

A Comparative Study of the Views and Thoughts of Maulana Maududi and Maulana Wahiduddin Khan Regarding the Establishment of Islamic State

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Abstract

Like other spheres of life, Islam provides guiding principles in the realm of politics and considers the establishment of an Islamic state a duty of the ummah and a component of establishing religion. This is why religious scholars and Islamic thinkers have written dedicated books and engaged in subsidiary discussions on this topic. Since Maulana Maududi and Maulana Wahiduddin Khan hold distinct positions regarding the establishment of a state and its prerequisites, this paper reviews their stances, leading to the following conclusions:

Maulana Wahiduddin Khan's framework for the formation of an Islamic state is vague, making it difficult to derive clear guidance from his writings. In contrast, like other Muslim thinkers, Maulana Maududi presents a clear framework for the establishment of an Islamic state. Detailed guidance is also provided on the qualities of those managing state affairs, the limits and powers of state institutions, and the rights and duties of the state and its subjects. Furthermore, Maulana Maududi considers the establishment of an Islamic state obligatory and a source of immense good, while Maulana Wahiduddin Khan regards dawah as the central source of good instead of the state. Maulana Wahiduddin Khan advocates tolerating non-Muslim states and governments, whereas Maulana Maududi deems it necessary to constitutionally transform a nominally Muslim state into a righteous Islamic state. Like other early scholars, Maulana Maududi considers religion and politics inseparable, while Maulana Wahiduddin Khan opposes this view. Islam is a

comprehensive system of life that provides guidance in all aspects of human existence, including the important realm of politics. The Qur'an and Sunnah outline principles of governance, the foundational characteristics of an Islamic state, and its laws and regulations. This has inspired scholars to write extensively on the relationship between religion and politics, the concept of an Islamic state, the Islamic caliphate system, principles of governance, and other related topics in light of the Qur'an and Sunnah.

Keywords: Establishment of Islamic State, Comprehensive System, Principles of Governance.

Introduction

Syed Abul A'la Maududi

Maulana Syed Abul A'la Maududi, who lived from 1903 to 1979, is considered a pioneer of the Islamic revivalist movement in the Indian subcontinent as well as a distinguished Islamic scholar and Quranic commentator. Among the most significant Islamic intellectuals of the 20th century was him. His writings, ideas, and thoughts had a significant influence on the growth of Islamic movements worldwide, and he is regarded as a 20th-century revivalist (Mujaddid) of Islam. He started a movement called Jamaat-e-Islami with the primary goal of establishing an Islamic state as the focal point of his ideology. The practical fight for the establishment of an Islamic state and the application of the Islamic system was his life's work.

Wahiduddin Khan

Maulana Wahiduddin Khan, an Indian Islamic scholar, lived from 1925 to 2021. He was a well-known religious scholar, author, speaker, and thinker who graduated from Madrasa-tul-Islah in Azamgarh. He was the editor of the monthly magazine Ar-Risala, the chairman of the Islamic Center in New Delhi, and the editor of Al-Jamiat Weekly (Delhi) from 1967 to 1974. People of all religions and ethnicities study his writings. Urdu, Hindi, Arabic, Persian, and English were the five languages in which Khan Sahib was proficient. He was also able to write and communicate in each of these languages. Additionally, television channels aired his shows. Most people considered Maulana Wahiduddin Khan to be a peace-loving scholar. In addition to promoting the idea within the Muslim community of exercising unilateral patience and restraint in the face of harm or provocation from others—something he believed was crucial for the propagation of the Islamic message (Da'wah)—he also sought to dispel misconceptions about Islam among non-Muslims and to promote harmony between Muslims and people of other religions.

Basic Principles of an Islamic State

According to the Qur'an, Sunnah, and the interpretations of Islamic scholars, certain fundamental principles and rules are essential for the

formation of an Islamic state.

Divine Sovereignty

The term "sovereignty" in Islamic thought has two aspects: Takwini Sovereignty (creative or existential authority) and Tashri'i Sovereignty (legislative authority). The entire universe operates under Allah's existential command, which cannot be defied. This is referred to as Takwini Sovereignty. In contrast, the legislative authority governs human relationships and societal matters, with specific laws and regulations laid down by Allah. This legislative guidance is conveyed through the Prophets, and after them, it is upheld by their successors – Islamic scholars and religious leaders.

Islam's concept of sovereignty forms the foundation for individual, familial, societal, and national matters. Since politics, like other aspects of life, is a human necessity, legislative sovereignty (Tashri'i) serves as the basis for political governance. Every action and decision of humanity falls under Allah's sovereignty, authority, and ownership. Human governance, state laws, societal values, and even personal and collective domains cannot exist outside Allah's jurisdiction. The balance in the universe is maintained through adherence to His existential command, and a harmonious individual and society emerge from obedience to His legislative commands.

Sovereignty in Political Terms

In political terminology, sovereignty refers to supreme authority, or the highest level of power. Supreme authority implies ultimate governance and decision-making, where the sovereign is the source of law and authority, independent of external influence.

Thus, legislative sovereignty – the authority to create laws and make binding decisions – belongs to Allah alone. The Qur'an emphasizes this concept in numerous verses. There are 22 verses where the term "hukm" (authority or command) and its derivatives explicitly affirm Allah as the supreme legislator and lawgiver. A few of these verses are highlighted here to illustrate this point.

أَلْحَكُمُ الْجَاهِلِيَّةَ يَبْغُونَ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِّقَوْمٍ يُوقِنُونَ¹

"So, do they seek the judgment of ignorance? Yet for those who have certainty in their faith, whose judgment can be better than Allah's?"

This verse establishes that relying on human-made laws for judgment is ignorance, while recognizing divine law as the best law is a requirement of faith and conviction.

