

# SEPARATION OF MOSQUE AND STATE

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**We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. The Declaration of Independence**

The Declaration of Independence is universal but the Bible is not. The reason for the success of the US constitution lies in its universal approach, as anyone belonging to any religion can buy into it. Why would some one sincerely be part of a system that discriminates against him or her? It is hard for the non-Christians to accept some of the parochial teachings of the Bible. Let us examine a few references from the Bible:

- 1) "When you go near a city to fight against it, then proclaim an offer of peace to it. And it shall be, if they accept your offer of peace, and open to you, then it shall be, that all the people that are found therein shall be tributaries to you, and they shall serve you. Now if the city will not make peace with you, but will make war against you, then you shall besiege it: And when the Lord your God delivers it into your hands, you shall smite every male thereof with the edge of the sword: But the women, and the little ones, and the cattle, and all that is in the city, even all the spoil thereof, you shall plunder for yourself; and you shall eat the spoil of your enemies, which the Lord your God has given you. Thus shall you do unto all the cities which the Lord your God does give you for an inheritance, you shall save alive nothing that breathes: But you shall utterly destroy them; namely, the Hittites, and the Amoiites, the Canaanites, and the Perizzites, the Hivites, and the Jebusites; as the Lord your God has commanded you: that they teach you not to do after all their abominations, which they have done unto their gods; so should you sin against the Lord your God." (Deuteronomy 20:10-18)
- 2) In Leviticus 25:44-46, the Lord tells the Israelites it's OK to own slaves, provided they are strangers or heathens.
- 3) In Samuel 15:2-3, the Lord orders Saul to kill all the Amalekite men, women and infants.
- 4) In Exodus 15:3, the Bible tells us the Lord is a man of war.
- 5) In Numbers 31, the Lord tells Moses to kill all the Midianites, sparing only the virgins.
- 6) In Deuteronomy 13:6-16, the Lord instructs Israel to kill anyone who worships a different god or who worships the Lord differently.
- 7) In Mark 7:9-10, Jesus is critical of the Jews for not killing their disobedient children as prescribed by Old Testament law.
- 8) In Luke 19:22-27, Jesus orders killed anyone who refuses to be ruled by him.
- 9) The New Testament quotes Jesus Christ, "Think not that I am came to bring peace on earth: I did not come to bring peace, but a sword." (Matthew 10: 34)

10) At another place the New Testament quotes Jesus Christ, "Then said he unto them, 'But now, he who has a money bag, let him take it, and likewise his knapsack: and he who has no sword, let him sell his garment, and buy one.'" (Luke 22: 36)

These are some of the reasons why we needed 'Separation of Church and State' in the Christian world. 'Separation of Church and State' was needed to build a humane and universal society in countries that were predominantly Christians. John Hemer who is on the faculty of St Mary's Seminary, Oscott, Birmingham, writes, "To ignore the violence in the Old Testament is like making a study of Churchill and completely ignoring the fact that he was English. Violence is not peripheral to the Bible it is central, in many ways it is the issue, because of course it is the human problem."<sup>1</sup> Just like in the Christian and Jewish world, we would need such 'Separation of Temple and State' in any society where religion is not enlightened enough to be Universalist down to its very core. Not to speak of the war times, Old Testament teachings were discriminatory between Jews and Gentiles even in times of peace. Niall Ferguson writes in *Ascent of Money*, "Jews, too, were not supposed to lend at interest. But there was a convenient get-out clause in the Old Testament book of Deuteronomy: 'Unto a stranger thou mayest lend upon usury; but unto thy brother thou shalt not lend upon usury.' In other words, a Jew might legitimately lend to a Christian, though not to another Jew."<sup>2</sup> In the following story mentioned both in Mark and Matthew, the Greek woman appears more of a Universalist than Jesus Christ<sup>as</sup> himself:

"A woman whose young daughter had an unclean spirit heard about him and she came and fell at his feet. The woman was Greek, a Syro-Phoenician by birth, and she kept asking him to cast the demon out of her daughter. But Jesus said to her, 'Let the children be filled first, for it is not good to take the children's bread, and to throw it to the little dogs.' And she answered and said to him, 'Yes, Lord, yet even the little dogs under the table eat from the children's crumbs.'" (Mark 7:25-27)

The secular world has been able to develop social rules during the last three centuries of how to live peacefully and share the planet with others who have different life experiences and varied religions. In the secular arena these are best summarized in United Nations' Universal Charter of Human rights. Universality of teachings of different religions ought to be examined against this touch stone. Sir Muhammad Zafrulla Khan has exactly done that for Islam in his book, *Islam and Human Rights*.<sup>3</sup> At this point let us review a few examples of the Universalist approach of early Islam.

### **UNIVERSALISTS VALUES OF THE PROPHET MUHAMMAD**

How could the Prophet Muhammad<sup>saw</sup> be other than a Universalist when the Holy Quran describes him as, "We did not send you but as mercy for the whole mankind!"<sup>4</sup> There are numerous publications both by Muslim and non-Muslim writers attesting his indiscriminating commitment to all races.<sup>5</sup> The famous historian, Arnold Joseph Toynbee writes, "The extinction of race consciousness as between Muslims is one of the outstanding moral achievements of Islam, and in the contemporary world there is, as it happens, a crying need for the propagation of this Islamic virtue."<sup>6</sup>

In contrast to today's 'Islamic' nations, Prophet Muhammad undertook a strikingly Universalist approach during his rule of Medina, and later the whole of Arabia. While much is said of the supposedly horrid living conditions of *dhimmis* (i.e. protected non-Muslims), their living standards were at par, and oftentimes better than that of the Muslims.

