

بسم الله الرحمن الرحيم

اشهدان لاله الاالله واهده لا شريك له واشهد ان مهمد عبده ورسوله اما بعد فا عوذوبا لله من
الشيطان الرجيم

TOPIC: THE HOLY PROPHET'S (S.A.W) ADVICE TO LEADERS ON GOOD GOVERNANCE

ADDRESS BY MAULVI UMAR FARUK YAHAYA, MISSIONARY AND SPECIAL ASISTANT
TO THE AMEER AND MISSIONARY IN CHARGE OF THE AHMADIYYA MUSLIM
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إِنَّ رَبَّكُمْ اللَّهُ الَّذِي خَلَقَ السَّمَوَاتِ وَالْأَرْضَ فِي سِتَّةِ أَيَّامٍ ثُمَّ
اسْتَوَى عَلَى الْعَرْشِ ۚ يُغْشَى اللَّيْلَ النَّهَارَ يَطْلُبُهُ حَثِيثًا ۚ
وَالشَّمْسَ وَالْقَمَرَ وَالنُّجُومَ مُسَخَّرَاتٍ بِأَمْرِهِ ۗ أَلَا لَهُ الْخَلْقُ
وَالْأَمْرُ ۗ تَبَارَكَ اللَّهُ رَبُّ الْعَالَمِينَ ﴿٥٥﴾

Surely, your Lord is Allah Who created the heavens and the earth in six periods; then He settled Himself on the Throne. He makes the night cover the day, which pursues it swiftly. And He created the sun and the moon and the stars, all made subservient by His command. Verily, His is the creation and the command. Blessed is Allah, the Lord of the worlds. (CH. 7V55)

My dearest Ameer chairman, Naaib Umaraa, Members of Majlis –e- Aamla-Ghana, Colleague missionaries, Very prominent invited guest, Members of the press, My dear brethren in Islam.

Assalaamu Alaykum Wa Rahmatui-Laahi Wa Barakaatuh

Which is the Islamic salutation of peace?

May the peace and Blessings of Allah Be upon you all?

I am pleased and grateful to be granted the singular opportunity to talk to this august audience on appealing topic **“THE HOLY PROPHETS ADVICE TO LEADERS ON GOOD GOVERNANCE”** 'Which is so relevant even today as it ever was.

In the Holy Qur'an the topic of Governance is multi-layered-one may say at four principal levels;

1. The marvelous governance of the entire universe planetary orbits by Allah (swt) alone, as exemplary of excellence governance ;(consistent universe functions)
2. Government at the global level (International political)
3. Government between communities (domestic political Democracy) as it were. And
4. Individual or personal self-governance. (Behavioral)

1. Allah (SWT) says in the Holy Qur'an-(about the above verse)

The above verse indicates the most magnificent example of good governance, which has remained perfectly consistent in principles for billions of years.

2. All prophets of God Were designated to conduct governance on earth as vicegerents of God to administer the will of God for man whom he has created as his vicegerents. These Prophets who had revealed scriptures from Allah provided moral and spiritual guidance in accordance with what Allah revealed to them in order to transform their various societies, so that their societies would know God, [their creator] and also appreciate their portion of mundane affairs in the most befitting manner.

Since Allah is the creator and sustainer of the entire universe including human beings none can know better the nature and needs of the hardware as well as the software more than him. The laws and rules given by the All- Wise and All-Knowing God who is the creator and sustainer of the human race and tribes are free from any subjectivity, bias, and limitations of time and space. Hence, the submission and conformity to only Allah's Laws and guidance [if correctly

implemented] can guarantee a perpetual safety, security, preservation and well-being of all human beings living in a society and the world at large.

On the other hand, since the laws made by human beings suffer from eternal drawbacks of subjectivity, or bias and temporal limitations of human knowledge and wisdom, they can never guarantee and everlasting security, preservation or well-being of humanity.