Imam Ibn Kathir (d. 774 AH), in his commentary on this verse, referenced the book of Genghis Khan, stating:

يُنْكِرُ تَعَالَى عَلَى مَنْ خَرَجَ عَنْ حُكْمِ اللَّهِ الْمُحْكَمِ الْمُشْتَمِلِ عَلَى كُلِّ خَيْرٍ، النَّاهِي عَنْ كُلِّ شَرٍّ وَعَدِلَ إِلَى مَا سِوَاهُ مِنَ
الْأَرْءَاءِ وَالْأَهْوَاءِ وَالْإِضْطِلَاحَاتِ، الَّتِي وَضَعَهَا الرِّجَالُ بِلَا مُسْتَنَدٍ مِنْ شَرِيعَةِ اللَّهِ، كَمَا كَانَ أَهْلُ الْجَاهِلِيَّةِ يَحْكُمُونَ بِهِ مِنَ
الصَّلَالَاتِ وَالْجَهَالَاتِ، مِمَّا يَضَعُونَهَا بِأَرْأَائِهِمْ وَأَهْوَائِهِمْ، وَكَمَا يَحْكُمُ بِهِ التَّتَارُ مِنَ السِّيَاسَاتِ الْمَلِكِيَّةِ الْمَأْخُودَةِ عَنْ مَلِكِهِمْ

جَنَازَ خَانَ، الَّذِي وَضَعَ لَهُمُ الْيَسَاقَ، وَهُوَ عِبَارَةٌ عَنْ كِتَابٍ مُجْمُوعٍ مِنْ أَحْكَامٍ قَدْ اقْتَبَسَهَا عَنْ شَرَائِعِ شَيْءٍ، مِنَ الْيَهُودِيَّةِ وَالنَّصْرَانِيَّةِ وَالْمِلَّةِ الْإِسْلَامِيَّةِ، وَفِيهَا كَثِيرٌ مِنَ الْأَحْكَامِ أَخَذَهَا مِنْ مُجَرَّدِ نَظَرِهِ وَهَوَاهُ، فَصَارَتْ فِي بَيْنِهِ شَرْعًا مُتَّبَعًا، يُقَدِّمُونَهَا عَلَى الْحُكْمِ بِكِتَابِ اللَّهِ وَسُنَّةِ رَسُولِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ.²

Allah condemns those who abandon His commands, which are full of goodness and prevent all forms of evil. Instead, such people turn to their desires, opinions, and self-made systems, much like the ignorant and misguided judgments of pre-Islamic times. They implement rulings based on their whims and opinions, akin to the practices of the Tatars, who followed the laws instituted by their king, Genghis Khan.

Genghis Khan established a legal code called "Yasa," a collection of laws derived from various religions, including Judaism, Christianity, and Islam, as well as rules created solely from his personal preferences and discretion. This code later became the basis for governance, prioritized even above the commands of Allah and His Messenger (ﷺ). Anyone who adopts such laws over divine guidance is considered a disbeliever, deserving of execution unless they repent and return to the commands of Allah and His Messenger (ﷺ). All judgments, big or small, must align with the Book of Allah and the Sunnah of the Messenger (ﷺ).

Commentary by Sheikh Hamid al-Faqih on Ibn Kathir's Words

Sheikh Hamid al-Faqih comments on Ibn Kathir's statement:

"Even worse than the Tatars are those who adopt English laws and decide their financial, criminal, and family matters according to them, prioritizing these laws over the commands of Allah and His Messenger (ﷺ). Such individuals, without any doubt, are apostates and disbelievers as long as they persist in this behavior and do not return to Allah's command. Whatever they call themselves will not benefit them, nor will their outward acts of Islam, such as prayer, fasting, Hajj, or Umrah. All these acts are rendered void."³

The renowned hadith scholar Ishaq ibn Rahwayh says:

"There is consensus among the scholars that anyone who insults Allah or His Messenger (ﷺ), rejects any command revealed by Allah, or kills a Prophet is a disbeliever, even if they outwardly profess belief in the Shari'ah of Allah."⁴

افْعَلِيزَ اللَّهُ ابْتَعَى حَكًّا وَهُوَ الَّذِي أَنْزَلَ الْيَكْمَ الْكِتَابَ مَفْصَلًا -⁵

"Then should I seek a judge other than Allah while it is He who has sent down to you the Book explained in detail?"

This verse highlights the astonishing behavior of those who, despite having Allah's clear and detailed law, seek man-made laws instead.

ان الْحُكْمَ إِلَّا لِلَّهِ أَمَرَ أَنْ لَا تَعْبُدُوا إِلَّا إِيَّاهُ ذَلِكَ الدِّينُ الْقَيِّمُ وَ لَكِنَّ أَكْثَرَ النَّاسِ لَا يَعْلَمُونَ -⁶

"Judgment belongs to none but Allah. He has commanded that you worship none but Him. This is the straight path, but most people do not

know."

وَأَنْزَلَ مَعَهُمُ الْكِتَابَ بِالْحَقِّ لِيُحْكُمَ بَيْنَهُمْ فِي مَا اخْتَلَفُوا فِيهِ. 7

"And He sent down with them the Book in truth so that it may judge between the people concerning that in which they differ."

If the authority of judgment were solely based on human intellect, there would have been no need for the sending of Prophets or the revelation of divine books and scriptures. This is because human knowledge, reasoning, and decisions would have sufficed in determining the system of life. However, Prophets, Messengers, and divine scriptures were made obligatory to obey because:

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ. 8

"And whoever does not judge by what Allah has revealed, then they are indeed disbelievers."

Here, such people are declared disbelievers because disbelief (kufr) has two levels: theological disbelief and practical disbelief.

If someone lacks trust and belief in Allah's sovereignty and His law, they are classified as theological disbelievers (kufr i'tiqadi).

However, if someone professes faith and bears witness to Islam but knowingly and deliberately acts against Allah's commands and guidance by adopting another system or law, this is termed practical disbelief (kufr amali).

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ. 9

"And whoever does not judge by what Allah has revealed, they are indeed the wrongdoers."

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ. 10

"And whoever does not judge by what Allah has revealed, they are indeed the rebellious."

