelming majority (al-samad al-a'zam) of people' and find a way out of division for the Ummah, for the children of the same religion or the same country. God 號 says in the Holy Qur'an:
> nd hold fast to God's bond, together, and do not scatter; remember God's grace upon you when you mere enemies, and He brought your hearts together so that by His grace you became brothers; and you were upon the brink of a pit of fire; but He delivered you from it. So God makes clear to you His signs that you might be guided. (Aal-'Imran, 3:103)
3. Monarchy in Islam: The third issue-monarchy in Islam and Islam's position towards it—also needs in-depth examination, because in spite of what some contemporaries may think, God 部 is the True King (TaHa, 20:1 I4), Master of the Kingdom (Aal-'Imran, 3:26), He in Whose hand is the Sovereignty (Al-Mulk, 67:1) and give [s] the Kingdom
to whom［He］mill（Aal－＇Imran，3：26），God 痛 says in the Holy Qur＇an：

Cay：＇O God，Master of the Kingdom，you give the Singdom to mhom You mill，and seize the Kingdom from whom You mill；You exalt whom You will，and You abase mhom You mill；in Your hand is good．You are Able to do all things＇．（Aal－＇Imran，3：26）
Moreover，God 緮 made some Messengers kings（e．g．：

 the Holy Qur＇an：
> $\oiiint \begin{aligned} & \text { ave you not seen the council of the Children of Israel } \\ & \text { after Moses，when they said to a prophet of theirs，}\end{aligned}$ ＇Send for us a king，and we mill fight in God＇s may＇．．． （Al－Baqarah，2：246）

Indeed，God 號 made the Prophet Joseph sextel serve under the command of a king，and the word＇king＇in the Holy Qur＇an is not used pejoratively，whereas the tyrants of Egypt are referred to as＇Pharaoh＇．Furthermore，the Prophet Muhammad 触 confirmed the monarchies of all the kings who submitted to Islam．He also sent the Muslims to a king in Abyssinia whom he 蝮 referred to as＇a righteous king＇s．

3 Related in Tafsir al－Tabari（9／449），on the authority of Urwah bin al－Zubayr who said in a letter he sent to Abdul－Malik ibn Marwan：＇The
 there was a righteous king called al－Najashi；no one was maligned in his

The Prophet 触 also gave Quraysh good tidings that king－ ship would remain within them until the Day of Judgement ${ }^{4}$ ． Moreover，the Prophet Muhammad 施駺 had no sons，brothers or nephews，thus the four Rightly Guided Caliphs were all relations of the Prophet 曒 through blood or marriage from his own tribe Quraysh．Throughout history－until the fall of the Islamic Ottoman Caliphate in 1922－Islamic states were all monarchical systems，and many of Islam＇s great heroes were kings and princes，such as：Omar bin Abdul－Aziz， Abdul－Rahman Al－Dakhil，Noureddine Zengi，Salaheddine Al－Ayyoubi，Al－Zhahir Baibars and even El－Emir Abdul－ Qadir Al－Jaza＇iri and so on and so forth．

However，the question that arises is：what duties and authorities does the Holy Qur＇an confer upon a king？We see that a king＇s basic duties and authorities according to the Holy Qur＇an are：leading armies and uniting people， God 敃 says in the Holy Qur＇an：
land，and he［the Prophet 虂］praised him．＇
4 On the Authority of ibn Omar－may Allah be pleased with them both—the Prophet 裆 said：＇This matter will remain within Quraysh as long as there are two of them left＇；narrated by Bukhari（350i）in Kitab al－Manaqeb，bab Manaqeb Quraysh，also narrated by Muslim（i820）in Kitab al－Imarah，bab al－Nas tiba＇un li－Quraysh wal Khilafah fi Quraysh． Furthermore，on the authority of Bukayr ibn Wahab，the Prophet said：＇The Imams are from Quraysh＇and in another narration＇Kingship is from within Quraysh＇．In Majma＇al－Zawa＇id，Al－Hafiz Al－Haythami said（5／192）：‘Narrated by Ahmad and Abu Ya’la and also Al－Tabarani who narrated it in Al－Awsatt more completely；and Al－Bazzar also narrated it but he said：＂Kingship is from within Quraysh＂and Ahmad＇s Men are trustworthy（thiqaat）＇．
$1 \begin{aligned} & \text { ave you not seen the council of the Children of } \\ & \text { Israel after Moses，when they said to a prophet of }\end{aligned}$ theirs，＇Send for us a king，and we mill fight in God＇s way＇ ．．．（Al－Baqarah，2：246）
It is also a king＇s duty to protect the religious rituals that