So the basic principle which the Holy prophet (SAW) stressed above all else was that, the ultimate sovereignty vests in Allah (SWT) and none else. So, therefore, the very first thing which the Holy prophet(SAW) tried to impress on the minds of Man and invited people to believe in was that, the kingdom belongs to Allah; He alone has the authority to command, and no one else except Him has the right to legislate. **That is how Hazrat Chaudhary Muhammad Zafrullah Khan has also expressed, he says: in Islam” the basic concept is that, sovereignty belongs to God, but that mankind, God’s vicegerents are vested with authority in certain spheres, as a trust, for which they are answerable to God”.**

The second point in his teachings was and is that, Divine laws are not revealed to man directly. This is done through Allah’s chosen messengers. The idea, I therefore, is a state in which the head of state exercises authority in both secular and spiritual spheres.” The Holy prophet was not elected by any man as a ruler, nor was he a self-made ruler. He was appointed to this office by Allah (SWT) so that he could educate people, train them in the Divine discipline and reform their minds, thought and character.

Communicate divine injunctions to them and implement the Divine mission through those who accepted and believe in the truthfulness of the injunctions. (This leadership is spiritual and as well as secular). The other type of leadership is that in which also the head of state is the representative of the people with duties and responsibilities corresponding to that of a Prophet and his Khalifa, but with regards to his tenure of office, the scope of his authority and the limitation upon it he is bound by provisions of the constitution in conformity with which he is elected to office and which he must uphold. In his case, also, the emphasis is of

on his role as a representative of the people. The exercise of franchise of electing representatives is thus elevated to a sacred trust. Allah (SWT) says in this regard.

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَيْدِيهَا ۖ وَإِذَا حَكَمْتُمْ بَيْنَ
النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ ۗ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ ۗ إِنَّ اللَّهَ
كَانَ سَمِيعًا بَصِيرًا ﴿٥٩﴾

Verily, Allah commands you to make over the trusts to those entitled to them, and that, when you judge between men, you judge with justice. And surely excellent is that with which Allah admonishes you! Allah is All-Hearing, All-Seeing. (Nisaa 4:59)

The two obligations, the one laid upon the people to choose their representatives wisely, and the other laid upon the representatives (those who are chosen) to exercise the authority equitable and with justice are the very essence of good administration, as indicated by Allah(SWT) in the above quoted verse- Allah would watch the discharge of these responsibilities, and those upon whom they are laid, will be accountable to him.

Thirdly, another essential thing the Holy prophet (SAW) taught was that, mankind should believe in the concept of life after death. If one does not consider one's self answerable to Allah (SWT) and does believe that he has to go one day, after one's death, before his lord and account for all his deeds, one can neither tread the path of Islam nor can one attain nobility in character. After suffering for thirteen years in Makkah, some leaders of Medina who had heard the prophets preaching an exhortation invited him to that city to teach them the knowledge of divine guidance, which is true Islam and in which ignorance is a hindrance in the path- as stated by one scholar. But he also had the great task of reforming the morals of the people and creating of a society founded upon high morality. No system of government however magnificent in its appearance, and however excellent its laws can ever succeed if its structure does not rest upon good conduct, if its officials are not men of high character, and the society in which it is introduced is not honest and god-fearing. It is for this reason that the Holy

prophet (SAW) laid much (emphasis) stress on piety and good conduct, after invitation to faith and its propagation. One Muslim luminary once said, "the nature of the system established by Muhammad Rasulullah(SAW) urged that the conduct of the people conform to the temperament of the system.(And) such a situation does not require the use of force for obedience of the law.

It suffices to say that, this thing has been ordained by Allah (SWT) or prohibited by Him. Thereafter, people obey on their own. He had trained the society to the extent that they need for police and or jailer nor any system of espionage i.e. the system of spying which is even totally prohibited by Allah (SWT) in the Holy Quran. It was unthinkable that people should receive an order from the Holy prophet (SAW) and disobey it. A vivid instance is the case of prohibition of alcohol. When it was proclaimed in the city of Medina that it had been declared unlawful, the vessels full of alcohol were broken instantaneously and people stopped drinking immediately(at once), there and then. History fails to provide such spontaneous obedience to law. We have seen that, laws are made with great preparation with so much money going into them wasting so many precious hours and energy, along with the involvement of the law enforcement agencies to carry them out, and still governments failed to implement them. It must be reiterated that the foundation of a good system of government rest on faith and good conduct. Where these two are lacking, however excellent the laws and constitution are framed on paper they will never succeed in practice. The duties of the Islamic State are no different from those of any other and enlightened State or ruler or leader but they must be conceived and discharged in the spirit which Islam seeks to infuse into all institutions. This is concisely expressed in the admonition of Muhammad Rasulullah(SAW). "Every one of you is a steward and is responsible and accountable for that which is committed to his care. The sovereign is responsible and accountable for his people. Every man is responsible and answerable for the members of his family. Every woman is responsible and answerable for her home and children and every servant is responsible and answerable for the property of