In this verse, those who judge contrary to Allah's commands are labeled as wrongdoers (ظالمين). Injustice (ظلم) refers to depriving someone of their rightful dues or granting someone else's rights to another. Such individuals are termed wrongdoers because, by favoring man-made laws over divine ones, they attribute God's exclusive authority to human constructs. This is essentially shirk (association) in sovereignty, which the Qur'an calls a "great injustice" (عظيم ظلم). 11

Just as disbelief (كفر) has degrees, so do injustice (ظلم) and rebellion (فسق). As stated by scholars such as Ata and Tawus:

كُفْرٌ دُونَ كُفْرٍ، وَظُلْمٌ دُونَ ظُلْمٍ، وَفَسَقٌ دُونَ فَسَقٍ. 12

"There are levels of disbelief, levels of injustice, and levels of rebellion."

Imam Bukhari also clarified the two levels of disbelief and injustice in his explanations. 13

Commentary by Imam Hasan al-Basri and Ibrahim al-Nakha'i

These verses were revealed about the Children of Israel, but their

ruling applies to this nation as well. Imam Hasan said, "The verses were revealed for the Jews, but the same ruling is obligatory for us." ¹⁴

Ruling on Following Other Laws

Judging by or running a government based on laws other than Allah's commands is considered الطاغوت الى تحاكم (seeking judgment from false authorities), which is prohibited in the Qur'an and Sunnah.

طاغوت (false authority) refers to anything that is worshipped or obeyed in defiance of Allah. Since Prophets and righteous individuals called toward Allah, making them objects of worship would make the belief in طاغوت a reflection of those who idolize them, not the Prophets themselves. طاغوت can also refer to anyone falsely claiming divinity.

Divine Guidance

Allah states:

فَمَنْ يُكْفَرْ بِالطَّاغُوتِ وَيُؤْمِنُ بِاللَّهِ فَقَدْ اسْتَمْسَكَ بِالْعُرْوَةِ الْوُثْقَىٰ لَا انْفِصَامَ لَهَا وَاللَّهُ سَمِيعٌ عَلِيمٌ ¹⁵

"So, whoever rejects false authorities and believes in Allah has grasped the most trustworthy handhold that never breaks. And Allah is All-Hearing, All-Knowing."

This verse equates rejecting طاغوت and adhering to Allah's commands as a firm bond with Him. Rejecting false authorities is therefore a fundamental requirement of faith and Islam.

وَالَّذِينَ كَفَرُوا أَوْلِيَاءُ هُمُ الطَّاغُوتِ يُخْرِجُونَهُمْ مِنَ النُّورِ إِلَى الظُّلُمَاتِ أُولَٰئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ ¹⁶

"And those who disbelieve, their allies are the false authorities (طاغوت) who bring them out of the light into darkness. They are the companions of the Fire, and they will abide therein forever."

This verse indicates that the system, laws, politics, and governance of طاغوت represent darkness, while Allah's law, commands, and judgments embody light and enlightenment.

In another place, it is stated:

أَلَمْ تَرَ إِلَى الَّذِينَ أُوتُوا نَصِيبًا مِّنَ الْكِتَابِ يُؤْمِنُونَ بِالْغَيْبِ وَالطَّاغُوتِ وَيَقُولُونَ لِلَّذِينَ كَفَرُوا هَٰؤُلَاءِ أَهْدَىٰ مِنَ الَّذِينَ آمَنُوا سَبِيلًا أُولَٰئِكَ الَّذِينَ لَعَنَهُمُ اللَّهُ وَمَنْ يَلْعَنِ اللَّهُ فَلَنْ تَجِدَ لَهُ نَصِيرًا ¹⁷

"Have you not seen those who were given a portion of the Book? They believe in superstition and false authorities (طاغوت) and say about the disbelievers that they are better guided than the believers. They are the ones whom Allah has cursed, and whoever Allah curses, you will find no helper for them."

This verse was revealed regarding a hypocrite in Medina who wanted to resolve a dispute with a Jew by seeking judgment from Ka'b bin Ashraf. This indicates that seeking judgment from طاغوت instead of Allah's law is an act of hypocrisy.

In another instance, it is stated:

أَلَمْ تَرَ إِلَى الَّذِينَ يَزْعُمُونَ أَنَّهُمْ آمَنُوا بِمَا نُزِّلَ إِلَيْكَ وَمَا نُزِّلَ مِن قَبْلِكَ يُرِيدُونَ أَن يَتَحَاكَمُوا إِلَى الطَّاغُوتِ وَقَدْ

أَمُرُوا أَنْ يُكْفَرُوا بِهِ وَ يُرِيدُ الشَّيْطَانُ أَنْ يُضِلَّهُمْ ضَلَالًا بَعِيدًا.¹⁸

"O Prophet! Have you not seen those who claim to believe in what has been revealed to you and what was revealed before you, yet they seek judgment from false authorities (طاغوت), despite being commanded to reject it? And Satan intends to lead them far astray from the right path."

In this verse, طاغوت refers to a ruler who makes decisions based on laws other than Allah's, or a judicial system that does not submit to Allah's supreme authority nor regard His Book as the final authority.

In another instance, it is stated:

الَّذِينَ آمَنُوا يقاتلون فِي سَبِيلِ اللَّهِ وَالَّذِينَ كَفَرُوا يقاتلون فِي سَبِيلِ الطَّاغُوتِ فَقَاتِلُوا أَوْلِيَاءَ الشَّيْطَانِ إِنَّ كَيْدَ الشَّيْطَانِ كَانَ ضَعِيفًا.¹⁹

"Those who have believed fight in the way of Allah, and those who disbelieve fight in the way of Taghut. So fight against the allies and supporters of Satan. Surely, the schemes of Satan are weak."

The summary of the verse is that fighting for the supremacy of Allah's law and its system is faith, while fighting for the supremacy and elevation of the law of Taghut is disbelief. It is also indicated that the center and focus of the Taghuti system is Satan.