Religious freedom was granted to all non-Muslims, in particular the Jews: "The Jews ... are one community with the believers (the Jews have their religion and the Muslims have theirs), their freedmen and their persons except those who behave unjustly and sinfully, for they hurt but themselves and their families."<sup>7</sup>

*Dhimmis* also enjoyed all the economic rights guaranteed to Muslims, even exploiting the Muslims' fairness to gain a higher profit. For example, on settling in Medina the Muslims were in dire need of water and a Jew owned the only well in Medina, known as *Bir Rumah*. Seeing a golden opportunity, the Jew demanded an exorbitant 20,000 dirhams for its purchase, which Hadhrat Uthman, who later became the third Caliph, readily paid. If Islam trumped the *dhimmis'* economic rights, why did the Muslims not simply force the Jew to hand over the well? Muslims certainly had the power to do so.<sup>8</sup>

### **THE CHARTER OR THE COVENANT OF MEDINA**

The Charter of Medina, often cited as the world's first true constitution, recognized all of Medina's citizens, irrespective of religious bent, to form "one community."<sup>9</sup> Hadhrat Mirza Bashiruddin Mahmood Ahmad<sup>ra</sup>, has quoted this from the classic biography by Ibn Hisham, in his book, *Life of Muhammad*:

"Between the Prophet of God and the Faithful on the one hand, and all those on the other, who voluntarily agree to enter. If any of the Meccan Muslims is killed, the Meccan Muslims will themselves be responsible. The responsibility for securing the release of their prisoners will also be theirs. The Muslim tribes of Medina similarly will be responsible for their own lives and their prisoners. Whoever rebels or promotes enmity and disorder will be considered a common enemy. It will be the duty of all the others to fight against him, even though he happens to be a son or a close relation. If a disbeliever is killed in battle by a believer, his Muslim relations will seek no revenge. Nor will they assist disbelievers against believers. The Jews who join this covenant will be helped by Muslims. The Jews will not be put to any hardship. Their enemies will not be helped against them. No disbeliever will give quarter to anybody from Mecca. He will not act as a trustee for any Meccan property. In a war between Muslims and disbelievers he will take no part. If a believer is maltreated without cause, Muslims will have the right to fight against those who maltreat. If a common enemy attack Medina, the Jews will side with the Muslims and share the expenses of the battle. The Jewish tribes in covenant with the other tribes of Medina will have rights similar to those of Muslims. The Jews will keep to their own faith and Muslims to their own. The rights enjoyed by the Jews will also be enjoyed by their followers. The citizens of Medina will not have the right to declare war without the sanction of the Prophet. But this will not prejudice the right of any individual to avenge an individual wrong. The Jews will bear the expenses of their own organization, and Muslims their own. But in case of war, they will act with unity. The city of Medina will be regarded as sacred and inviolate by those who sign the covenant. Strangers who

come under the protection of its citizens will be treated as citizens. But the people of Medina will not be allowed to admit a woman to its citizenship without the permission of her relations. All disputes will be referred for decision to God and the Prophet. Parties to this covenant will not have the right to enter into any agreement with the Meccans or their allies. This is because parties to this covenant agree in resisting their common enemies. The parties will remain united in peace as in war. No party will enter into a separate peace. But no party will be obliged to take part in war. A party, however, which commits any excess, will be liable to a penalty. Certainly God is the protector of the righteous and the Faithful and Muhammad is His Prophet.”

**Commenting on the covenant Hadhrat Mirza Bashiruddin Mahmood Ahmad, wrote:**

“This is the covenant in brief. It has been prepared from scraps to be found in historical records. It emphasizes beyond any doubt that in settling disputes and disagreements between the parties at Medina, the guiding principles were to be honesty, truth and justice. Those committing excesses were to be held responsible for those excesses. The covenant makes it clear that the Prophet<sup>saw</sup> Islam was determined to treat with civility and kindness the other citizens of Medina, and to regard them and deal with them as brethren. If disputes and conflicts arose later, the responsibility rested with the Jews.”<sup>10</sup>

**Sir Muhammad Zafrulla Khan has the following to say about the covenant in the biography titled Muhammad: the seal of the Prophets:**

“After the arrival of the Holy Prophet in Medina, its people were divided into the following groups:

1. Muslims, Emigrants and Ansar.
2. Those of Aus and Khazraj who had become nominally Muslims but did not truly believe in Islam and entertained secret designs against the Holy Prophet and the Muslims. They were the disaffected who were known as hypocrites.
3. Those of Aus and Khazraj who were still pagans, but were rapidly becoming Muslims, and who would be soon absorbed among them.
4. The Jews who were divided into three principal tribes, Banu Qainuqa, Banu Nadhir and Banu Quraidha.

This was a situation which was replete with dangerous possibilities in the future, and called for a strong measure of co-ordination and adjustment, more particularly as the very existence of the Muslims was bitterly resented and was seriously threatened by Quraish, who were busy designing measures to wipe out Islam and the Muslims. Therefore, as soon as the Holy Prophet was settled in Medina, he called together the representatives of the Emigrants, Aus and Khazraj,

and the Jewish tribes for consultation and invited them to consider the desirability of establishing some system of mutual cooperation whereby risk of dissension might be obviated and the security of Medina might be provided for. After a thorough exchange of views, agreement was reached and was reduced to writing, of which the principal provisions may be summarized as follows:

1. The Muslims and Jews would deal with each other on the basis of sympathy and sincerity and would not indulge in any aggression or wrong against each other.
2. All sections of the people of Medina would enjoy complete religious freedom.
3. Everyone's life and property would be secure, and would be respected, subject to the maintenance of law and order.
4. All matters of difference would be submitted for decision to the Holy Prophet, and would be determined by him according to the laws and the customs of each section of the people of Medina.
5. No section would go forth to fight without the permission of the Holy Prophet.
6. In case of aggression against the Jews or the Muslims, both would combine in repelling the aggression.
7. In case of attack against Medina, all sections would combine in repelling it.
8. The Jews would not in any manner aid Quraish or provide refuge or comfort for them.
9. All sections would be responsible for their own upkeep and expenses.
10. Nothing in the agreement would afford immunity to a wrongdoer, or sinner or mischief-maker.