his master that is in his care.(Bukhari-11:11) And in Muslim.

وكلكم مسؤول كلكم راعٍ،» :سمعت رسول الله صلى الله عليه وسلم يقول :قال عن ابن عمر رضي الله عنهما ،
والأمير راعٍ، والرجل راعٍ على أهل بيته، والمرأة راعية على بيت زوجها وولده، فكلكم راعٍ، :عن رعيته
الإمام راعٍ ومسؤول عن :وكلكم مسؤول عن رعيته كلكم راعٍ، « :وفي لفظ .«وكلكم مسؤول عن رعيته
رعيته، والرجل راعٍ في أهله ومسؤول عن رعيته، والمرأة راعية في بيت زوجها ومسؤولة عن رعيتها،
«والخادم راعٍ في مال سيده ومسؤول عن رعيته، فكلكم راعٍ ومسؤول عن رعيته

[متفق عليه] - [صحيح]

Each one of you is a shepherd and each one of you is responsible for his flock. A man is a shepherd for his household and he is responsible for his flock. A woman is a shepherd of her husband's house and children and she is responsible for her flock. A slave is a shepherd of his Master's wealth and property and is responsible for it. Each of you is a shepherd and each of you is responsible for his flock. (Muslim vol 5:4724)

Good governance begins from grassroots, which is from home front to the larger society, as it involves rule of law and justice that is built upon just principles, orderliness as well as compliance of rights and responsibilities of every member of the society. It is also clear from the foregoing that the Holy prophet (SAW) himself was not a legislator. They real legislator was Allah (SWT) and the prophet (SAW) was his official interpreter and commentator. This is how the Islamic law is of the injunctions of the Quran and Sunnah. The main features of the system which the Holy prophet (SAW) established for the enforcement of law were that; (1) as far as possible, people should be saved from punishment. (2) To err in acquitting culprit was better than punishing an innocent man. (3) People were encouraged to settle their disputes by themselves. If anybody's offence was to be pardoned, it could be done. If anybody's sin had to be overlooked, it could be done. But all this was permissible before the matter reached a court of law. (4) Once a matter reached a court of law, it could neither be overlooked no forgiven. Thereafter, only the court could decide the matter in accordance with the law. (5) Any attempt of influencing a judgment of a court was strictly forbidden by the Holy prophet (saw). The Qadi had been given full freedom to decide the matter. In

conformity with the Quran and Sunnah at his own discretion, without any fear or favour. Neither a commoner nor a high official no matter their had any right whatsoever to influence or coerse him. (6) The Holy prophet (SAW) also told his followers in this behalf that, passing judgment without knowledge or giving wrong judgment intentionally was a great sin. A true Qadi, was he who passed judgment in knowledge of the law and decided matters in light of his knowledge without any fear or prejudice.

As said before it is clear that a good government system cannot run by any dishonest and corrupt administration. A bureaucracy which does not fear God, cannot run it. Nor can it properly function in a morally corrupt society which has lost all norms. A society in which people commit sin openly, including high officials and even highest authorities who sometimes use corrupt methods to influence interpreters of law and constitution. They use authority of incumbency to influence law enforcement by intimidation. Authorities and sometimes even legislators deliberately create weak avenues in the system that are discreetly not able to control administrative process properly, so that the windows of opportunity is "wide open" for public servants or government to commit corruption. So the weakness of the system is made by design by powerful elites themselves so that they can commit corruption unimpededly(as said by Andreski 1986). The Holy prophet (SAW) established in the government system on the bed-rock of faith as said before. It was on that strong foundation that the edifice of moral, social, economic, political and legal system was erected, as said by one Islamic religious leader. Leaders of today, if they want any positive change, need themselves to change and then bring about quality educational systems that will run syllabi that are geared the moral development of the people in order to appreciate good conduct, self-determination and loyalty to the Nation and country. We need to know as a Nation what are our goals, what we do want to achieve as a Nation, we must know destination, and keep our destination distinctly clear before our keen eyes so that with each step, we March towards this destination (Maududi).

