Sects and Sectarianism — A Practical Approach to Unity (S.K. Hashmi)

Whenever someone offers "Islam" as the only possible solution to the myriad problems afflicting our country, the question that immediately props up is: "Whose Islam?" This is a valid question, and all the different sects and factions, especially all those groups and parties who are working for Islamic revival, must arrive at a consensus in this regard. Otherwise, it is obvious that the sectarian and partisan approach — which is quite prevalent today among the Muslims, especially in our part of the world — will remain the biggest impediment in the establishment of a true Islamic State.

The realization is growing that Islam is, in fact, the only solution to the evil remains of Colonialism and the only answer to the threat of New World Order. But, regrettably, there is very little cognizance of the biggest hurdle in achieving this goal: our own internal strife and the menace of sectarianism. Any meaningful progress towards the establishment of an Islamic state is impossible unless we find a solution to this issue.

There is a tremendous onslaught of Zionist hegemony under the guise of the New World Order. The Arabs are practically in their pocket. It is only our part of the Muslim world __ consisting of Iran, Afghanistan, Pakistan, as well as the Russian and Chinese Turkestan __ that has a potential for offering a substantive resistance to their nefarious designs. How can we unite the diverse people inhabiting this region? The only cement that can bind them is Islam. But again, all efforts to create a solid Islamic bloc in this region are going to be unsuccessful unless a lasting and workable solution to the problem of sectarianism is found.

The Qur'anic Answer to Sectarianism

The most fundamental point that needs to be noted in this regard is the distinction between Deen and Shariah. According to the Holy Qur'an, all the prophets and messengers throughout human history have taught the same Deen — Islam — the essence of which is to accept Almighty Allah (SWT) as the sovereign and ruler of the universe and the prophets as His representatives. Thus, we see that all the messengers demanded two things from their respective nations: worship Allah and obey me. It means that, during the days of Prophet Noah, Islam consisted of worshipping Allah and obeying Noah (AS). In the times of Prophet Hud, Islam consisted of worshipping Allah and obeying Hud (AS). During the age of Prophet Moses, Islam consisted of worshipping Allah and obeying Moses (AS). Similarly, now that the institution of Prophethood has concluded after reaching its zenith in the person of the last messenger, Muhammad (SAAWS), the essence of Islam for all times to come will consist of two things: to worship Almighty Allah (SWT) and to obey Prophet Muhammad (SAAWS).

We know that the Shariah — or the code of life — given by Almighty Allah (SWT) to Prophet Moses (AS) and through him to his people was very different from the one given to Prophet Muhammad (SAAWS), even though both of them taught the same Deen, i.e., Islam. It follows that it is possible for different messengers to have different teachings regarding the details of law, rituals, customs, etc., but that all these differences remain well within the broader circle of Deen, which has remained unchanged throughout human history.

Consider the implications of this basic fact taught by the Holy Qur'an. It means that, irrespective of how divergent their views and practices may be, as long as the different Muslim sects agree to worship Almighty Allah (SWT) and obey Prophet Muhammad (SAAWS), all of them will remain inside the broader circle of the Muslim Ummah. Unless there is a categorical refusal by a group of people to submit before the clear injunctions of the Holy Qur'an and those of Prophet Muhammad (SAAWS), any schism or cleavage won't happen. Since all the different sects (Madhahib) in Islam — whether Hanafi, Shafa'i, Maliki, Hanbali, Zahiri, Salafi, or Jafari — are unanimous that the commandments of the Qur'an and the Sunnah are binding upon them, none of these represent any defection from the fold of Ummah.

Although various schools of thought among the Muslims differ concerning the principles or rules of interpreting the Divine law, all can be united on the basis of the original sources of guidance, the Holy Qur'an and the Sunnah of Prophet Muhammad (SAAWS). Just as the same Deen can manifest itself into a number of different codes of life — for example the Shariah of Moses (AS) and the Shariah of Muhammad

(SAAWS) — it can also manifest, at a secondary level, into numerous schools of jurisprudence, all of which are in agreement regarding the fundamentals but differing in minor issues of detail.

Disagreements are Unavoidable

There is a crucial distinction between expressing differences of opinion and creating rifts and antagonisms in the community. According to the Holy Qur'an, the diversity and variation that we find everywhere in the universe is a sign of Almighty Allah's infinite creativity. People differ greatly in their aptitudes, priorities, intelligence levels, and preferences. Therefore, even when it comes to the interpretation of the teachings of the Holy Qur'an and the Sunnah, knowledgeable and sincere scholars will inevitably differ with each other. There is absolutely nothing wrong with differences of opinion concerning interpretations of the same injunction of the Qur'an or the Sunnah, just as there is nothing wrong when judges differ in their interpretations of the law or Constitution. However, the point is to view such a disagreement as an academic and technical one, and not to let it become a reason for creating discord and rivalry.