In the sixth place, it is stated:

مَنْ لَعَنَهُ اللَّهُ وَ غَضِبَ عَلَيْهِ وَ جَعَلَ مِنْهُمْ قِرَدَةً وَالْخَنَازِيرَ وَ عَبْدَ الطَّاغُوتِ أُولَئِكَ شَرٌّ مَكَانًا وَ أَضَلُّ عَنْ سَوَاءِ السَّبِيلِ.²⁰

"Those whom Allah has cursed, upon whom His wrath has fallen, and made some of them apes and pigs, and those who worshipped Taghut, those are the worst in rank and farthest astray from the sound path."

Here, the worship and obedience of Taghut and following its system and laws are equated with being like apes, pigs, cursed, and the objects of Allah's wrath.

In the seventh place, it is stated:

وَلَقَدْ بَعَثْنَا فِي كُلِّ أُمَّةٍ رَسُولًا أَنْ اعْبُدُوا اللَّهَ وَاجْتَنِبُوا الطَّاغُوتَ.²¹

"We have sent to every nation a messenger, saying, 'Worship Allah and avoid Taghut.'"

This shows that every prophet has prohibited obedience to and worship of Taghut, which further clarifies that Taghut is the root of all evil.

It also indicates that the foundation of the laws of all prophets and messengers, upon them be peace, was the sovereignty of Allah.

In the eighth verse, it is stated:

وَالَّذِينَ اجْتَنَبُوا الطَّاغُوتَ أَنْ يَعْبُدُوهَا وَأَنَابُوا إِلَى اللَّهِ لَهُمُ الْبُشْرَى.²²

"And those who avoided worshiping Taghut and turned to Allah, for them is the glad tidings."

These eight verses are definitive evidence for the right of sovereignty, making it clear that the right to command, judge, and legislate does not

belong to Taghut, and it is obligatory for a believer to reject it.

Similarly, the term "Shari'ah" in the Qur'an also proves the legislating authority of Allah. "Shari'ah" in Arabic means a path, a highway, and the one who shows the path. But in the terminology of the Qur'an, it refers to "the collection of divine commandments."

The Qur'an uses the word "Qada" for the divine will, which appears in 38 verses. In two verses (Surah Bani Isra'il 23 and Surah Al-Ahzab 36), it also refers to legislative commands. This is another way of asserting Allah's sovereignty.

The proof of Allah's legislative sovereignty is also found in the authentic hadiths, the statements of the companions, the practices of the rightly guided caliphs, and the scholars and jurists. As Imam Ibn al-Humam states, "There is no disagreement on the fact that the ruler is Allah, the Lord of the Worlds."

Shura (Consultation)

The second fundamental principle of Islamic politics is "Shura," meaning that the appointment of the head of state should be carried out by a consultative council comprising trusted representatives of the Muslims. Even after the appointment, all important decisions must be made with the approval of this council.

In Arabic literature, jurisprudence, and hadith books, the word "Jumhoor" is used to mean dominance or majority. In a narration from Sunan Tirmidhi, the phrase "العرب □ ن جمهو □ في" (among the majority of the Arabs) is used.

The correct Islamic term for Islamic democracy is "Shura'iyyah." This term is in accordance with the Qur'an, Sunnah, and the practices of the rightly guided caliphs, ensuring that there is no risk of absolute authority or unchecked freedom, as seen in polytheistic systems.

Regarding Shura and consultation, Allah says:

وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ. ²³

"And consult with them in the matter. And when you have decided, then rely upon Allah. Indeed, Allah loves those who rely [upon Him]."

This shows that "Amr" can mean both command and government and refers to important matters as well. The meaning of this verse is that, O Prophet, you should consult with your companions on governance and other significant matters.

Many scholars like Imam Ibn Jarir al-Tabari, Imam al-Jassas, Imam al-Baghawi, and others have written in their commentaries that the Prophet ﷺ was commanded to consult so that the Sunnah of consultation would be established for the ummah, preventing them from following authoritarian rule and adhering strictly to the rule of Shura.

A few quotes are as follows:

لِيَتَّبِعَهُ الْمُؤْمِنُونَ مِنْ بَعْدِهِ فِيمَا حَزَبَهُمْ مِنْ أَمْرِ دِينِهِمْ وَيَسْتَشْتُوا بِسُنَّتِهِ فِي ذَلِكَ وَيَحْتَدُوا الْمِثَالَ الَّذِي رَأَوْهُ يَفْعَلُهُ فِي

حَيَاتِهِ²⁴

"Consultation was commanded so that future believers would follow the Prophet in matters of religion and adopt his example in their lives."

أَرَادَ أَنْ يُشْتَنَّى بِهِ مَنْ بَعْدَهُ²⁵

"The purpose of this command was that the ummah should follow this tradition of consultation after him."

تَمْهِيدًا لِسُنَّةِ الْمَشَاوَرَةِ لِلْأُمَّةِ²⁶

"This command was to lay the foundation of the Sunnah of consultation for the ummah."

Qualities of the Members of the Consultative Council or National Assembly

Islam considers consultation as a trust. Therefore, certain qualities are required of the members of the consultative council, including faith, knowledge, justice, maturity, awareness of the common welfare, and being trustworthy among the Muslim community.

Since the Shura council is the trusted institution of the nation, its decision is, in fact, the decision of the entire nation. Both presidential and parliamentary systems are permissible in Islamic law, and the council of those with authority to resolve matters can choose the system that best fits the circumstances.

Appointment of the caliph through allegiance, meaning the leader's election and trust, is an unalterable principle in Islamic politics. The basic principle that distinguishes kingship from the caliphate is this.

Allegiance to the Imam or the Head of State

The leader of an Islamic state, the caliph, and the Amir must be the trusted representative of the Muslims. There is no place in the Islamic system for hereditary monarchy, dictatorship, or authoritarian rule. The Qur'an commands the Muslim ummah to implement divine laws and establish the religion, a duty carried out by the Amir al-Mu'minin as the representative of the ummah.

Obviously, the position of representative cannot be inherited or gained through force; it can only be obtained by the free will of the people. The method for gaining the trust of the Muslims is the "Bai'at al-Imam" or the oath of allegiance, a contract of obedience between the people and the ruler, and of service between the ruler and the people. This is what is known as "Bai'at" or "Mubay'ah."

