The Central Pillars of Sunni Political Thought

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Abstract

This article argues that similar to the centrality of the concept of sovereignty in Western social, legal, and political paradigms, at the core of Sunni legal and political history there is a paradigmatic authority of Ulu Al Amr (those in authority or the legal scholars who possess a legal mastery over the sources that constitute the body of the Sharia) that is necessary in evaluating and understanding Islamic Sunni legal and political history according to its local qualities. The validity of this claim is substantiated by focusing and locating on the type of authority at the core of the Sunni legal paradigm. It finds an historical red thread that explains the legal evolution of different types of Islamic governance that has at its locus the perennial legal authority of Ulu Al Amr. Historically, Ulu Al Amr furnished temporal force with legitimacy to rule through the legal process of Bay'a (a contract in a form of an oath of allegiance to a leader) to rule over the Umma (the community of the Muslim believers). Sunni temporal force was deprived of divine power or a central church with monopoly over law and meaning. Consequently, Sunni temporal force was never able to achieve legal authority (power) or to become a source of authority above the law. Instead, it relied on Bay'a or contracts such as Wilayah al ahed (allegiance to a dynastic monarchy) and Wlayah al qaher (obedience to coercive power and rule) to rule throughout the history of Islam.

Keywords: Sharia, law, Ulu Al Amr, authority, sovereignty and obedience

When and why should one obey authority? This is a universal question that transcends time and space. To discuss the concept of authority is to speak with generalities about human organizations and the social and political glue that binds basic social collectivities together. Wherever a voluntary association exists, authority and obedience must follow. As such, every human collectivity is held together by a set of norms and rules that are enforced by some type of authority, whether formal or informal. Every human organization holds some type or form of authority at its core. The universality of the concept of authority is a testament to the commonality of humanity, regardless of its racial, ethnic, or cultural origins. Thus, systems of meaning, including Islam, are held together by a type of authority relationship that is universal at the abstract level. Herbert Marcuse provided an excellent analysis of this universal abstract character involved in authority relationships that transcend temporal and spatial distinctions. Accordingly, he argued that:

> The authority relationship, as understood in these analyses, assumes two essential elements in the mental attitude of he who is subject to authority: a certain measure of freedom (voluntariness: recognition and affirmation of the bearer of authority, which is not based purely on coercion) and conversely, submission, the tying of will (indeed of thought and reason) to the authoritative will of an Other. Thus in the authority relationship freedom and unfreedom, autonomy and heteronomy, are yoked in the same concept and united in the single person of he who is subject. (p. 7)

Marcuse's analysis located the universal elements that are applicable to any human collectivity regardless of time and space constraints. Thus, this article utilizes Marcuse's two central elements in the mental attitude of the person who is subject to authority as a universal consequence of authority at the abstract or theoretical level.

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In the case of Western Europe, the "bearer of authority" is the sovereign because "sovereignty is a type of authority relationship" (Lake, 2003, p. 304). In Sunni Islam, however, the "bearers of authority" are the members of Ulu Al Amr (those in authority or the legal scholars who possess a legal mastery over the sources that constitute the body of the Sharia). This article argues that Ulu Al Amr members are the Ulama (those with knowledge, the learned religious scholars and experts) and excludes temporal Caliphs and the rest of the Umma (the community of the Muslim believers). While there is no Ijma (consensus or agreement among legal scholars, a jurisprudence principle and a source of Sunni law, not recognized by Shia jurisprudence) as to who exactly are the members of Ulu Al Amr, this article, a political theory analysis, argues that historically, in terms of authority relationships, the Ulu Al Amr (Ulama) played a similar role as sovereignty in the Western authority relationship. Ample academic literature has focused on the role of the Ulama legally and politically in Islam and its history. This article elevates Ulu Al Amr (as the Ulama) to the status of sovereignty in Western legal and political theory. The aim is to locate a trajectory that influences the logic of authority and obedience and its evolution in Sunni Islam. It is important to note that this is neither an essential nor a teleological claim; instead, it is an argument about a trajectory that serves as an historical red thread regarding how an authority relationship shapes and shaped by historical contingencies. I will demonstrate that historical contingency in Sunni local context elevated Ulu Al Amr status over the executive Caliphate, which explains the historical change in the configuration of Ulu Al Amr in the face of political and social change.