Islam sets standard for electing leaders as it sets a standard for good governance. A post of responsibility in Islam is considered a trust (An Amaanah) which is

entrusted to the person occupying that post. Such a position of responsibility must not be betrayed, that is why Allah (SWT) enjoined every leader to do Justice and fairness to their subjects. In the Holy Quran leadership is considered as the position of authority to direct or guide the affairs of the people under them. As in chapter 38V27

يٰۤاٰدٰمُ اِنَّا جَعَلْنٰكَ خَلِيْفَةً فِى الْاَرْضِ فَاحْكُم بَيْنَ النَّاسِ بِالْحَقِّ
وَلَا تَتَّبِعِ الْهَوٰى فَيُضِلَّكَ عَنْ سَبِيْلِ اللّٰهِ ۗ اِنَّ الَّذِيْنَ يَضِلُّوْنَ
عَنْ سَبِيْلِ اللّٰهِ لَهُمْ عَذَابٌ شَدِيْدٌۢ بِمَا نَسُوْا يَوْمَ الْحِسَابِ ﴿٢٧﴾

‘O David, We have made thee a vicegerent in the earth; so judge between men with justice, and follow not vain desire, lest it should lead thee astray from the way of Allah.’ Surely those who go astray from the way of Allah will have a severe punishment, because they forgot the Day of Reckoning

Islam regards the state a shepherd put in charge of a flock.(says Hazrat Chaudhary Muhammad Zafar ullah Khan), and as a shepherd is bound to protect and look after the flock and provide for it needs keeping the sheep from straying, guarding them from prowling wolf, feeding and housing them, protecting them against pestilence and diseases. So it is the duty of the leader of the Islamic state to safeguard the people against dissension, disorder, disturbance and oppression, to secure them from attacks from outside, and to make provision for all their intellectual and material needs.

With regards to well-fare Chaudhary Sahab States Islam pioneered the first effective concept of well-fare state. The dignity of labour has emphasized. The Holy prophet (SAW) on one occasion, held the Calloused hands of a labourer between his own soft palms, and massaging them gently, observed, “these hands are very dear to God”. Islam laid down that, it was the duty of the Muslim state to ensure the provision of the average necessities of life for all its citizens. This is the minimum requirement of a beneficent social organization. it is stated in the Holy Quran;

وَأَنَّكَ لَا تَظْمَأُ فِيهَا وَلَا تَصْحَى ﴿١٢٠﴾

i.e It is provided for thee that thou wilt not hunger there in, nor wilt thou be naked.(Taha20:119). And that thou wilt not thirst there in nor wilt now be exposed to the sun (Taha20:120).

It is narrated about Hazrat Umar that, on one occasion, during his tenure of office as khalifah, he discovered by chance that outside Madina a woman and her three children had been left without proper provisions for two days, because she lacked the means thereof. He returned immediately to Medina where he collected, flour, butter, meat, and dates in a large bag and summoned a servant for assistance on lifting the bag onto his back. The servant protested and offered to carry the bundle himself. Umar denied his offer, observing. No doubt you can carry this bundle for me just now, but who will carry my burden on the Day of Judgment? He then carried the provisions to the woman who blessed him for his kindness and exclaimed “you are far more fit to be the khalifa than Umar, he know not how the people fare”. “Well, mother, perhaps, Umar is not so bad” said khalifa, gently, smiling.