Therefore, Ibn Qudamah writes:

إِنَّ مَنْ اتَّفَقَ الْمُسْلِمُونَ عَلَى أَمَامَتِهِ وَبَيَعْتِهِ وَجَبَتْ مَعُونَتُهُ²⁷

"Whose government has been agreed upon by the Muslims and they have pledged allegiance to him, his government will be established and his support will become obligatory." Imam Qurtubi has outlined the following conditions for the head of government: Islam, being male, being just and

righteous, a scholar of religion, free, adult, wise, physically sound, brave and courageous, capable of judgment, and possessing insight.²⁸

Duties of the Caliph:

The primary duty of the Caliph is the establishment of religion and the enforcement of Sharia. It is also his responsibility to protect the rights of the people and take measures for their welfare. The Messenger of Allah (ﷺ) has called the leader "Amir". Therefore, it is his duty to manage the basic human needs of the people, protect their wealth, life, and honor, and safeguard their basic human and Islamic rights. Al-Mawardi has provided the best summary of these duties, which are as follows:

1. Protection of religion, defense of religion, and teaching of religion.
2. Enforcement of Sharia laws and establishment of justice and support.
3. Protection of wealth, life, and honor, and establishment of peace and order.
4. Enforcement of Sharia punishments and dealing with criminals.
5. Managing the army and weapons, and defending the Dar al-Islam.
6. Organizing war and jihad against the disbelievers and combatants.
7. Protection of the state treasury and establishment of the Islamic financial system.
8. Appointment of trustworthy experts to manage the national treasury.
9. Establishing a fair salary system and ensuring timely payments.
10. Keeping informed about the state of the people and being vigilant regarding their welfare.²⁹

Since these responsibilities cannot be fully performed by one individual alone, Islam has also discussed the appointment of assistants and ministers. As narrated by Abdullah ibn Masud (رضي الله عنه), the Messenger of Allah (ﷺ) said:

"Then Allah looked into the hearts of His servants after him and chose companions for him, making them helpers of His religion and ministers of His Prophet."³⁰

Similarly, in the meeting of Banu Sa'idah, Umar ibn al-Khattab (رضي الله عنه) addressed the Ansar, saying:

"We (the Quraysh) are the leaders, and you (the Ansar) are the ministers."³¹

These statements indicate that during the time of the Prophet (ﷺ) and the Rightly Guided Caliphs, the ministry and council of ministers existed in its simple form. During the Umayyad period, it was further developed, and in the Abbasid period, formal rules and regulations were set. The title of "minister" became more commonly used as an official term during this period, and in the modern era, the provisions related to the

ministry are a regular part of national constitutions. In the state system, ministers hold the same importance as the organs and limbs in the human body. Just as the human body cannot function without its limbs, similarly, the head of state cannot run the government without ministers and helpers.

Judiciary (Nizam al-Qada):

Among the residents of the state, disputes are a natural occurrence. If these disputes continue and no resolution is found, they may lead to conflict. Therefore, it is also a duty of the state to establish a judicial system to resolve disputes. Ibn Qudama Hanbali states: "Judging is a communal obligation, for without it, the situation of the people cannot be rectified; thus, it is obligatory, just like jihad and imamate." ³²

The state that Islam desires to establish is based on the concept of divine sovereignty and obedience to the Prophet (ﷺ). The guiding principles for such a state are: caliphate, consultation, trust, rights and duties, and piety. Examples of such states in the past were the State of Madinah and the period of the Rightly Guided Caliphs.

Islamic thinkers have drawn guidance from these golden principles of the Islamic political system throughout various periods, adapting them to contemporary conditions. They have outlined the political and social transformation and the establishment of an Islamic state. According to the political vision of Islam, they have worked towards the reform of politics and the building of the Muslim community.

Maulana Syed Abul A'la Maududi (عليه الله السلام) considered the establishment of the Islamic state and the duty of forming the Muslim Ummah, saying: "If Muslims wish to live as Muslims, they have no choice but to submit their lives to the obedience of God and make all their individual and collective matters conform to God's law and Sharia." ³³

He further writes: "The demand for an Islamic state and constitution is based on the realization that if Muslims do not follow God's law, their claim to Islam becomes questionable. This truth is supported by the entire Qur'an". ³⁴

Maulana Maududi emphasized not just Muslim rule but the supremacy of the Qur'an and Sunnah, the establishment of divine government, and the organization of the state in the model of the Rightly Guided Caliphs. At the same time, he urged the use of ijtihad (independent legal reasoning) in the light of the Qur'an and Sunnah to address contemporary issues. ³⁵

Maulana Wahiduddin Khan (عليه الله السلام) considers the formation of the Islamic state as an integral part of Islam. He states: "Government is an integral part of the religion. In Islam, there are many components, and among them is the component of government. However, the essential and fundamental aspect of Islam is the religion itself." He compares this to a tree, where the root is the religion, and the branches, leaves, flowers, and fruits are

the additional components.³⁶

He advocates for wisdom and gradualism in this struggle, stating: "A free and Muslim society's duty is to establish a political system based on the foundations of Islam. Without this, the construction of Sharia cannot be achieved on a societal level."³⁷

However, in situations where Muslims do not hold such a position, the work of reviving Islam should be done through warning, good tidings, and the invitation to reform, because in such states, the struggle for leadership would not be fruitful. The effort in invitation and reform should be accepted with perseverance, leading to the promise of help from Allah. According to him, "In the first case, establishing a government is the duty of the believers; in the second case, acquiring government is the reward of Allah."³⁸

In Maulana Wahiduddin Khan's view, if the political concept of Islam is given prominence, it might lead Muslims to overlook the concepts of spiritual purification, ethics, worship, and social dealings, and their efforts would be consumed in discussing worldly matters, neglecting their personal development and reform. The slogan of establishing divine government could become the central idea of Islam, leading to a void in personal life, where the pursuit of power and control over governments would dominate, and the remembrance of God, fear, and reform would be forgotten. This would make revolutionary movements just formalities.³⁹