By virtue of this agreement, the relations between the Muslims and the Jews were duly regulated, and a basis for the governance of Medina was provided, where under each section would have complete freedom of religion, and complete autonomy with regard to its internal affairs, but would be knit into a central administrative system which would be presided over by the Holy Prophet."<sup>11</sup>

Sir William Muir had the following to say in his biography *The Life of Mohammad* from Original Sources:

"It was natural that Mohammad, holding these sentiments, should desire to enter into a close and binding union with the Jews, and this he did in a formal manner shortly after reaching Medina. He associated them with himself by a treaty of mutual obligation drawn up in writing, which bound his followers on the one hand, and the Jews on the other, and confirmed the latter among other things in the practice of their religion and the secure possession of their property. The main provisions are the following:

**'IN THE NAME OF GOD, THE COMPASSIONATE, THE MERCIFUL**

**THE CHARTER** of Mohammad the Prophet, in behalf of the Believers, and whosoever else joineth himself unto them and striveth with them for the faith. The Refugees shall defray the price of blood shed among themselves, and shall ransom honorably their prisoners. The Believers of the various tribes of Medina (named in detail) shall do the same. Whosoever is rebellious, or seeketh to spread enmity and sedition, the hand of every man shall be against him, even if he be a son. No Believer shall be put to death for the blood of an infidel; neither shall any infidel be supported against a Believer. Whosoever of the Jews followeth us shall have aid and succor; they shall not be injured, nor shall any enemy be aided against them. No unbeliever shall grant protection to the people of Mecca, either in person or property, nor interpose between the Believers and them. Whosoever killeth a Believer wrongfully the Muslims shall join as one man against him.

The Jews shall contribute with the Muslims, while at war with a common enemy. The Jewish clans in alliance with the several tribes of Medina are one people with the Believers. The Jews will profess their religion, the Muslims theirs. As with the Jews, so with their adherents. No one shall go forth to war excepting with the permission of Mohammad; but this shall not hinder any from seeking lawful revenge. The Jews shall be responsible for their expenditure, the Muslims for theirs; but, if attacked, each shall come to the assistance of the other. Medina shall be sacred and inviolable for all that join this treaty. Strangers, under protection, shall be treated as their protectors are but no female shall be so received save with consent of her kindred. Controversies and disputes shall be referred to the decision of God and His prophet. None shall join the men of Mecca or their allies; for verily the engaging parties are bound together against every one that shall threaten Medina. War and Peace shall be made in common. He that goeth forth shall be secure; and he that sitteth at borne shall be secure saving him that transgresseth and committeth wrong. And verily God is the protector of the righteous and the godly; and Mohammad is His Prophet.'

We are not told when this treaty was entered into, but it probably was not long after the arrival of Mohammad at Medina. For a short time the Jews remained on terms of cordiality with their new ally; but it soon became evident that Judaism could not go hand in hand with Islam."<sup>12</sup>

### ***HADHRAT UMAR: THE SECOND KHALIFAH***

The square minaret of the Umar Mosque, with a dome of the Christian Quarter in the foreground, is an eloquent testimony of events showing early Muslim's religious tolerance, from fourteen centuries ago.



Karen Armstrong writes in her book titled, *Jerusalem*:

“Umar also expressed the monotheistic ideal of compassion more than any previous conqueror of Jerusalem, with the possible exception of King David. He presided over the most peaceful and bloodless conquest that the city had yet seen in its long and often tragic history. Once the Christians had surrendered, there was no killing, no destruction of property, no burning of rival religious symbols, no expulsions or expropriations, and no attempt to force the inhabitants to embrace Islam. If a respect for the previous occupants of the city is a sign of the integrity of a monotheistic power, Islam began its long tenure in Jerusalem very well indeed.”<sup>13</sup>

This picture of the Umar Mosque very powerfully established Islamic belief in freedom of religion and puts to rest, the accusation, for all periods to come that Islam was spread with sword. For the Muslims the political struggle was always divorced from the freedom of religion.

The modest Umar Mosque was built in the 12<sup>th</sup> century directly across from the main entrance of the Church of the Holy Sepulcher in Jerusalem. The mosque is named after Hadhrat Umar<sup>ra</sup>, whose actions after his takeover of Jerusalem ensured, in the eighth century, that the Church of Holy Sepulcher remained open to Christian worship. The Church of the Holy Sepulcher, known as the Church of the Resurrection to Eastern Orthodox Christians, is one of the most sacred places in Christianity. It stands on a site that encompasses both Golgotha, or Calvary, where Jesus was crucified, and the tomb (sepulcher) where he was buried. The Church of the Holy Sepulcher has been an important pilgrimage destination since the 4<sup>th</sup> century, and it remains the holiest Christian site in the world.

After a brief and bloodless siege, initiated after the offensives by the Byzantines colonies, Muslims seized control of Jerusalem from the Byzantines in February 638. Caliph Umar Ibn al-Khattab accepted the city's surrender from Patriarch Sophronius in person. Hadhrat Umar<sup>ra</sup> was shown the great Church of the Holy Sepulcher and offered a place to pray in it, but he refused. He knew that if he prayed in the church, it would set a precedent that would lead to the building's transformation into a mosque. He wanted the Christians to have their freedom of religion and their worship places safeguarded. Therefore, he instead prayed on the steps outside, allowing the church to remain a Christian holy place. The Umar Mosque was built near the site of these events in 1193 by Saladin's son Ahdal Ali. The location is not exact, for the entrance to the Church was on the east in Hadhrat Umar's time; the present entrance was only inaugurated in the 11<sup>th</sup> century. Reached by a short stairway that descends from Christian Quarter Road, the mosque has a distinctive square minaret. The base of the minaret contains some Crusader masonry and was given its present form around 1460. To support the above description of the religious tolerance of Hadhrat Umar<sup>ra</sup> let me quote from the writing of Sir William Muir, a nineteenth century British historian of early Muslim history:

"Mahometan (Muslim) tradition gives no further detail respecting this memorable visit (to Jerusalem). But Christian writers say that Omar accompanied the Patriarch over the city, visited the various places of pilgrimage, and graciously inquired into their history. At the appointed hour, the Patriarch bade the Caliph perform his orisons in the church of the Resurrection, where they chanced to be. But he declined to pray either there, or in the church of Constantine where a carpet had been spread for him, saying kindly that if he did so his followers would take possession of the church for ever, as a place where Moslem prayer had once been offered up. Umar also visited Bethlehem; and having prayed in the church of the Nativity, left a rescript with the Patriarch, who accompanied him on the pious errand, securing the Christians in possession of the building, with the condition that not more than one Mussulman (Muslim) should ever enter at a time."<sup>14</sup>

The Encyclopedia Britannica of 1888 states on page 563 and 1907 edition on page 586, under the heading Mohammedanism:

"To Umar ten years Caliphate belong, for the most part, the great conquests. He himself did not take the field, but remained in Medina; he never, however, suffered the reins to slip from his grip, so powerful was the influence of his personality and the Muslim community feeling. His political insight is shown by the fact that he endeavored to limit the indefinite extension of the Muslim conquest, to maintain and strengthen the national Arabian character of the commonwealth of Islam; also by making it his foremost task to promote law and order in its internal affairs. The saying with which he began his reign will never grow antiquated, '**By God, he that is weakest among you shall be in my eye the strongest, until I have vindicated for him his rights; he that is strongest I will treat as the weakest, until he complies with the law**'. It would be impossible to give a better general definition of the function of the state."<sup>15</sup>

This was indeed an amazing expression of the democratic principle that no one is above the law or below it for that matter. Hadhrat Umar<sup>ra</sup> not only preached it but practiced it to the utmost. His quote in the older paper version of the Encyclopedia Britannica was an amazing testament to the character of Hadhrat Umar<sup>ra</sup>. Unfortunately that fundamental piece of his caliphate history is not

mentioned in the online version now. Encyclopedia Britannica online version states about him:

“On Muhammad's death in 632 Umar was largely responsible for reconciling the Medinan Muslims to the acceptance of a Meccan, Abu Bakr, as head of state (caliph). Abu Bakr (reigned 632–634) relied greatly on Umar and nominated him to succeed him. As caliph, Umar was the first to call himself ‘commander of the faithful’ (amir al-mu'minin). His reign saw the transformation of the Islamic state from an Arabian principality to a world power. Throughout this remarkable expansion Umar closely controlled general policy and laid down the principles for administering the conquered lands. The structure of the later Islamic empire, including legal practice, is largely due to him. Assassinated by a Persian slave for personal reasons, he died at Medina 10 years after coming to the throne. A strong ruler, stern toward offenders, and himself ascetic to the point of harshness, he was universally respected for his justice and authority.”<sup>16</sup>

### **THE COVENANT OF JERUSALEM**

The covenant that Hadhrat Umar<sup>ra</sup> gave to the people of Jerusalem speaks volumes of his character and the religious freedom that is a fundamental character of Islam. The treaty stated:

“This is the protection that the servant of God, Umar<sup>ra</sup>, the ruler of the Believers, has granted to the people of Eiliya (Jerusalem). The protection is for their lives and properties, their churches and crosses, their sick and healthy and for their co-religionists. Their churches shall not be used for habitation, nor shall they be demolished, nor shall any injury be done to them or to their compounds, or their crosses, nor shall their properties be injured in any way. There shall be no compulsion for these people in the matter of religion, nor shall any of them suffer any injury on account of their religion. The Jews are not to live with them in Jerusalem. It is a duty on the citizens of Jerusalem, like other cities, that they pay Jizya (the tax for their defense). The citizens of Jerusalem are to expel the thief and the Greeks (or the Romans) among them. The Greeks who leave the city have protection to their lives and their properties until they reach a secure place. The Greeks who choose to stay have protection of their property and lives. They will also have to pay Jizya. Those citizens of Jerusalem who choose to go with the Greeks have protection of their lives and property also and their churches and crosses until they reach their destination. Whatever is written herein is under the covenant of God and the responsibility of His Messenger, of the Caliphs and of the believers and shall hold good as long as they pay Jizya (the tax for their defense) imposed on them. The witnesses of this document are Khalid bin Walid, Umara bin Al Aas, Abdur Rahman bin Auf and Muavia bin Abu Sufian. This document was written in 15<sup>th</sup> year after the Hijra.”<sup>17 18</sup>

Karen Armstrong says about the covenant that Umar accepted every Christian request, except one - he would not permit the Jews to remain banned from Jerusalem as had been the case during the period of Christian rule.<sup>19</sup>

Commenting on this treaty Alamma Shibli Noomani writes:

“In this document there is very clear description of the security for life, property and religion of the Christians. It is self evident that whatever rights a nation has can pertain to these three domains only. There is very detailed description about the churches that they should neither be demolished nor their buildings should suffer any injury. It is also mentioned that their compounds and courtyards should not be interfered with. The religious freedom is mentioned more than once in the treaty. As the Christians thought that the Jews had crucified Jesus Christ<sup>as</sup> on the cross, and this had happened right in Jerusalem, therefore, for the sake of the Christians this term was agreed upon that the Jews should not live in Jerusalem.