Differences in authority form once an authority relationship enters the practical realm of praxis constrained by the local context of any give collectivity. In the case of sovereignty's and Ulu Al Amr's authority relationship, differences arise from the aspect of tying the will of the agent to the bearer of authority. More precisely, the tying of the "thought and reason" of the agent to "the authoritative will of an Other" (Marcuse, 2008, p. 7). This element of the tying of "thought and reason" to an authoritative figure under sovereignty is different from the Sunni authority relationship with the exception of Sufism and Shia, to various degrees. Generally, the Shia authority relationship has Marcuse's element of tying "thought and reason" to a Divinely Guided Ulu Al Amr or Imam (leader of the Muslim community). Ajijola (1989) explained this divinely-inspired authority relationship:

According to the classical theory, the Sunni sources of law are the Quran, Hadis, the Ijma and Qiyas. But the Shias believe in the doctrine of the Imamate, of a particular family, and their supremacy. Their philosophy is to obey Allah, the Prophet and the Imam. (p. 46)

This type of authority relationship reveals a central chasm between Shia and Sunni jurisprudence and with it, the logic of the authority relationship. Nevertheless, the voluntary act of tying of the will of the subject/agent to an authoritative figure remains the universal element that is present in all authority relationships. Consequently, the voluntary act of tying of the will universalizes the concept of freedom and breaks the binary civilizational claims that only certain cultures and social collectivities are capable of freedom or equality. By a "minimally universal character of freedom," I mean the capacity of putting a check on arbitrary power in any human collectivity. Therefore, the presence of the free act of recognition of an authority relationship underlines the importance of the voluntary integration of members of a given social and political collectivity. Once the voluntary act of recognition of authority fades away, disruptions and conflict become a norm threatening the collective. Therefore, the instant that a collectivity is held together only by coercion and force, the authority relationship disappears and replaced by sheer force.

Once the universality of Marcuse's analysis is accepted at the abstract level, it is possible to apply the logic of authority relationships to non-European collectivities, including Sunni Islam. Overlooking the local quality of any authority relationship conflates the local/particular with the universally shared aspects of authority. More precisely, it conflates the logic of European sovereignty with Ulu Al Amr's authority when analyzing and evaluating the Sunni authority relationship. As a result, the Eurocentric tendencies in academic literature evaluates Sunni Islam (consciously, from a philosophical standpoint, or unconsciously with a latent bias) from the prism of the logic of sovereignty rendering Islam either a reforming project to be reconciled with the logic of sovereignty or concluding that Islam is incompatible with sovereignty's logic. As a result, questions of compatibility of Islam with modernity, democracy, and human rights are determined ex post facto via the latent bias of the logic of sovereignty. Ali Mirsepassi (2000) summarized the shortcomings of such academic literature because:

(1)It defines the "Third World" as a singular, essentialized entity not in terms of its own existing qualities, but in terms of "First World" qualities which it lacks. In this depiction, the First World is the ideal model while the non-Western world's existence can be summed up in terms of what it is not in relation to this ideal.

(2) It defines contemporary conditions in the Third World in terms of abstracted conditions of European historical experience; the Third World is seen as embodying aspects of Europe's past (feudalism, etc).

(3) It makes the assumption that only one essential path to modernity exists in the world, and Europe has experienced this path in advance of the non-Western world. (p. 8)

The historical evolution of authority relationships in Western Europe, the womb of modernity, developed around the local Western European historical experience. At the core of this historical evolution of sovereignty is the authority of the Roman Catholic Church. Indeed, Marcuse (2008) illustrated the role of religion in the evolution of authority relationships in Western Europe, arguing that:

The Protestantism of Luther and Calvin which gave the Christian doctrine of freedom its decisive form for bourgeois society, is bound up with the emergence of a new, "young" society which had first to conquer its right to exist in a bitter struggle against existing authorities. Faced with the universal bonds of traditionalist feudalism it absolutely required the liberation of the individual within the earthly order as well (the individual free subject of the economic sphere late essentially became the model of its concept of the individual)—it required the liberation of the territorial sovereign from the authority of an internationally centralized Church and a central imperial power. It further required the liberation of the "conscience" from numerous religious and ethical norms in order to clear the way for the rise of the bourgeoisie. In all these directions an antiauthoritarian attitude was necessary. (p. 10)

Marcuse illustrates the Protestant roots of the authority relationship of modernity as a reaction against the Roman Catholic Church that historically necessitated the rise of sovereignty, the nation-state, capitalism, and industrialism. Thus, the theological roots of the authority relationship are still operative in modern emancipatory political concepts such as freedom, equality, autonomy, and human rights.