Maulana Wahiduddin Khan presents three key stages for an Islamic revolution: individual transformation (Tazkiyah), intellectual development, and change in governance. He argues that the correct way to implement Islamic principles and systems is to first bring about a mental transformation and spiritual commitment in individuals. Afterward, Islam as a system can be established.⁴⁰

According to him, the thinkers and reformers of the present time, including Sayyid Qutb and Maulana Syed Abul A'la Maududi, base their thinking on the system of governance rather than individual intellectual and spiritual reform. This approach is contrary to the teachings of Islam.⁴¹

Maulana Syed Abul A'la Maududi's correct order for establishing an Islamic government is: "First, a civil, social, and moral revolution should be initiated, for the commands and laws of Islam cannot be imposed from above without fostering a sincere inner desire to follow them."⁴²

In Maulana's view, "An Islamic government cannot be created by a miracle; it is inevitable that initially, a movement must arise with a vision of life, a purpose of life, an ethical standard, and a character consistent with the Islamic temperament."⁴³

According to him, "The method for establishing an Islamic government is natural, and this revolution will occur only when a mass movement arises based on Qur'anic ideals and the character of Prophet

Muhammad (ﷺ), and transforms the mental, ethical, psychological, and cultural foundations of social life through strength and struggle." ⁴⁴

According to Maulana Syed Abul A'la Maududi, after the establishment of such a collective movement, the next task is the organization and formation of the government, where the most important issue is the appointment of the head of state, known as Imam, Amir, or Caliph in Islam. From the time of the Sahabah, it is evident that the appointment of this position will be made by the people, based on their collective consent. No one has the right to declare themselves as Amir, and this position will not be hereditary, nor will it be monopolized by any family or group. Rather, the appointment will be made through mutual consent, without any coercion or compulsion, in a clear and transparent manner according to contemporary circumstances." ⁴⁵

"After this, the third task is the شورى مجلس (Council of Consultation), known as the 'Ahl al-Hall wal-Aqd' (the people with the authority to resolve matters). In this regard, according to Maulana Syed Abul A'la Maududi (may Allah have mercy on him), 'The members of the Consultative Council will be those individuals who are trusted by the general Muslim community. People should be assured of their sincerity, goodwill, and competence, and their participation in government decisions should guarantee that these decisions will receive the wholehearted support of the masses in their implementation. To select these members, methods that are feasible and permissible according to the current circumstances and needs can be adopted.' ⁴⁶

In contrast, according to Maulana Wahiduddin Khan, based on the teachings of the Prophet Muhammad (ﷺ), during the Meccan period, the offer of power was made to the Prophet, but he rejected it and responded by saying, 'I do not seek power over you. I am only a warner and a bearer of glad tidings.' This suggests that the pursuit of power for establishing an Islamic system is fundamentally wrong and an un-Islamic act. From the life of the Prophet, it is clear that the first task should be the reform of individuals, creating a spiritual revolution, and only after that should one take on leadership according to the situation. ⁴⁷

He also states: 'Inviting people to Islam does not mean presenting the advantages of an Islamic government to them. The real task of calling to Islam is to inform them about God's plan of creation. To make humans aware of God's creative plan is the true aim of invitation'. ⁴⁸

Maulana Wahiduddin Khan further explains: 'The main purpose of religion is to make humans connected to God. This was the common mission of all the Prophets. However, the Prophet Muhammad (ﷺ) had an additional task, which is referred to in the Quran as 'the ending of fitnah' (conflict), meaning severing the connection between polytheism and power,

so that no political barrier remains in the path of monotheism".⁴⁹ He also clarifies that the establishment of a government is not the responsibility or duty of Muslims.

According to Maulana Wahiduddin Khan, politics and governance are the main causes of disagreement. Hence, he holds leaders of past political and revolutionary movements, and those who talk about an Islamic government, such as Jamal al-Din al-Afghani, responsible for this discord. He further states: "The first task is to eliminate the political temperament among Muslims and replace it with a divine temperament. Until this mental reform takes place, no true Islamic awakening will occur among Muslims".⁵⁰

According to Maulana Syed Abul A'la Maududi (may Allah have mercy on him), the primary objective of an Islamic state is: "To establish a system of social life based on principles that ensure no form of injustice remains in society, that all aspects of civilization and culture are free from extremes, and that there is a proper balance in all spheres of social life. Every individual should receive their rights and fulfill their duties. In other words, the mission of the Prophets was to establish both individual and collective justice. They wanted to establish justice in the personal life of each individual, ensuring balance in their minds, character, conduct, and behavior, and they sought to establish justice in the entire social system so that both the individual and the community would not hinder each other's spiritual, moral, and material welfare but would rather assist and support each other".⁵¹

In explaining the concept of 'خير ائمة' (و لم عليه الله صلى), Maulana Maududi writes: "The followers of the Prophet Muhammad (ﷺ) are being told that the leadership and guidance position, from which the Israelites were removed due to their incompetence, has now been entrusted to you. This is because you have become the best human group in terms of morality and deeds, and you possess the qualities necessary for righteous leadership, including the passion and action to establish good and eliminate evil, and to believe in Allah alone as your God and Lord. Therefore, this task has now been assigned to you, and you must understand your responsibilities and avoid the mistakes made by those before you."⁵²

After the above stages of state formation, Maulana Maududi identifies four essential principles for advancing towards an ideal state: 'First: The government must be accountable not only to the representatives of the people but also to the people themselves. Second: The removal of the party system, which corrupts the system of governance with unnecessary partisanship. Third: The system of governance should not be so complicated that it becomes difficult for those in power to govern and for those accountable to hold them responsible and identify the real culprits. Fourth: Those in positions of authority and in the consultative council should be individuals who possess the qualities outlined in Islam to the greatest extent.'⁵³

Maulana Maududi further elaborates on these qualities: "The qualities of those who are worthy of Allah's help and support are that if they are given

the power of governance, their personal conduct should be characterized by the establishment of prayer rather than indulgence in sin and pride. Their wealth should be spent in the giving of zakat rather than in luxury and self-indulgence. Their government should work to promote good rather than suppress it, and their power should be used to suppress evil, not spread it. This one sentence captures the essence of the goals of an Islamic government and the qualities of its workers and officials.'⁵⁴

Maulana Wahiduddin Khan describes the qualities of government officials and leaders as follows: 'The individual should possess such moral qualities that, without holding a position, they have earned respect and honor among people. Yet, they should be humble enough that if placed in a position of authority, they do not develop a sense of arrogance. Despite this, they should remain an ordinary person among the people. This is the best description of a good official.'