Even though the Greeks (or the Romans) had fought the Muslims and they were the real enemies, they also had the right to stay or leave. They had security in both situations. Their churches and religion were not to be interfered with. Furthermore, the local Christians were allowed to go with the Greeks (or the Romans) in complete peace (where they could regroup against the Muslims). Can any victor nation treat the conquered with a greater sense of justice?"<sup>20</sup>

At another place Alamma Shibli Noomani says that some of the treaties were comprehensive and some were brief and to the point but in many of the brief treaties there is reference to some comprehensive treaty. In other words, the rights outlined in the comprehensive treaties were implied in the short ones also.<sup>21</sup> What was the most salient feature of the religious tolerance of Hadhrat Umar<sup>ra</sup> was the fact that the property and life of a non-Muslim enjoyed the same security as that of a Muslim. If a Muslim killed a non-Muslim he was given capital punishment as would have been the result for the converse. Imam Shafi has narrated, that a person from the tribe of Bakr bin Dail killed a Christian from the Tira. Hadhrat Umar<sup>ra</sup> judged that the murderer should be given to the family of the murdered, and they killed him. In Islam the choice to forgive and take the blood money or to avenge with death is the choice of the family of the murdered and is not a decision for the state. To secure the property rights of the minorities the Muslims were even prohibited to buy their lands. It was precisely because of the tolerant early Muslim history that 'Separation of Mosque and State,' does not seem natural to the Muslims. Karen Armstrong writes in her book *Jerusalem*:

"This vision of the essential unity of the religious quest of humanity would profoundly affect Muslim policy in Jerusalem. Muslims had a rather different sacred geography from their predecessors. Because everything came from God, all things were good, so there was no essential dichotomy between the 'sacred' and the 'profane' as in Judaism. The aim of the *ummah* was to achieve such integration and balance between divine and human, interior and exterior worlds, that such a distinction would become irrelevant. There was no intrinsic 'evil,' no 'demonic' realm, standing over against the 'good.'"<sup>22</sup>

It can be argued that humanity learnt the lessons of religious tolerance and religious freedom from the Holy Prophet Muhammad and Hadhrat Umar but there is no denying of the fact that it has been a slow and tedious learning process. To understand the need, if any, of 'Separation of Mosque and State,' we need to understand the history of 'Separation of Church and State.' It is a political and legal doctrine that government and religious institutions (Churches) are to be kept separate and independent from each other. The term most often refers to the combination of two principles: secularity of government and freedom of religious exercise.

The phrase 'Separation of Church and State' is generally traced to the letter written by Thomas Jefferson in 1802 to the Danbury Baptists, in which he referred to the First Amendment to the United States Constitution as creating a 'wall of separation' between church and state. The phrase was then quoted by the United States Supreme Court first in 1878, and then in a series of cases starting in 1948. This led to increased popular and political discussion of the

concept. The concept has since been adopted in a number of countries, to varying degrees depending on the applicable legal structures and prevalent views toward the proper role of religion in society. A similar principle of *laïcité* has been applied in France and Turkey, while some socially secularized countries such as Norway have maintained constitutional recognition of an official state religion. The concept parallels various other international social and political ideas, including secularism, disestablishment, religious liberty, and religious pluralism. These concepts started earlier in the writings of the political philosopher Thomas Hobbes.

### **THOMAS HOBBS A POLITICAL PHILOSOPHER**

Thomas Hobbes was an English philosopher (1588-1679), scientist, and historian, best known for his political philosophy, especially as articulated in his masterpiece *Leviathan* (1651). Hobbes viewed government primarily as a device for ensuring collective security. Political authority is justified by a hypothetical social contract among the many that vests in a sovereign person or entity the responsibility for the safety and well-being of all. In metaphysics, Hobbes defended materialism, the view that only material things are real. His enduring contribution is as a political philosopher who justified wide-ranging government powers on the basis of the self-interested consent of citizens. According to *Encyclopedia Britannica*:

“Hobbes presented his political philosophy in different forms for different audiences. *De Cive* states his theory in what he regarded as its most scientific form. Unlike *The Elements of Law*, which was composed in English for English parliamentarians—and which was written with local political challenges to Charles I in mind—*De Cive* was a Latin work for an audience of Continental savants who were interested in the “new” science—that is, the sort of science that did not appeal to the authority of the ancients but approached various problems with fresh principles of explanation.

*De Cive*'s break from the ancient authority par excellence—Aristotle—could not have been more loudly advertised. After only a few paragraphs, Hobbes rejects one of the most famous theses of Aristotle's politics, namely that human beings are naturally suited to life in a polis and do not fully realize their natures until they exercise the role of citizen. Hobbes turns Aristotle's claim on its head: human beings, he insists, are by nature unsuited to political life. They naturally denigrate and compete with each other, are very easily swayed by the rhetoric of ambitious men, and think much more highly of themselves than of other people. In short, their passions magnify the value they place on their own interests, especially their near-term interests. At the same time, most people, in pursuing their own interests, do not have the ability to prevail over competitors. Nor can they appeal to some natural common standard of behavior that everyone will feel obliged to abide by. There is no natural self-restraint, even when human beings are moderate in their appetites, for a ruthless and bloodthirsty few can make even the moderate feel forced to take violent preemptive action in order to avoid losing everything. The self-restraint even of the moderate, then, easily turns into aggression. In other words, no human being is above aggression and the anarchy that goes with it.”<sup>23</sup>

Hobbes is the founding father of modern political philosophy. He poses stark alternatives: we should give our obedience to an unaccountable sovereign (a person or group empowered to decide every social and political issue). Otherwise what awaits us is a ‘state of nature’ that closely resembles civil war --

a situation of universal insecurity, where all have reason to fear violent death and where rewarding human cooperation is all but impossible. Even more than Bacon, Thomas Hobbes illustrated the transition from medieval to modern thinking in Britain. Human action is similarly to be explained on Hobbes's view. Specific desires and appetites arise in the human body and are experienced as discomforts or pains which must be overcome. Thus, each of us is motivated to act in such ways as we believe likely to relieve our discomfort, to preserve and promote our own well-being. (Leviathan I 6) Everything we choose to do is strictly determined by this natural inclination to relieve the physical pressures that impinge upon our bodies. Human volition is nothing but the determination of the will by the strongest present desire. According to Encyclopedia Britannica, under the heading Thomas Hobbes:

"War comes more naturally to human beings than political order. Indeed, political order is possible only when human beings abandon their natural condition of judging and pursuing what seems best to each and delegate this judgment to someone else. This delegation is effected when the many contract together to submit to a sovereign in return for physical safety and a modicum of well-being. Each of the many in effect says to the other: 'I transfer my right of governing myself to X (the sovereign) if you do too.' And the transfer is collectively entered into only on the understanding that it makes one less of a target of attack or dispossession than one would be in one's natural state. Although Hobbes did not assume that there was ever a real historical event in which a mutual promise was made to delegate self-government to a sovereign, he claimed that the best way to understand the state was to conceive of it as having resulted from such an agreement.