Thus, the conflation of Western Europe's local forms of authority with non-European produces discourses of power that disciplines non-European systems of meaning and authority relationships rather than accurately analyzing and evaluating them. Clearly, the binary logic is operative in favor of the victor's will and not in universal terms. The rest of the world is obliged to take the European path to modernity in order to catch up with the First World. Therefore, catching up is the only path to development and progress. The path is arranged according to the logic of the system, namely sovereignty, which is held as the benchmark by which one can evaluate and understand non-European civilizations and human collectivities. This results in scholarship that is determined by binary conclusions and essentialism. This is precisely what the present article aims to overcome by avoiding binary concepts, analysis, and discourses of power.

Similar to Western Europe's local context, the authority relationship in Islam was founded and evolved around particular arrangements that share elements at the universal abstract level but differ in praxis according to local context. Both sovereignty and Sunni authority relationships share Marcuse's universal quality of "a certain measure of freedom" involved in the process of the tying of the will of the subject to a recognized bearer of authority. Differences in analysis become evident once the absence of a Church with a monopoly of theological "Truths" is configured into the analysis of authority relationship.

The term Ulu Al Amr appears twice in the Qur'an in Chapter 4, verses 59 and 83. The Arabic term Ulu Al Amr is translated as "those in authority" in verse 4:59 and "those of authority" in verse 4:83. There is a slight difference in the meaning due to the location of the term Ulu Al Amr in the sentence. This difference is insignificant, as the translation of both verses below demonstrates:

O you who have believed, obey Allah and obey the Messenger and those in authority among you. And if you disagree over anything, refer it to Allah and the Messenger, if you should believe in Allah and the Last Day. That is the best [way] and best in result. (4:59)

And when there comes to them information about [public] security or fear, they spread it around. But if they had referred it back to the Messenger or to those of authority among them, then the ones who [can] draw correct conclusions from it would have known about it. And if not for the favor of Allah upon you and His mercy, you would have followed Satan, except for a few. (4:83)

According to the authoritative Sunni commentary on the Qur'an by Ibn Kathir (1301–1373 AD), the term Ulu Al Amr is set in the context of a military expedition (Ibn Kathir, 1999, p.586).[2] The military context renders obedience to Ulu Al Amr a requirement by soldiers in the battlefield, while verse 4:83 refers to Ulu Al Amr in the context of spreading unconfirmed news before clarifying with authoritative sources. Verse 4:59 is the only place in the Qur'an that Muslims are commanded to obey the orders of an entity other than Allah or the Prophet. Therefore, "the message of the verse lies in the Center of Islamic Law and indeed any legal system, in the sense that law is all about 'Law and order' (obedience) and Islamic law is not an exception" (Omotosho, 2000, p. 61). This command for obedience ranked in a descending order, starting with God, then the Prophet, and finally Ulu Al Amr. The lack of a divinely ordained institution or a figure in the Sunni authority relationship limited the scope of Ulu Al Amr to authority based on knowledge of the primary sources of the Sharia. The lack of divine knowledge in the Sunni authority relationship is expressed in the same verse, "[a]nd if you disagree over anything, refer it to Allah and the Messenger." Thus, disagreements over theological and legal "Truths" must resort back first to the Word of God and then the Prophet as the verse illustrates. Consequently, obedience to Ulu Al Amr is not absolute, and the authority relationship is limited to what is in the scope of the Qur'an, Sunnah (The Prophet's verbally transmitted teachings, deeds, and sayings), and Hadith (reports or narrative of what the Prophet said or did). Thus, Ulu Al Amr's: authority seems to be derived from the fact that the person wielding authority possesses superior knowledge, insight, or experience. The authority rests upon these givens, which are accompanied by the person's ability to give extended reasons for what he decides to say or do. (Friedrich, 1972, p. 51)

The conditional obedience in verse 4:59 renders Ulu Al Amr's authority to mere legal experts. Only when Ulu Al Amr achieve legal consensus (Ijma) does their opinion become elevated in rank behind the Qur'an and Sunnah. Accordingly, knowledge is esoteric in character and open to debates and disagreements among legal scholars.