He also makes it clear: 'The welfare or corruption of the nation depends on the welfare or corruption of its rulers. If the rulers are righteous, then the government staff and the people will be righteous as well. If the rulers become corrupt, the government staff and people will also become corrupt.'⁵⁵

While Maulana Wahiduddin Khan advises avoiding politics, he also states that the implementation of Islamic law (شريعة) is the government's responsibility. He mentions that the consensus of the Islamic scholars (إجماع) is that the enforcement of the Hudood, such as punishing a fornicator with flogging, amputating the hand of a thief, and carrying out retribution (قصاص), is the responsibility of the government, not the public.

According to Maulana Maududi, 'The state envisioned by the Quran does not have a negative purpose. Instead, it is based on a positive objective. Its aim is not just to prevent people from oppressing each other, safeguard their freedom, and protect the state from foreign aggression. Rather, its purpose is to establish the balanced system of social justice that Allah's book presents.' He adds: 'The goal of this (Islamic state) is to eliminate all forms of evil and establish all forms of goodness, as outlined in Allah's clear guidance. Political power will be used when necessary, as will preaching and education, the means of instruction, and the pressure of public opinion.'⁵⁶

Maulana Syed Abul A'la Maududi (may Allah have mercy on him) links the obedience to the state with obedience to Allah and His Messenger (ﷺ), as the real authority belongs to Allah alone. Obedience to the Prophet is not independent, but is the only way to obey Allah. We can only obey Allah by obeying His Messenger, and any obedience to Allah without following the Prophet is not valid. Turning away from the Prophet's guidance is an act of rebellion against Allah."⁵⁷

"According to Maulana Maududi (may Allah have mercy on him), the term 'الأمرأولي' includes all those who are in charge of the collective affairs of

Muslims, whether they are scholars providing mental and intellectual guidance, political leaders, rulers managing the country, judges making judicial decisions, or tribal and local chiefs leading villages and neighborhoods. In short, whoever is in a position of authority over the Muslims, in any capacity, is deserving of obedience, and it is not correct to cause discord in the collective life of Muslims by disputing them. This is, of course, provided they are from the Muslim community and obedient to Allah and His Messenger. These two conditions are necessary for obedience." The basic reason for this is: "In the Islamic system, the command of Allah and the method of the Messenger hold the position of fundamental law and final authority. In any dispute that arises among Muslims, or between the government and the subjects, the decision will be referred to the Quran and the Sunnah, and whatever decision is derived from there, all must submit to it. Thus, acknowledging the Quran and the Sunnah as the final reference and authority in all matters of life is the characteristic of the Islamic system that distinguishes it from the non-Islamic systems of life. A system in which this is not found is undoubtedly a non-Islamic system."⁵⁸

"After the decision on this fundamental constitutional issue, the question remains: Who holds political sovereignty? The answer must inevitably be that it is also Allah's, because any agency among humans that is established to enforce Allah's legal sovereignty through political power cannot be called sovereign in the terms of law and politics. It is clear that power that does not hold legal sovereignty, and whose powers are already limited and bound by a higher law which it cannot alter, cannot be considered sovereign. Now, what is the correct position for this agency? This question has been answered by the Quran, which terms it as 'خلافة' (Caliphate). That is, it is not the supreme ruler itself, but a deputy of the supreme ruler."⁵⁹

"According to Maulana Maududi (may Allah have mercy on him), the basic pillars of the state—legislation, administration, and judiciary—have their own boundaries, and they are bound by them.

The legislature is what was called in our ancient terminology as 'أهل الحل والعقد' (those with the power to resolve matters). It is clear in this regard that any legislature in a state that acknowledges the legal sovereignty of Allah and the Messenger cannot legislate any law against the instructions of the Quran and the Sunnah of the Messenger, even with its consensus."

"In the light of the Quran and Sunnah, the necessary requirement is that no legislation can be made by the legislature that contradicts the commands of Allah and the Messenger. Any such law, even if passed by the legislature, will necessarily be considered ultravires of the constitution."⁶⁰

Thus, the jurisdiction of the legislature would be as follows:

1. "In matters where clear and definite instructions from Allah and the Messenger exist, the legislature cannot make any alterations, but it is the legislature's responsibility to establish the necessary rules and regulations for their implementation."

2. "In matters where the instructions in the Quran and Sunnah are open to multiple interpretations, it is the legislature that will decide which interpretation to give legal shape. For this purpose, it is necessary for the legislature to include scholars capable of interpreting these rulings, otherwise their incorrect decisions will distort the Sharia."

3. "In matters where there are no specific rulings, the legislature's task is to create new laws in line with the general principles of Islam, or to choose from existing rulings in the books of Fiqh."

4. "In matters where no guiding principles exist, it will be understood that Allah has left us free to legislate, provided that such legislation does not contradict any Sharia ruling or principle. In such matters, the principle is that anything not forbidden is permissible."