> nd their prophet said to them，＇The sign of his king－ ship is that there will come to you the Ark．Therein is a Spirit of Peace from your Lord，and a remnant of mhat the folk of Moses and the folk of Aaron left behind， the angels bearing it．Surely in that shall be a sign for you if you are believers．＇（Al－Baqarah，2：148）

Furthermore，can we consider Solomon＇s tion－over what is called foreign policy as detailed in Surat Al－Naml－drawn from his Prophethood or drawn from his kingship？And do we consider David＇s sumplementing justice seen in Surat Sad as a result of his Prophethood or his kingship？And another important question we must ask ourselves in this day and age is：＇Do we consider Joseph发期 serving as vice－regent of the King of Egypt with all the king＇s authorities an example of what is called today ＂constitutional monarchy＂＂？Praised be He Who said：‘．．．and everything We have detailed very distinctly．＇（Al－Isra＇，17：12）．

As for God＇s 號 words：＇She said，＂Indeed kings，when they enter a tomn，ruin it，and reduce the mightiest of its inhabitants to the most abased．That is what they too will do．＂（Al－Naml， 27：34）；this is a natural law and not an allocation of blame
by God 摆 of kings or kingship，as evidenced by the fact that the speaker in this verse is herself a queen（Balqis， the Queen of Sheba）．It is also evidenced by God＇s 歯 words about Solomon whe is the king meant in the verse：‘．．．Hom excellent a slave！．．．＇（Sad，38：30），and God Hé knows best．

4．Capitalism and Consumerism：The fourth issue， which is where the greatest deception lies，is that mod－ ern democracy is based on capitalist－thus consumer－ ist－thought and economics．But，as we mentioned in our previous conference on the environment，we are suffering from a scarcity of the earth＇s natural resources：our land， water，air，plants，trees，fish，cattle and climate can no longer afford more consumption．Herein is a critical point：the carbon footprint of the average person living in first－world democratic countries is 38 times that of the average Mus－ lim consumer of medium or low－income living in Muslim countries．If the world＇s almost one billion Muslims become consumers in the manner of western democracies，this would quintuple the earth＇s current carbon consumption．If this were to happen，the world＇s nations would attack us just for survival on the planet，because in this case the earth＇s resources would simply not be enough for all of humanity． How is it，then，that they encourage us towards consumerist democracy？And where is the Islamic thought that can guide us towards prosperity without destructive consumerism？ God 摇 says in the Holy Qur＇an：

Corruption has appeared on land and on sea because of make them taste something of what they have done that perhaps they may repent．（Al－Rum，30：41）

Finally，I will say that these are all questions，and I do not claim to have solutions to them．I am，however，certain that the answers to these，and indeed any，intellectual or philo－ sophical questions can be found in the Holy Qur＇an，because God 噱 says about His Book：＇．．．And We have revealed to you the Book as a clarification of all things and as a guidance ．．．＇（Al－Nahl，ı6：89）；and God 啙 says：‘．．．and a detailing
 have neglected nothing in the Book ．．．＇（Al－An＇am，6：38）．So， I invite myself and the scholars to intellectually feast from God＇s Table：the Holy Qur＇an．God 䩞 says：