Legally, the constitution of Ulu Al Amr is ambiguous and lacks legal consensus or Ijma. The juridical ambiguity regarding the constitution of Ulu Al Amr is mainly over the subject of who is included next to the Ulama (legal scholars). The below legal survey by Omotosho (2000) provides a brief history of Sunni jurisprudence regarding the constitution of Ulu Al Amr membership.[3] Accordingly, the Ulama are included in the majority of the legal opinions that historically vary. Most importantly, the Ulama are responsible for deciding the constitution of Ulu Al Amr, elevating them to the helm of the Sunni authority relationship. As the executive, the Caliphate has legitimacy to rule over the Umma and to execute the authoritative will of Ulu Al Amr.

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[2] قال البخاري: حدثنا صدقة بن الفضل، حدثنا حجاج بن محمد الأعور عن ابن جريج عن يعلي بن مسلم عن سعيد بن جبير عن ابن عباس (أَطِيعُوا الله و أَطِيعُوا الرسول و أُولِي الأمر منكم) قال: نزلت: في عبد الله بن حذافة بن قيس بن عدي إذ بعثه رسول الله صلى الله عليه و سلم في سرية. و هكذا أخرجه بقية الجماعة إلأ ابن ماجه من حديث حجاج بن قيس بن محمد الأعور، و قال الترمزي: حديث حسن غريب و لا تعرفه إلا من حديث ابن جريج. و قال الإمام أحمد: حدثنا أبو معاوية عن الأعمش عن سعد بن عبيدة عن أبي عبد الرحمن السلمي عن علي قال: بعث رسول الله صَلَّى الله عليه و سلم سرية و استعمل عليهم رجلاً من الأنصار، فلما خرجوا وجد عليهم في شئ قال: فقال لهم أليس قد أمركم رسول الله صلى الله عليه و سلم أن تطيعوني؟ قالوا: بلى، قال: فأجمعوا لي حطباً، ثم دعا بنار فأضرمها فيه، ثم قال: عزمت عليكم لتدخلنها، قال: فقال لهم شاب منهم: إنما فررتم إلى رسول الله صلى الله عليه و سلم من النار فلا تعجلوا حتى تلقوا رسول الله صلى الله عليه و سلم، فإن أمركم أن تدخلوا فادخلوها، قال: فرجعوا إلى رسول الله صلى الله عليه و سلم فأخبروه فقال لهم: (لو دخلتموها ما خرجتم منها أبداً، إنما الطاعة في المعروف) أخرجاه في الصحيحين من حديث الأعمش به.

[3] The term ulu al-amr attracted different definitions among the jurists and the traditionalists alike and automatically created different implications. According to Ash-Shafii, ulu al-amr (those charged with authority) means the commander of the Apostle's army…Another definition according to Qurtubi, originated from Jabir b. Abdullah, the famous companion (d. 73AH), who described ulu al-amr as Ahl-al-Qur'an wa al-ilm: those who have knowledge of the Qur'an and religion (e.g faith). This definition was also supported by leading successors like Mujahid b. Jabr and Malikb. Anas (d. 179AH). Ibn Kathir quoted another one, which is more or less the same at least in meaning. It was dated back to Ibn Abbas, who said that ulu al-amr means the people of fiqh and religion (the jurists and religious learned men) …Ibn Kathir however believes that the term refers to everybody in a position of authority, whether it is political or religious. The fourth definition came from Ibn Kaysan (d. 2999AH), who also described ulu al-amr as people of intellect and reason, those who should govern the affairs of people…Al-Baydawi (d.685AH) later put forward another definition, which reflects the first two that were attributed to al-Shafi'I and al-Qurtubi, respectively. According to al- Bayadawi, ulu al-amr means governors during the lifetime of the Prophet and after him, including the Khulafa, judges and leaders of the Apostle's Army. These are the most popular definitions given to ulu al-amr, which in one way or the other refer to the same meaning and the same objectives of the Qur'an. They still enjoy support of later scholars. There are many other definitions that one can consider only as personal simply because they lack the popularity found in the four above and also because they seem to represent one doctrine or the other. (p. 62)