These four principles are evident from the Sunnah of the Messenger of Allah and the practice of the rightly guided Caliphs and the consensus of the scholars of the Ummah. A person who understands the basic principles of the Islamic state will recognize that these should be the boundaries of the legislature's role."⁶¹

"According to Maulana Syed Abul A'la Maududi (may Allah have mercy on him), the role of the executive in an Islamic state is to enforce the commands of Allah and to create the appropriate conditions in the country and society for their implementation. This distinguishing feature sets it apart from the executive in a non-Muslim state; otherwise, there would be no difference between a non-Muslim government and a Muslim one. The executive is that entity which is referred to in the Quran as 'الْأَمْرُ أُولَى' and in Hadith as 'الرَّأْيُ'. In both, the obedience to them is conditional upon their following the commands of Allah and the Messenger and not deviating into sin, innovation, or the introduction of new matters in religion."⁶²

Similarly, the boundaries of the judiciary's role are also clear: "The judiciary, which in our ancient terminology is equivalent to 'قضاء' (Qada), has its scope defined by the principle of Allah's legal sovereignty. When Islam establishes its state based on its principles, the first judges are the Prophets, and their job is to decide people's matters according to the law of Allah. After the Prophets, those who sit on this chair have no other option but to base their decisions on the law that was given to them by Allah and His Messenger. The Quran has two passages in Surah Al-Maidah dedicated to this topic."⁶³

Maulana Syed Abul A'la Maududi (may Allah have mercy on him) also elaborates on the relationships between the various branches of the state: "As for the head of state, he is the head of all three branches of the state. This was the position of the Prophet (ﷺ) and the rightly guided Caliphs, but when we look at the situation today, we find these branches separate. In the past, 'العقد الحل أهل' were distinct, and their advice was sought in administrative and legal matters. The amirs were responsible for administration and had no role in the judiciary, and the judges had no

administrative responsibilities."

According to Maulana Maududi (may Allah have mercy on him): "Whenever there was a need to make policies or resolve administrative or legal issues, the rightly guided Caliphs would always consult 'العقد الحل أهل'. Once a decision was made, the role of 'العقد الحل أهل' would end. The administrative officials were appointed by the Caliph, and they governed according to his commands. Even though the Caliph appointed the judges, once they were appointed, the Caliph had no right to interfere with their decisions. If anyone had a claim against them, whether the Caliph personally or in his administrative capacity, he had to answer before the judges just like any ordinary subject." ⁶⁴

Maulana Maududi (may Allah have mercy on him) defines the rights and duties of citizens in an Islamic state: "The primary right of citizens in Islam is that their lives, property, and honor should be protected, and they should not be harmed except for just legal causes. The second important right is the protection of personal freedom. In Islam, no person's freedom can be taken away without proving their crime through a proper legal process and without giving them an opportunity to defend themselves. The third important right is the freedom of opinion and belief. Another right emphasized in Islam is that the state should not allow any citizen to be deprived of basic necessities of life." ⁶⁵

Regarding the rights of the state over its citizens: "The first right is obedience, which is described in Islam as 'وطاعت □ مع' (hearing and obeying). The second important right of the Islamic government is that its citizens should remain loyal and supportive. The Quran and Hadith use the term 'صح □' (advice) for this, which in Arabic is broader than the concepts of loyalty and allegiance. Beyond this, Islam imposes the duty on citizens to fully cooperate with the Islamic government and to make any necessary personal or financial sacrifices for its welfare." ⁶⁶

Maulana Maududi (may Allah have mercy on him) also provides a detailed structure for the formation of an Islamic state, including the election of the Caliph, the election of the head of state, the formation of the Shura Council, the characteristics of 'الأولي', the rights of minorities, and more, all in the light of the Quran and Sunnah.

Results of the Discussion:

The discussion leads to the conclusion that the concept of the Islamic state in Maulana Wahiduddin Khan's writings is unclear, and thus no clear guidance can be derived from his writings. In contrast, Maulana Maududi's writings present a clear framework for the formation of an Islamic state, similar to other Muslim thinkers. Maulana Maududi also provides detailed guidance on the qualities of those holding power, the scope and authority of state institutions, and the rights and duties of the state and its subjects.

Conclusion

1. By comparing the views of the two scholars, we got the following important point regarding the Islamic state:
2. A clear concept of the state is present in the Quran, Sunnah, and interpretations of religious scholars.
3. Islam has established fundamental rules for the formation of the state and outlined its principles and foundations.
4. The mutual relationship and boundaries of authority among the state and its institutions are clarified in Islam.
5. Maulana Maududi considers the establishment of the Islamic state a duty and regards it as the source of goodness, while Maulana Wahiduddin Khan considers invitation to Islam as the focus of goodness.
6. Maulana Wahiduddin Khan is in favor of tolerating non-Muslim states and governments, whereas Maulana Maududi considers it necessary to replace nominal Muslim states with a true Islamic state through constitutional means.
7. Like other scholars of the past, Maulana Maududi views religion and politics as inseparable, whereas Maulana Wahiduddin Khan is against this view.

Suggestions

In view of the above study the following suggestions are presented:

1. The views of Molana Maududi and of Molana Wahid ud din are of broad perspectives and have individual schools of thought in the subject. If it is discussed in the prevailing situations of Muslim Word View, New horizons are expected to be adhered.
2. The Concept of Establishing of an Islamic State as pointed out by Molana Maududi and according to him it is the foremost and key responsibility of Muslim Ummah as whole, but there exists a counter opinion also by other Muslim Scholars like Wahid ud Din Khan.
3. The views of both the Scholars are based on argumentations, so each has a proper approach to the fundamental sources of Islam and based upon that both have rightful approach.



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⁵³ Maulana Maududi: *Islamic State*, P. 346

⁵⁴ Maulana Maududi: *Tafheem al-Quran*, Vol. 3, Footnote No. 85, P. 234

⁵⁵ Maulana Wahiduddin Khan: *Diary 1983-84*, (**Lahore: Dar al-Tazkeer
2004**), P. 96

⁵⁶ Maulana Maududi: *Islamic State*, P. 101

⁵⁷ Maulana Maududi: *Tafheem al-Quran*, Vol. 1, Footnote No. 89, P.

⁵⁸ Ibid, Vol. 1, Footnote No. 89, P.

⁵⁹ Maulana Maududi: *Islamic State*, P. 232

⁶⁰ Ibid, P. 233

⁶¹ Ibid P. 234-236

⁶² Ibid, P. 236

⁶³ Ibid, P. 237

⁶⁴ Ibid PP. 238-239

⁶⁵ Ibid, PP. 254-255

⁶⁶ Ibid, P. 257