But God bears witness with what He has revealed to you；He has revealed it through His knowledge； and the angels also bear mitness；and God suffices as a Witness．（Al－Nisa＇，4：166）

May God 指 grant you，all，success in this endeavour．

Wal－Salamu alaykum ma rahmatu Allah ma barakatuh

## Concluding Statement of the

The Royal Aal al-Bayt Institute for Islamic Thought's $16^{\text {th }}$ General Conference
entitled:

# 'The Project of a Viable and Sustainable Modern Islamic State’ 

AMMAN, THE HASHEMITE KINGDOM OF JORDAN

$$
\begin{gathered}
\text { I2-I4 SHAWWAL, I434 AH / } \\
\text { I9-2I AUGUST, 20I3 CE }
\end{gathered}
$$

## In the $\mathcal{N a m e}$ of God, the Compassionate, the Merciful

The academy of the Royal Aal al-Bayt Institute for Islamic Thought held its $16^{\text {th }}$ conference entitled: 'The Project of a Viable and Sustainable Modern Islamic State' in Amman, the capital of the Hashemite Kingdom of Jordan in the period between 12-14 Shawwal, I434 AH / i9-2I August, 2013 CE.

Covering three subthemes, the scholars participating in the conference presented 35 research papers that tackled the following topics: the concepts, elements and components of the State and the issues related to its overall structure, governance, social contract, civil society and the rights of people or citizens in both Islamic Western thought and the points of convergence and divergence. Participants also reviewed the evolution of related terms in theory and practice throughout history.

The scholars also examined the concepts of the modern state; i.e. contemporaneity and its linguistic and terminological significance. Participants clarified that traditional Islamic political thought - including books and works on jurisprudence and the ordinances of government (alAhkam al-Sultaniyyah) has not given an exact definition of the modern state. In fact, Islam does not bind Muslims to a specific and detailed system of governance, rather, it sets principles, fundamentals and broad guidelines pertain-
ing to the Purposes of Shari'ah (Islamic Law) and leaves it for Muslims to take these guidelines as a starting point to decide the system of governance that suits the environment and needs of the age they live in. Participants also reviewed case studies of political systems applied by states in previous and modern times. They underlined points of convergence and divergence and if each was qualified to be viable and sustainable.

Participants pointed out that the State in Islam, as a modern state, has a legal personality involving the entirety of its citizens, including the Muslim majority and the other religious and ethnic components, who are all bound by the bonds of humanity and religious brotherhood. In the Islamic State, all enjoy equal rights, freedom and equity and are committed to fulfilling their duties and obligations.

The esteemed scholars worked diligently to present their vision for a modern Islamic State that is based on the general principles related to the Purposes of Shari'ah, which are meant to guarantee social justice and human dignity among other principles that guarantee the viability and sustainability of the State. They maintain that the State in Islam is a civic state founded on institutions, shura and justice. In such a state, the Ummah is the source of authorities, God willing, and nothing restricts it except for established legitimate interest and the Principles of Shari'ah.

Participants stressed that the State's Islamic reference is ijtihad (independent legal reasoning), and is not restricted to a party or body who simply raise the banner of religion.

Scholars also exchanged viewpoints over the elements which the State should have in order to ensure its viability and sustainability. These elements include a system of governance that takes into account the rights of God and the rights of people; justice and virtue; abiding by the Purposes and Foundations of Shari'ah and clear detailing of the State's structures and the authorities of its supreme leadership and the tasks vested in those working in the judiciary, administration, legislation and the other sectors.