The duty of the Islamic state to make provision for the intellectual development of people was early emphasized by the Holy prophet (SAW). He was himself so anxious concerning it that, after the Battle of Badr, he announced that any Makkan prisoner of war who was literate could earn his freedom by instructing ten Muslim children in the elements of reading and writing. The duty was so well discharged by his immediate successors is that, within a brief period, the camel drivers of the desert, despised by Iran and Byzantium, became the teachers of the world and the torch- bearers of enlightenment. Interpretation of... The ruler or the head or the leader of the Muslim state, is thus, along with all those persons who hold any authority over others, are placed in the same category as a servant. Just as a servant is entrusted with certain property for which he is responsible to his master, those entrusted with authority of the state, in whatever position they may be, entrusted with the care of the people and guarding their rights, and for

the proper discharge of their duties, they are responsible, in the first place, the real Master, who is God, and then to the people, who have entrusted them with this charge. The law is one for all, and all are one in the eyes of the law, including the man entrusted with the highest command, and included, the prophet(SAW) himself who was, as much as subject to the law as any of his followers.(see 10:16)

In his first address to the people Hazrat Abubakr, the first successor to the prophet (SAW), when he was elected, said, “you have elected me as khalifa but, I claimed no superiority over you. The strongest among you shall be the weakest with me until I get the rights of others from him, and the weakest among you shall be the strongest with me until I get all his right- help me if I act rightly, and correct me, if I take a wrong course- obey me so long as I obey Allah and His Messenger. In case I disobeyed God and His messenger, I have no right of obedience from you”. The head of the state was servant of the state who was paid a salary for maintenance out of the public treasury, like all public servants. It was Abubakr, the first successor of the prophet (SAW) who acted on this rule.(see Bukhari 34:15)

The head had no special privileges and in his private capacity he could be sued in the court like any other member of the community. Hadith makes us understand that the great Umar appeared as a defendant in the court of law of judge. Among the so many beneficial orders he gave his provincial governors, he instructed them that they should be accessible at all hours of the day to do who had a complaint to make and that they should not keep a door-keeper, who would prohibit people from approaching them. And that they should accustom themselves to lead hard lives. Muhammad Ali said that “the head of the state carried on the administration with the help of ministers, all important state affairs been decided by a council”.

And those entrusted with the work of the government, including the head, were required to work for the good of the people. The prophet said in this regard, there is not a man to whom Allah grant to rule people, then he does not manage their affairs for their good but he will not smell the sweet odour of paradise. (Bukhari 94:8)-They were required to be gentle to the people and were forbidden to do

anything which might cause a version (Bukhari 64:62). They were enjoined to live simple lives and to be easily accessible to those who needed their services (Muslim 17:1). And to be god fearing,(Bukhari 94:16) to tax the different classes according to their capacity, to provide for those who could not earn to have as much regard for the rights of the non-Muslims as for those of the Muslims. The state was not only required to maintain and uncared for families but also to pay the unpaid debts which way contracted for lawful need (Bukhari 43:11). And the law of the Quran was to be held supreme and it was the prophet himself who laid down this rule of the supremacy of the law. He said; to hear and to obey the authorities is binding, so long as one is not commanded to disobey God when one is commanded to disobey, then he should not hear or obey.(Bukhari 56:108)

Thus while it was considered an act of great merit, an excellent jihad to speak out the truth in the presence of an unjust ruler.(Muslim 17) active opposition to constructed authority or rebellion against it was not allowed because the prophet had laid down the condition to hear and obey whether we liked it or dislike it, and whether we were in adversity or ease, even if our rights were not granted, and authority of the head could only be disputed if he committed open acts of disbelief in which you have a clear ordinance from Allah.(Bukhari 93:2)

Though the law of the Quran was supreme, indeed, there was no ban to making laws according to the needs of the people so long as they did not go against the spirit of the revealed law. On being appointed governor of Yemen, Mu'adh Bin Jabal was asked by the prophet (SAW) as to the rule by which he would abide. By the law of the Quran was the reply but, if you do not find any direction there in, asked the prophet. Then I will act according to the Sunnah of the prophet what's the reply. But if you do not find any direction in the Sunnah of the prophet was again asked to. Then I will exercise any judgement and act on that, came the reply. The prophet raised his hands and said: praise be to Allah who guides the messenger of his Messenger as He pleases.(Bukhari 23:11