The friction prevalent between various Muslim schools of jurisprudence is rather unfortunate. But it must be kept in mind that this sort of animosity is never caused by sincere disagreements, rather it is always a result of the sinister desire to dominate and subjugate others. If disagreements are combined with sincerity of intention and uncompromising loyalty to the Qur'an and the Sunnah, then such disagreements are certainly desirable and beneficial in the sight of Islam. But sometimes these differences of opinion are exaggerated and grossly misused by the belligerent and formalist type of self-proclaimed "scholars", and it is only then that they result in unnecessary bitterness and strife.

Islam has reached its ultimate perfection and fulfillment with the advent of Prophet Muhammad (SAAWS), in the sense that the Holy Qur'an and the Sunnah of Prophet Muhammad (SAAWS) will remain the only sources of guidance for the entire humanity, for all times to come. Since there are not going to be any more prophets, it follows that it is now up to the learned people from among the Ummah __ who are well-grounded in the knowledge of the Qur'an and Sunnah as well as other related sciences __ to deliberate over the Divine and Prophetic injunctions in order to provide the framework for new legislation and codification of the Islamic law.

Another upshot of the belief in the termination of Prophethood is that a disruption or rift will be created within the ranks of the Ummah only when someone challenges the authority of Prophet Muhammad (SAAWS). Therefore, in the entire fourteen hundred years of Muslim history, only those sects were unanimously declared as non-Muslims who had refused to accept Prophet Muhammad (SAAWS) as the supreme authority. Thus, a consensus of opinion among the Ulama with regard to the verdict of apostasy (Takfeer) is found only with reference to those sects who had adopted for themselves a new "prophet", Qadianism being a case in point.

The extraordinary spirit of tolerance and magnanimity, which was very much in vogue during the early centuries of Islamic jurisprudence, must be revived among the Muslims of today. Our Ulama should realize that Islam is much more than mere pedantic debates over minor points of law and trivial theological distinctions. Our own history has shown how damaging this constant preoccupation with basically futile controversies can be. Instead of broadening the intellectual horizons, such pursuit only serve to render the mind incapable of comprehending as to what is really at stake. Minor judicial and theological disagreements should never be allowed to cause hard feelings among the members of the Ummah. Our objective should be the establishment of the Deen of Allah, rather than the domination of one sect by another.

Since all Muslim sects agree that the "Straight Path" consists of obeying Prophet Muhammad (SAAWS), their mutual disagreements regarding the interpretation of Shariah can be easily reconciled and harmonized, once they realize the urgent and acute need for a united and cohesive Ummah. The most significant point in this respect is that the envisioned Islamic State will not be able to function for even a single day if such unity is not achieved.

Legislation in the Islamic State

The immense amount of work that was done by earlier jurists, while still valuable to a large extent, will not be able to meet the practically infinite demands for fresh legislation in the future Islamic state. How shall we deal with the very practical issue of legislation once an Islamic state is finally established? The ideal solution would be to bind the legislative Assembly or Shura, through an unambiguous article of the Constitution, that it cannot formulate any law that is repugnant to the Qur'an and the Sunnah. The jurists

and scholars belonging to various schools of thought will deliberate and discuss and argue among themselves regarding the resolution of contemporary issues, the solutions of which are not found explicitly in either the Qur'an or the Sunnah. These scholars would make use of the whole corpus of the Islamic literature on jurisprudence without any bias or discrimination. A number of "think-tanks" can be established for this sort of research, but without legislative authority, in order to avoid any resemblance with theocracy. These institutions and academies can indirectly guide the members of the Assembly as to the kind of laws that are harmonious with the spirit of Qur'an and Sunnah.

Of course, the gates of Ijtihad would have to be re-opened if we are to run a modern Islamic state. Equally obvious is the fact that the jurists and scholars of the Islamic Shariah will continue to disagree with each other as to which of the numerous possible solutions of a particular issue is closest to the spirit of Qur'an and Sunnah. Again, there is no harm in such disagreements. All these various solutions can then be discussed and pondered over by the members of the legislative Assembly, and the best possible law shall be formulated by them in accordance with majority vote.

There still remains the possibility that the legislative Assembly might commit a mistake, whether intentional or inadvertent, by passing a law that is, in fact, contrary to the teachings of Shariah. In that case, either the President can refuse to endorse the bill, asking the legislature to review its decision, or a citizen can approach the judiciary to plead that a violation of the Constitution is being committed. The Supreme Court will obviously seek the opinion of the representatives of the government as well as legal experts and religious scholars, and it will be then up to the judges of the highest Court to decide if indeed a transgression of the Shariah has occurred. If the Court were to find that the new law is, in fact, repugnant to the Shariah, it will have the prerogative to declare it null and void, forcing the Assembly to start the whole process all over again.