In Hobbes's social contract, the many trade liberty for safety. Liberty, with its standing invitation to local conflict and finally all-out war—a 'war of every man against every man'—is overvalued in traditional political philosophy and popular opinion, according to Hobbes; it is better for people to transfer the right of governing themselves to the sovereign. Once transferred, however, this right of government is absolute, unless the many feel that their lives are threatened by submission. The sovereign determines who owns what, who will hold which public offices, how the economy will be regulated, what acts will be crimes, and what punishments criminals should receive. The sovereign is the supreme commander of the army, supreme interpreter of law, and supreme interpreter of scripture, with authority over any national church. It is unjust—a case of reneging on what one has agreed—for any subject to take issue with these arrangements, for, in the act of creating the state or by receiving its protection, one agrees to leave judgments about the means of collective well-being and security to the sovereign. The sovereign's laws and decrees and appointments to public office may be unpopular; they may even be wrong. But unless the sovereign fails so utterly that subjects feel that their condition would be no worse in the free-for-all outside the state, it is better for the subjects to endure the sovereign's rule.

It is better both prudentially and morally. Because no one can prudently welcome a greater risk of death, no one can prudently prefer total liberty to submission. Total liberty invites war, and submission is the best insurance against war. Morality too supports this conclusion, for, according to Hobbes, all the moral precepts enjoining virtuous behavior can be understood as derivable from the fundamental moral precept that one should seek peace—that is to say, freedom from war—if it is safe to do so. Without peace, he observed, man lives in "continual fear, and danger of violent death," and what life he has is "solitary, poor, nasty, brutish, and short." What Hobbes calls the "laws of nature," the system of moral rules by which everyone is bound, cannot be safely complied with outside the state, for the total liberty that people have outside the state includes the liberty to flout the moral requirements if one's survival seems to depend on it.

The sovereign is not a party to the social contract; he receives the obedience of the many as a free gift in their hope that he will see to their safety. The sovereign makes no promises to the many in order to win their submission. Indeed, because he does not transfer his right of self-government to anyone, he retains the total liberty that his subjects trade for safety. He is not bound by law, including his own laws. Nor does he do anything unjustly if he makes decisions about his subject's safety and well-being that they do not like.

Although the sovereign is in a position to judge the means of survival and well-being for the many more dispassionately than they are able to do themselves, he is not immune to self-interested passions. Hobbes realizes that the sovereign may behave iniquitously. He insists that it is very imprudent for a sovereign to act so iniquitously that he disappoints his subject's expectation of safety and makes them feel insecure. Subjects who are in fear of their lives lose their obligations to obey and, with that, deprive the sovereign of his power. Reduced to the status of one among many by the defection of his subjects, the unseated sovereign is likely to feel the wrath of those who submitted to him in vain."<sup>24</sup>

### **FROM LOCKE TO JEFFERSON**

Of America, Prof. John Esposito writes, "America's separation of church and state was to assure that no specific religious denomination be given special preference and that both belief and unbelief have equal protection and space."<sup>25</sup>

The concept of separating church and state is often credited to the writings of the British philosopher John Locke (1632–1704). According to his principle of the social contract, Locke argued that the government lacked authority in the realm of individual conscience, as this was something rational people could not cede to the government for it or others to control. For Locke, this created a natural right in the liberty of conscience, which he argued must therefore remain protected from any government authority. These views on religious tolerance and the importance of individual conscience, along with his social contract, became particularly influential in the American colonies and the drafting of the United States Constitution.

Thomas Jefferson, the third President of the United States, supported the separation of church and state. The phrase 'Separation of Church and State' is derived from a letter written by Thomas Jefferson in 1802 to a group identifying themselves as the Danbury Baptists. In that letter, referencing the First Amendment to the United States Constitution, Jefferson writes:

"Believing with you that religion is a matter which lies solely between Man & his God, that he owes account to none other for his faith or his worship, that the legitimate powers of government reach actions only, & not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between Church & State. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural rights in opposition to his social duties."<sup>26</sup>

## ***QURANIC GUIDING PRINCIPLES FOR POLITICAL LIFE***

The Holy Quran not only enlightens in the spiritual and personal domain but also in the social domain without disturbing the required flexibility in this area. Here we present a brief quote from the General Introduction section of the five volume commentary of the Holy Quran published under the auspices of Hadhrat Mirza Tahir Ahmad, Khalifatul Masih IV. It is under the heading, *Quran – the Perfect Scripture*: “It has already been stated that God through His Prophets provided for the progress and perfection of man by means of the Law of Shari’at (spiritual law), the moral law and the social law. Since the Quran is the most perfect Scripture, it deals with all these three laws. It sets out the Law of Shari’at and the moral law in full and states the fundamental principles of the social law leaving the rest of the field of social law to be developed and filled in by man himself.”<sup>27</sup> The Holy Quran offers complete and absolute freedom of religion and conscience. It also enunciates the ‘Guiding Principles,’ for the political systems, but, the details are to be filled by the humans. That introduces flexibility in the political arena. Promised Messiah<sup>as</sup> talking about the scope and beauties of the Holy Quran writes:

“The clear miracle of the Holy Qur’an which can manifest itself to every people and by presenting which we can silence everyone, whether an Indian, Persian, European or American, is the unlimited treasury of insights, eternal truths and wisdoms, which are expounded in every age according to its need and stand as armed soldiers to refute the thinking of every age. If the Holy Qur’an had been limited in its eternal truths and insights, it would not have amounted to a perfect miracle. Beauty of composition is not a matter the miraculous nature of which can be appreciated by every literate and illiterate person. The clear miracle of the Holy Qur’an is the unlimited insights and fine points which it comprises. A person who does not admit this miracle of the Holy Qur’an is altogether deprived of the knowledge of the Qur’an. He who does not believe in this miracle does not estimate the Qur’an as highly as it should be estimated, and does not recognize God as He should be recognized, and does not honor the Holy Prophet [peace and blessings of Allah be on him] as he should be honored.