The necessary laws where, however, to be made by consultation in accordance with the general command..... And whose affairs are (decided) by council among themselves (43:29). In reply to Ali who enquired as to how to proceed in

cases where there was no definite direction in the Quran, the prophet is reported to have said: gather together the righteous among my community and decide the matter by their counsel, and do not decide it by one man's opinions. Council was freely resorted to by the prophet (SAW) himself in all important matters. Medina was attacked three times by the Quraish of Makkah, and every time the prophet held a consultation with his followers as to how to meet the enemies. On one of these occasions he acted upon the opinion of the majority and March out of Medina to meet the enemy, Although his own opinion was that the Muslims army should not leave the town. He definitely directed his followers to take counsel whenever an important matter was to be decided. Never do a people take counsel, but they are guided to the right course in their affair. When some people disobeyed his orders in one of the battles and this act of theirs caused heavy loss to the Muslim army, he was still commanded to take counsel with them. Pardon them and ask divine protection for them and consult them in (important) matters.(3:159)

It appears from the Quran that people were gathered together for council on many important occasions. Only those are believers who believe in Allah and His messenger and, when they are with him on a momentous affair they go not away till they ask his permission. (24:63)

Hazrat Chaudhary Muhammad Zafrullah Khan said in regards to administration of justice provision was made for the administration of justice at every high level as soon as the prophet was entrusted with the duties of chief executive in Madina. Umar was appointed one of the judges, and the prophet himself often performed the function. The Quran lays down as a condition of belief in Islam that a Muslim must accept the obligation of judicial determination of disputes, find no demur in heart against the final judgment that may be handed down and carry it out fully (4:66)- In addition to the safeguards inherent in the orderly process of the administration of justice, a very emphatic point was pronounced by prophet(SAW). He said that, a party which obtained a judgment in its favour should not consider itself as having a valid right to the subject matter of the judgment, if in fact it was not entitled to such right. The mere fact of a judgment in its favour would not shield it against the consequences of the wrong that it

would be guilty of in appropriating that to which in fact it was not entitled. He added that, if such a party wrongly appropriated anything under the colour of judgment, it only took home a quantity of fire.

Judges must carry out their duties with strict impartiality and justice. No party should attempt to corrupt the course of justice through bribery (2:189) or by presenting false evidence. (25:79) A more emphatic and comprehensive injunction is (4:136). Hostility towards a people should not incite a Muslim or a Muslim community or a Muslim state to act unjustly towards them (5:9). In a state, some men have been placed in authority over others but those placed in authority have been repeatedly warned that they would be answerable to God, first of all, for what they did in the exercise of authority. The warning to David is warning to every true believer (38:27).

In the sphere of religion, in all cases, there is complete liberty and freedom of conscience of belief. This is emphatically affirmed by the holy Quran (2:257) again (see 18:30) and further (see 6:105);(35:9);(18:7);(26:4).

It would be easy for God to compel belief as much as He has power even over the conscience of people, but He leaves them free to decide for themselves as He says: (10:100) clear directions have been given with regards to the manner in which the message of Islam is to be conveyed to mankind (12:109). It was the duty of the prophet (SAW) and each one of the companions, as indeed it is the duty of every Muslim all the time, to invite people to the acceptance of truth, both by precept and by example; but the precepts and the example must be such as to preclude the remotest suspicion of any pressure or coercion as a said;(16:126)

In an Islamic state, all fundamental rights, including a profession, practice, and propagation of their respective faiths, are guaranteed for Muslims and non-Muslims I like. The very name of the faith, Islam, derives from a root which means peace and submission that is to say, the attainment of Peace through submission to the will of God, by community to Divine law and guidance. In the Islamic concept, Divine law includes all laws governing and regulating the universe.

Among the Attributes of God, the Quran mentions that He is the source of peace and the bestower of security (see 59:24). The establishment of peace and the maintenance of security must, therefore, be the constant objective of Man. Peace and order are deemed essential for material, moral, and spiritual progress.

Every pursuit and activity which has a tendency to disturb the peace is severely condemned.

The Quran says;(see 7:57,29:37,5:65,28:78,2:205-206)