In light of the significance of the main topic discussed at the conference under the current circumstances in the Arab and Islamic World, which is witnessing political upheaval, violence and a multiplicity of differing opinions and visions of the people of the region for the future of their countries and their systems of governance, the participants concluded with the following recommendations:
I. The emergence of a modern Islamic State cannot occur except by Divine guidance, without excessive adherence to past intellectual and historical interpretations. It is essential to open up to and benefit from modern experiences.
2. It is the participants' view that the most feasible model for a viable and sustainable Islamic State is a 'civic state' where trustworthy and competent specialists rule, each in their field, in accordance with the provisions of a constitution based on respect of the law and equality
between citizens from all ethnic and religious spectra in a manner that does not contradict the general principles of true Islam.
3. Participants emphasise that the function of the modern state that ensures its viability and sustainability is the exercise of its legitimate powers which are founded on shura not tyranny. The state should be in the service of society; it should ensure justice without any discrimination; it should organize the exercise of freedoms; preserve and protect places of worship for all faiths; seek to ensure the happiness of its citizens; provide jobs for them and preserve their dignity.
4. Participants emphasise that the plurality of the schools of Islamic jurisprudence (madhabs) unites Muslims rather than divides them. In general, such plurality is a Mercy because it offers diverse solutions to the problems facing the Ummah and all the different opinions and jurisprudential independent reasonings (ijtihad) can be beneficial. This makes the Ummah's perspective broader and more welcoming, as mentioned in the Amman Message and the ensuing conference which resulted in an Islamic consensus on respecting all the madhabs. Accordingly, participants reject the use of intra-religious sectarian conflict and inciting it as a means to solving the problems that emerge within the State. They stress freedom of opinion, freedom of faith and the sanctity of human blood; they reject
the takfiri approach (declaring someone an apostate) and its use in political conflicts and urge the drafting and activation of strict laws that address this phenomenon.
5. The scholars emphasise the role of religious institutions and scholars to promote the concept of the State and its values, and reinforce a spirit of unity and harmony among all the segments of society.
6. Participants assert their rejection of violence regardless of its source and reasons and stress that the people's will to express their opinions and thoughts within the laws, values and observed norms must be respected. The scholars value the role of Al-Azhar Al-Sharif as it works earnestly to achieve internal and external peace and security; and the scholars also value the various documents it has issued with the aim of stemming bloodshed and achieving national reconciliation.
7. The participants reject the use of intra-religious sectarian conflict and inciting it as a means to solving problems that emerge within the State, even if these problems arise as a result of breaching the social contract. Strict laws should be enacted to prevent that, and the scholars stress that problems should be solved only through peaceful means, dialogue and understanding.
8. Participants underline the importance of the link between development and the environment and the im-
portance of education, scientific research and the moral matrix, stressing the need to invest in these aspects and preserve them in implementation of Divine commandments and in a way that ensures the modern Islamic State's viability and sustainability.
9. The scholars stress the significant role of civil society organisations and religious endowment (maqf) institutions, urging the establishment of more maqf institutions, which enable the State to perform its socioeconomic duties and contribute to the development and advancement of Islamic societies, especially in the fields of education and health. Waqf institutions can also provide assistance to refugees who have been forced to flee their homelands.
10. Participants sent a cable to His Majesty King Abdullah ir ibn Al-Hussein voicing their appreciation of, gratitude to and pride in His Majesty's continuous support of the Institute and his patronage to its $16^{\text {th }}$ conference and the warm welcome and hospitality they received in the Hashemite Kingdom of Jordan.
i i. Participants had the opportunity to meet His Majesty King Abdullah it ibn Al-Hussein who delivered an address in which he called on Muslim scholars to play an effective role in addressing the problems facing the Ummah. Participants voiced appreciation for the role played by the Hashemite Kingdom of Jordan and the Royal Aal al-Bayt Institute for Islamic Thought in pre-
senting Islamic conceptions for modern society's values and regulations, for anticipating the future and dealing with the issues, problems and challenges of the age.

$$
\begin{aligned}
& \text { [لبقرة، r: }
\end{aligned}
$$



التَّوَابُ الرَّحِيم.






 إله إلاَ أَنتَ سُبُحانَكَ إِيّيكُّتُ مِنَ الظَّالِّالمين .