That the Ulama in the future Islamic state would not insist on following any particular school of jurisprudence is, unfortunately, not an immediately attainable ideal. It would take time to convince the followers as well as the religious scholars of various schools that, instead of demanding that all law-making should conform to the rules and principles laid down by their particular Imam, they should rather accede to give primacy to the original sources of guidance __ the Qur'an and the Sunnah __ in the larger interest of Islam as well that of the Muslims. However, till the time that such a consensus is achieved, legislation in the Islamic state can continue on the basis of that school of jurisprudence which is followed by the majority. For example, legislation in Pakistan can be done on the basis of majority Fiqh, which is the school of Imam Abu Hanifa. It may be noted that this is a pragmatic, not an ideal, approach.

Since there can only be a single "law of the land" in any given country, it follows that the adherents of all other schools of jurisprudence, by accepting legislation based on the majority Fiqh, would have to sacrifice their own emotional attachment to their specific Imam for the greater good of the Ummah. It is also obvious that, in case the majority Fiqh is used as the basis for legislation, the Islamic state would give complete and absolute freedom to all its citizens concerning their private and personal affairs. That is to say, although the "Public Law" would conform to the principles of one school of jurisprudence, all citizens would be free to practice their own Fiqh in matters of worship, rituals, marriage and divorce laws, etc. The state would never interfere at all in these matters.

Futility of the Sectarian Approach

We must realize that the present atmosphere of conflict and disharmony prevalent between various Muslim sects is utterly useless and futile. Each one of these various sects have more than a thousand years of history behind it. It is nothing more than a delusion that one faction can somehow eliminate the other. Can the Shia Muslims force their particular ideas on to the Sunnis? Can the Sunnis ever succeed in wiping out the Shias? Can the followers of Imam Abu Hanifa ever eradicate the followers of the Salafi school of thought? Can the latter exterminate the former? The answer is too obvious to mention.

We must read the writing on the wall. We must recognize that it is simply impossible to either disregard the existence of different sects in Islam or to try and remove in an artificial manner their long-standing disagreements. The correct approach is to accept the right of each sect to practice what it believes to be true in the private and personal sphere and, at the same time, to try and work out an understanding with regard to the practical issue of legislation in an Islamic state, as described above.

Can the Shia and Sunni Muslims unite?

While it is relatively easy to work out an accord between the various schools of Ahl al-Sunnah, it is much more problematic to deal with the issue of Shia vs. Sunni. The divide of disagreement is much broader and deeper between the Shia and the Sunni Muslims, as compared to that between the different schools within the Sunnis. This is primarily because, even though both sects turn to the same Qur'an for guidance, they have totally different sets of books on Hadith. This fundamental difference in the respective frames of reference of Shia and the Sunni Muslims is, indeed, a very significant one. But Iran has already dealt with this problem and so can we.

The solution that is adopted by the government of Iran after the revolution of 1979 is workable all over the Muslim world. It is clearly stated in their Constitution that the law of the land in Iran would be based on Fiqh Jafari, but the followers of all other schools would be free to practice their own Fiqh in their private and personal affairs. This highly ingenious but equally simple and uncomplicated approach represents a really enlightening lesson for the entire Muslim Ummah.

Whenever an Islamic state is established in Pakistan, the Constitution can be amended to the effect that the process of legislation shall be based on the Hadith collections and the schools of Fiqh that belong to the majority, that is, those of Ahl al-Sunnah. At the same time, the Shia minority would be given the same status in Pakistan which is given to the Sunnis under the Iranian Constitution. While the Public Law would follow the beliefs and concepts of the majority, the Shias would enjoy total freedom to practice their own Fiqh in all private and personal matters, including that of Zakat.

Another controversial issue is that the Shia doctrine of Imamate is in sharp conflict with the Sunni belief in Caliphate. The Caliph among the Sunnis is to be selected and elected by the Muslims, whereas, for the Shia, the political and the religious leadership of the Muslim community is vested in the Imam, who is divinely inspired, sinless, and infallible. How can we reconcile such diverse viewpoints?

As a matter of fact, there is no practical need for a reconcilement with reference to this particular point. The majority of the Shias living in Pakistan are Ithna Asharis, or the "Twelvers", who believe that the twelfth Imam disappeared and went into seclusion in the year 874 C.E., and, therefore, they are now supposed to await his return (Intizar). In the meantime, the Shias are required to follow their religious experts who interpret the Islamic law for the community. In the absence of their authentic Imam, the Shia doctrine of Infallible Imamate is not going to pose any practical problems. Both the Sunni and the Shia Muslims are, therefore, in the same boat, because both have to look up to their religious scholars and Ulama for guidance, and also because both believe in the possibility of and the need for Ijtihad.

One cannot over-stress the urgency of achieving a state of internal cohesion and unity in the Muslim Ummah. And, as we have seen, there is, indeed, a simple and practical approach towards that unity. The question is whether or not we are mature enough to go beyond our present state of debilitating sectarianism.