Bear it in mind that the miracle of unlimited insights and eternal truths which are contained in the Holy Qur’an has accomplished more in every age than has the sword. All the doubts that every age raises according to its circumstances, and all the claims of superior insights that are put forward, are completely refuted by the Holy Qur’an. No Brahmū Samajist, Buddhist, Arya or any other philosopher can put forward a Divine Eternal Truth which is not already comprised in the Holy Qur’an. The wonders of the Qur’an will never cease. **As the wonderful qualities of the book of nature have never come to an end in any previous age, but appear ever fresh and new, the same is the case with this Holy Book, so that the word of God and the work of God should be proved to be in accord.**

As I have written before, very often the wonders of the Holy Qur’an are revealed to me and are such that they are not to be found in the commentaries.”<sup>28</sup>

The basic Quranic injunctions for statecraft (government), which formed the basis of governance during the time of Prophet Muhammad<sup>saw</sup> and his immediate followers, are listed below:

There is no compulsion in religion. Surely, right has become distinct from wrong; so whosoever refuses to be led by those who transgress, and believes in Allah, has surely grasped a strong handle which knows no breaking. (Al Quran 2:257)

Oh you who believe, obey Allah and obey His Messenger and those who are in authority among you. Then if you differ in anything among yourselves, refer it to Allah and His Messenger if you are believers in Allah and His Messenger and the Last Day. That is the best and most commendable in the end. (Al Quran 4:60)

Whatever you have been given is only a temporary provision of this life, but that which is with Allah is better and more lasting for those who believe and put their trust in their Lord; and those who eschew the more grievous sins and indecencies, and when they are wroth they forgive; and those who hearken to their Lord, and observe Prayer and whose affairs are administered by mutual consultation, and who spend out of whatever We have provided for them; and those who, when a wrong is done them, defend themselves. (Al Quran 42:37-40)

Allah commands you to give 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. (Al Quran 4:59)

Oh you who believe, be strict in observing justice and bear witness only for the sake of Allah, even if it be against your own selves or against parents or kindred. Whether the person be rich or poor. In either case, Allah is more regardful of him than you could be. Therefore, follow not vain desires so that you may act equitably. And if you conceal the truth or evade it, then remember that Allah is well aware of that which you do. (Al Quran 4:136)

And consult them in matters of administration; and when thou art determined, and then put thy trust wholly in Allah. Surely, Allah loves those who put their trust in Him. (Al Quran 3:160)

Sir Muhammad Zafrulla Khan has summarized the Quranic ideal about political life well in these words, "Inasmuch as God's sovereignty extends over the whole universe, the ultimate ideal of a state in Islam is universal federation, or confederation, of autonomous states, associated together for upholding freedom of conscience and for the maintenance of peace and co-operation in promoting human welfare throughout the world."<sup>29</sup>

### ***THE VIOLENT AND THE MILITANT MULLAHS***

In contrast to the well balanced Quranic teachings and the life history of the Holy Prophet Muhammad<sup>saw</sup>, the character of the present days Mullahs (fundamentalist clerics) is ugly, violent and ill informed. To catch a glimpse of the violence in the militant Mullahs one can visit a website:

[www.thepersecution.org](http://www.thepersecution.org)

A very interesting book to read in this regards is the one authored by Hadhrat Mirza Tahir Ahmad titled *Murder in the name of Allah*.<sup>30</sup>

The solution to the political unrest created by the Mullahs lies in the politicians and the moderate Muslims not relegating the study and monopolization of the religion to the extremist or those who would create political disarray in the society. There should be institutions studying the mutual role of religion and politics and means to disseminate the peaceful message to the grass roots through religious institutions and also through contemporary and secular

institutions and media. The cost of relegating the study of religion, solely to the Mullahs, is death for the moderates!

## **EPILOGUE**

There is no real separation between religion and public or political life in Islam. There is no artificial segregation in Islam between the profane and the sacred. Karen Armstrong describes it well her book *Jerusalem*:

“The very word *Islam* derives from the same root as *salam* (‘peace’). The great ideal of the Quran was *tawhid*, ‘making one.’ Individual Muslims should order their lives so as to make God their chief priority: when they had achieved this personal integration, they would experience within that unity which was God. The whole of human society also had to achieve this unity and balance and bring all its activities under the aegis of the sacred. Muslims were thus engaged in a ceaseless struggle (*Jihad*) to restore all things, in the human and in the natural world, to the primal perfection envisaged by God.”<sup>31</sup>

Unlike the Bible the teachings of the Holy Quran promote religious freedom and tolerance of other religions. There is no real ‘Separation of Mosque and State’ in Islamic teachings. Yet there is some need of some artificial separation. The need for separation unlike arising from religion itself as the case was with Christianity arises in the power struggle by the Mullahs. The power hungry Mullahs demand enforcement of Shariah Law every so often, so they can have greater influence in the politics and usurp the religious freedom of the minorities. “Human beings,” Thomas Hobbes had said, describing the baser instincts in all humans, “let their passions magnify the value they place on their own interests, especially their near-term interests.” Repeated observations of political life in the so called Muslim countries have shown Hobbes’ judgment to be true about the Mullahs. According to Hobbes, “no human being is above aggression and the anarchy that goes with it.” But, how can we reign in such tendencies among the Mullahs? Perhaps the politicians and those who are given the right to govern need to learn from Thomas Hobbes and similar political philosophers.