 [آل عهران 198]
 [آل عيران، r:




 [الحشر، 09: 10] [1]










للشَّرِّ، وسَبَبًا وحدة الأمَة وَجَعْعِهَا على ما تُحبِّ
 والتَّويش على بعضهم البحض، واسُتِصْغَاءُ قلوبهم لِالَي وَحُكِكَ خَيرُّ





















اللَّهُمَ يا سَامِعَ الدُّعَاء، يا مَن لا يُغْتِبُ الرَّجاء، يا رَبْ الأرض












 واضطِراري .




 وتتوجَّ إيك أن لا تَكِنَا إلى تلك الأنُنُس، وأن تأخذ أنت بأيدينا







 إلينا من أنُنُسِنا وأهلينا وأموالِنا، ومِن الماء البارِدِ على الظَّمَأَ

دعاء الحبيب عمر.نحفيظ في ختا رالمؤمر العامرالسادس
عشرلمؤنسةآلل البيت الملكيةللفكالإسلايمي
(orr.r/N/re)












 ميلينيوم والعاملين فيه عَلَحُسْنِ الضِّافَةِ وطيبِ الإِقَامَةِ.





التي أدرَجْتُمُوها ضمنَ وثائِّ المُؤتمر، وتَفَضُّلهِ بلقاءٍ السَّادِةٍ العُلهاءٍ


 رِعَايةٍ واهُتْمارِ بالنَين









 لِعَقِد هِذهِهِ الدَّورَةِ على مَدَى الأَشُشُرِ المَاضِيَّةٍ

كامة الأ ستاذالدكوّومورالمهيد المديرالعام لمؤسسة"آل البيت الملكية للفكرالإسالاي يفي الجلسة الحنتامية للمؤمر العامرالسادسشر لأاديميةآل البيت الملكية



$$
\begin{aligned}
& \text { المهُدُ لَهِّرَبِّ العالمين، }
\end{aligned}
$$

$$
\begin{aligned}
& \text { الضيوفُ الكرامُ، }
\end{aligned}
$$


 يُحُرِقوا إيرا هيمعليه السَّالمد، فقال له جبريل: ماذا تفعَلَ؟ قال له: أطنئُ

النّار، قال: بهذه القَطُرة؟ قال: واللَ لَّيَعَعندي إلاَّ هذا .




مَغْخَةَ للَأُمُة العَرَبَّةَ ومِمَالًاً. والسلا دعليك ور مهة الله وبكاته.
 به العُقول التي رُبَمَا يُصييُهُ بعض التشا









 التّاريُ، وكاكان الشِّيعة أساس الثقافة والحَضارة والعِلم والوَحدة، وكان
 العَظيم للأُردنَ شعبًا وهكومةً، ولهذه المؤسَّسَة الَكَيمة بالتقدُّد والازدِهار، ولا أستطيع أن أقول أَكُرْ من ذلكَ فَا أريد أن أحْبِسَكُ،

والشُّكُمُوْصولُ لصاحِب السُّمُوٌ المَالَكي الأمير غازي بنمَّمَّ، على



نَّكُرْ ذلك دائمًا.
أمّا هذه المؤسَّسة الكريمة، مؤسَّسة آل البيت المَحْظُوظَة،

 آلاف الأبحاث، فَنْقُقُ من حَيْ التوّاضُ أنَّ نِصْفَها بالضَّبط على الأقَّلَ






القادِمَة إن شاء اللهُ .



حينئٍٍ نتول إنَّ هذا الشَّعب الَّني نَعُفِفُ في ِيُنْةِ مِنُ بِمْنَاكِف



العالية.






 كانَّكنُ هنا في الأردنّ وهذا اقَادِرُّ إِن شاءَا الله.





كامة فضيلة الأستاذالدكورأحمدالكبيسينيابةعنالوفد
 آل البيت الملكيةللفكالإسالايمي








 العَدُو تَكك الُحكَ


التَعليم وَالصِّحَة وَبُمسَاعَدَة اللاجئينَ الَّين اضُطُروا للِخُروج
مِن دِيَّرِهِهـ










 وَحَحَيَّاتَهـه
 التَيتَهَدِفُ إلى حَقُنِ الدِّماء والِِرص عَلَى المُصَا لَحَة الوَطَنَّةَ. v













 احِِرَام المَذَاهِب، ولِذَا رَفَضَ المؤَنَّمرون اسْتِخْدَام الصِّرَّاعِ




تُوضَع التَوانِين الصَّارِمَة بِهَا الشَّأن وتُفَعَلَّلُ .

 مُكوَنَات المُجْتَمعَكَافَة.
















 العَمَل لَهُم وحِفُظكَكَامتهمد










 خطط التَضَاء والإدَارَة والتَشُرِيع وَخَوْهَا























 حديثة؛ قابلة للاستمرار ومُستدامة، . فيمّمّان عاصمة المملكة الأردنيّة الهاشميّة في الـترة من













البيانالحتايّي"
للمؤتمرالعامدالسادسعشر
لمؤسسةآل البيت الماكية للفكـ الإسلاي
و

للاستمــرارومُستـتدامت
عمان - المماكة الأردنية الهاشمية

-19









































واللهُ أعَّم.












 الأوسط، أترمنهماوالبزار إلا أنه قال: الملك فيق قريش . ورجال أمد ثقات"







 أرسله إلى عبد الملك إن مروان: "أمرهد -أي أي الصحابة- رسول














 يِيَّاءُ يُشُولُ اللهُّتُالى:













فيه الآيةِ الكريمَةِ:





















































 شَذَّ شَذَّفيالنَّرِّ") .













الإجمُّع ع.



 " "إِذَاعَزْمُتُمْ"،












 مِنُّْ، يقولُ اللُّسبهانَّهُ وتعالى:







 يقولُ الهُّهُتالى:














سَسِيلِ المِمَّالِ . . .












 ووَانُونًِّا




















[القيامة، vo :غ vo-10] .








[البقرة، ب: :107] .







المُوَوَاضِع - قَدِ اسْتَبَتُ الحَوَادِثُ التَّكَكيرَ والِمَِارَ .








تَ

رَرِمَهُ اللهُتْتَكَلى.




- رَمِمَهُ اللُهُعَعَالى.

خطابصاحبالسووالملكي الأميرغاري بنعجبنطالاليف افتّاح المؤثر
$\qquad$

 الـَّا





 هَيْ 我


ودوركرأساسي في استمرار الالتزاه بمحاور رسالة عمان. وأنا حريص على العملمعكك لتنفيذ كل ما يصدر عنكم من مبادرات تخد د أمتنا الإسلامية، وتؤكد على وحدتها، وعلى عدد تكفير المسلم للمسلم، واحترام أتباع المذاهب الثمانية من السنة والشيعة بما فيهم العلويون

والإباضية، ومن السلفيين والصوفيين .
وندعوكر للتوصل خلال هذا المؤتمر إلى توصيات تنبذ خطاب
العنف الطائني، وخطاب الفرقة المذهية، وتتصدى لهذا الفكر الز•ائف، وتنزض بمجتمعاتتا العربة والإسلا مية. وفقكر الله تبارك وتعالى الذي يقول: (إنما المؤمنون إخوة

فأصلحوا بين أخويكـ واتقوا اللة لعلكَ تر مون) . والسلا دعليك ور مةة الله وبركاته.