Examples of religious tolerance are ubiquitous in Islamic scripture and the early Islamic history of the Prophet Muhammad<sup>saw</sup> and the rightly guided Khulafa. The Mullahs, however, want to focus on a few isolated verses of the scripture that they do not understand and a few examples in early history of Islam that are recorded without context. From such scant evidence they want to make their case of religious bigotry, religious intolerance and their militant and destructive political philosophy. The Quranic judgment mentioned in the third chapter is very befitting for them; “But those in whose hearts is perversity pursue such thereof as are susceptible of different interpretations, seeking discord and seeking *wrong* interpretation of it.”<sup>32</sup> What Mullahs do not tell their blind followers that there are more than seventy-three different Islamic sects extant today, which interpretation of Islam do they suggest we impose upon ourselves, let alone the non-Muslims? The secular politicians witnessing the sympathy of the masses for the religion abdicate their responsibility and let the Mullahs play havoc with the religious

sensitivities of the masses. What they need to do is to have institutions where scholars excel the Mullahs in religious knowledge and figure out means to transmit the balanced views of Islam to the masses.

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<sup>1</sup> <http://www.christendom-awake.org/pages/hemer/violence.htm>

<sup>2</sup> Niall Ferguson. *Ascent of Money*. The Penguin Press – New York, 2008. Page 36.

<sup>3</sup> <http://www.alislam.org/library/books/Islam-HR.pdf>

<sup>4</sup> Al Quran 21:108.

<sup>5</sup> <http://www.alislam.org/egazette/eGazette-Dec2008.pdf>

<sup>6</sup> Arnold Joseph Toynbee. *Civilization on trial: Essays*. Published by Oxford University Press, 1948. Page 205.

<sup>7</sup> Gnullanme, Alfred *The Life of Muhammad: A Translation of Ishaq; Sirat Rasul Allah*, Oxford University Press, Karachi, 1955; p. 232-233.

<sup>8</sup> Khalid, Muhammad. *Men Around the Messenger*, p. 25; *History of Islam*, p. 380.

<sup>9</sup> Gnullanme, Alfred *The Life of Muhammad: A Translation of Ishaq; Sirat Rasul Allah*, Oxford University Press, Karachi, 1955; p. 231.

<sup>10</sup> Hadhrat Mirza Bashiruddin Mahmood Ahmad. *Life Of Muhammad*. Islam International Publication LTD, 2005. Pages 82-83.

<sup>11</sup> Muhammad Zafrulla Khan. *Muhammad: seal of the Prophets*. First published in English by Routledge & Kegan Paul, London in 1980. In chapter 5 titled 'Migration.'

<sup>12</sup> Sir William Muir had the following to say in his biography *The Life of Mohammad from Original Sources*. Elibron Classics, 2005. Pages 183-184.

<sup>13</sup> Karen Armstrong. *Jerusalem*. Ballantine Books, 1996. Page 228.

<sup>14</sup> Sir William Muir. *The Caliphate: Its Rise, Decline and Fall from original sources*. The Religious Tract Society, 1891. Page 145.

<sup>15</sup> <http://books.google.com/books?id=BZ0MAAAAYAAJ&pg=PA563&dq=By+God,+he+that+is+weakest+among>.

<sup>16</sup> "Umarra I." *Encyclopædia Britannica*. 2007. *Encyclopædia Britannica Online*. 6 Sept. 2007 <<http://www.britannica.com/eb/article-9074188>>.

<sup>17</sup> William Owen Cole and Peggy Morgan. *Six Religions in the Twentieth Century*. Publisher: Nelson Thornes; Revised edition (March 2000), Page 28

<sup>18</sup> Alamma Shibli Noomani. *Al Farooq: A comprehensive treatise on the life and character of our leader, the second Caliph Hadhrat Umar<sup>ra</sup>*. Islamiyyat Publishers, Lahore, 2004. Page 252-253.

<sup>19</sup> Karen Armstrong. *Jerusalem*.

<sup>20</sup> Alamma Shibli Noomani. *Al Farooq: A comprehensive treatise on the life and character of our leader, the second Caliph Hadhrat Umar<sup>ra</sup>*. Islamiyyat Publishers, Lahore, 2004. Page 253.

<sup>21</sup> Alamma Shibli Noomani. *Al Farooq: A comprehensive treatise on the life and character of our leader, the second Caliph Hadhrat Umar<sup>ra</sup>*. Islamiyyat Publishers, Lahore, 2004. Page 251.

<sup>22</sup> Karen Armstrong. *Jerusalem*. Ballantine Books, 1996. Page 221.

<sup>23</sup> "Thomas Hobbes." *Encyclopædia Britannica*. 2009. *Encyclopædia Britannica Online*. 04 May. 2009 <<http://www.britannica.com/EBchecked/topic/268448/Thomas-Hobbes>>.

<sup>24</sup> "Thomas Hobbes." *Encyclopædia Britannica*. 2009. *Encyclopædia Britannica Online*. 04 May. 2009 <<http://www.britannica.com/EBchecked/topic/268448/Thomas-Hobbes>>.

<sup>25</sup> *The Washington Post* "On Faith" 1/29/2008.

<sup>26</sup> Richard B. Bernstein. *Thomas Jefferson*. Oxford University Press, 2004. Page 169.

<sup>27</sup> <http://www.alislam.org/quran/tafseer/?page=-7&region=E1>

<sup>28</sup> Hadhrat Mirza Ghulam Ahmad. *Izala-e-Auham, Ruhani Khaza'in*, Vol. 3, pp. 255-262.

<sup>29</sup> Sir Muhammad Zafrulla Khan. *Islam: Its Meaning for Modern Man*. Printed in Great Britain by Raqeeem Printing Press Islamabad, Sheephatch Lane, Tilford, Surrey, GU10 2AQ, 1980. Page 277.

<sup>30</sup> <http://www.alislam.org/library/books/mna/index.html>

<sup>31</sup> Karen Armstrong. *Jerusalem*. Ballantine Books, 1996. Page 220.

<sup>32</sup> Al Quran 3:8.