في الديمقراطية كاية بحد ذاتها، وليس جرد أرقاد ونسب تستخد مها الأكرية السياسية ضد الأقلية . الغلبة ليست جوهر الديمقراطية، بل إحساس المجيع بأنهم ممثلون، وهذا هو جوهر الإجماع السياسي في

الإسلاد .
كا أن هذا المؤتمر يتزامن مع دعواتنا المتكررة لرفض ووقف العنف الطائفي والمذهي، لأن فيه خراب الأمة. وهنا آكر التحذير من خطورة استغلال الدين لأغراض سياسية، وبث الفرقة والطائفية

البغيضة.
أنتم علماء الأمه وأمامكهمسؤولية مواجهة خطاب الفتنة الطائنية في سوريا، ومنع انتشارها في العالمرالعربي والإسلا يي لـحقن الدماء في

سوريا، والحفاظ على وحدتها ووحدة الأمة العربية والإسلا مية. ونن يف الحقيقة تتطلع إلى أن تبني نقاشاتكمخلال هذا المؤتمر على رسالة عمان ومحاورها الرئيسة الثلاثة، التي ساهمتم أنتم جميعا في إقرار محاورها والإجماع عليها. رسالة عمان التي ركزت على تعريف من هو الـمسلم والتصدي للتكغير وتحديد من هوأهل للإفتاء، والتي ساهمت بالتقريب بين أتباع الـمذاهب، وتعزيز الاحتراد يينهم .

كمةجهلالةاللكلك عبدالهو الثانيخ خلال استقباله
المشارينيفيمؤمّمؤسسة آل البيت الماكيكةلالفكر
الإسلاي




السلا هعليك ور رمة الهه وبركاته،
 الأردن. كما أشكر مؤسسة آل البيت الماكية على توسيع دائزة مؤّمرهم العام، بيثيث تمت دعوة بجوعة متميزة من العلماء من خارج الأكاديمية الملكية.
التحديات من حولنا هتبطة بمؤمرك هذا، فُتوق المواطنة المتساوية والعدالة متطلبات أساسية لاستمرار الدول والأظظمة بشكل مستدام. وبالنسبة للديمقراطيةوالشورى والعمليةالتمثيلية، فيجب التفكير


كلمة جلا لة الملك عبد الله الثانيخلال استقبا له المشاركين
v فيمؤتمرمؤسسةآل البيت الماكيةللفكرالإسلا يي

11 خطابصاحبالسموالملكي الأميرغازي

M
البيانالمتاميت
ra
كلمة فضيلةالأستاذالدكورأمد الكبيسي
so كلمة الأستاذ الدكورمنور المهيد
\&9 دعاءالحبيب عمر بن حفيظ في ختا ها الؤتمر
الدولة الإسلة العربية - الكتاب • المدنية
© ©
ععان / الأردن
www.rissc.jo
تنضيد


ry. . عش عشرون عاما من المبادرات الدينية تصدر من المملكة الأردنية الماشمية بجهود صاحب السمو الملكي الأمير غازي بن محمد بن طلال و أصدقاء كثيرين » الا

$$
r \cdot|r \ll r \cdot| r
$$


التقريب< r. r- rer

 طلال في افتتاح المؤتر العام السادس عشر لأكاديمية آل البيت الملكية (امشروع



Y. Y. الكتاب الجامع لفضائل القرآن الكريم: الأحاديث التي وردت في فضائل السور والآيات 9 با با
r.


r.1. ت تعداد الضحايا
Y.1. القرآن الكريم والبيئة .V
 r. 111 جِ







Y•Ir ك. لماذا يجب أن نزور المسجد الأقصى المبارك . IV


r. r. r. الدرر من كلام أهل الوبر r.


Y Y Y Y Y


الدولةالإسلامية"المدنية

## 



سورة آل كعران
ヶ ：

## 



## älgll



Madi BDA<br>r • السلسلة العربية - الكتاب




[^0]:    I This is the one precondition of sedition in Islamic Law.

[^1]:    2 Narrated by Al－Hakim in Al－Mustadrak（i／20i）on the authority of ibn Omar，may God be pleased with them both，and the authority of Anas ibn Malik，may God be pleased with him，that the Prophet said： ＇My Ummah does not unite in agreement over a misguidance，if you see

[^2]:    disagreement, follow the overwhelming majority (al-sawad al-a'zam) of people.' Narrated by ibn Majah in his Sunan (3950) in Kitab al-Fitan, bab al-samad al-a'zam.