Verse 4:59 was elevated due to an historical contingency unfolding in face of the local context of an authority relationship that resulted in elevating the Ulama to occupy the category Ulu Al Amr. The absence of a reference of a state or rulership in the Qur'an and Sunnah led to the historical rise of the Ulama as Ulu Al Amr filling the legal vacuum. The lack of consensus could be due to social and political changes that required updating the membership or a maneuver to prevent a clash with the executive (Caliphate). Nevertheless, the Ulama authoritatively decide who should be included and excluded from the category, which is indicative of their status in the Sunni authority relationship hierarchy. The authority of Ulama as Ulu Al Amr constrained the executive by monopolizing the legitimacy of it to rule. Hence, the Caliph "as ruler [...] is nothing but the successor of the one who preceded him . . . and not entitled by the qualities inherent in his personality" (Dabashi, 1989, p. 90; Goldziher 1989, pp. 182–183). Though history is full of exceptions to this authority relationship, these exceptions remain marginal to the norm of the Sunni authority relationship. Hence, the present article uses the term "temporal force" and not "temporal power" to reflect this dynamic, because the term "power" implies a self-constituting legitimacy that the Sunni Caliphate (as the executive) lacks. This stands in stark contrast to the sovereign figure and the concept of sovereignty both historically and in a contemporary context.

It is important to underscore the historical significance of the absence of monarchical rule or a central government in pre-Islamic Mecca. Instead, customs and pacts around tribal loyalties were the means to prevent common outbreaks of war. Ibn Khaldun (1967) described the social and political condition of the Arab tribes at the time: The restraining influence among Bedouin tribes comes from their shaykhs and leaders. It results from the great respect and veneration they generally enjoy among the people. The hamlets of the Bedouins are defended against outside enemies by a tribal militia composed of noble youths of the tribe who are known for their courage. Their defense and protection are successful only if they are a closely-knit group of common descent. This strengthens their stamina and makes them feared, since everybody's affection for his family and his group is more important (than anything else). Compassion and affection for one's blood relations and relatives exist in human nature as something God put into the hearts of men. It makes for mutual support and aid, and increases the fear felt by the enemy. (p. 170)

The pre-Islamic authority relationship was structured around blood ties and tribal loyalties and was the local context. From its inception, Islam unfolded in a context absent of monarchical authority. As a result, the language of the Qur'an makes no references to institutions such as a central government or a state. Instead, the social and political unity of the Muslim Arabs was constructed around the Sharia that unified the warring Arab tribes into one community of believers, the Umma. Islam did not propagate the establishment of a state or empire; instead, it created a community of the faithful, as illustrated in the following Quranic verse: "VERILY, [O you who believe in Me,] this community of yours is one single community, since I am the Sustainer of you all: worship, then, Me [alone]!" [21:92]. The universal solidarity of the community was facilitated by the law or the Sharia that unified Muslims regardless of their particular racial and ethnic origins. The absence of a reference to a form of government in the Qur'an, Hadith, and Sunnah left the matter open to expedient arrangements according to historical change. Ibn Khaldun (1967) explained this process: … the Arabs are by nature remote from royal leadership. They attain it (only) once their nature has undergone a complete transformation under the influence of some religious coloring that wipes out all such (qualities) and causes the Arabs to have a restraining influence on themselves and to keep people apart from each other, as we have mentioned. This is illustrated by the Arab dynasty in Islam. Religion cemented their leadership with the religious law and its ordinances, which, explicitly and implicitly, are concerned with what is good for civilization. The caliphs followed one after another. As a result, the royal authority and government of the Arabs became great and strong. When Rustum [The Sasanian Emperor (? –636 AD)] saw the Muslims assemble for prayer, he said: "Umar [Second Guided Caliph (579–644 AD)] eats my liver. He teaches the dogs how to behave." (p. 202)

The ability of Islam to unify the Arabs under the authority of the law and not the authority of state or a central government created a local specificity that prioritized the law before the state. Unlike the Hobbesian logic, the state or government in Islam is derivative and structured around the law and its function. As a result, the law is prior to the state and "[t]he establishment of umma as the Islamic community was the most significant expression of Islamic solidarity against traditional tribal structures" (Dabashi, 1989, p. 76). This local context prevented the Caliphate from being the bearer of authority in the Sunni Islam authority relationship, making it dependent on Ulu Al Amr's authority for legitimacy to rule. The fact that there is no reference for a form of government or state in the Qur'an, and "without a succession plan the death of the Prophet (11 AH–632 CE) presented a challenge to the unity of the Umma and a vacuum in leadership" (Donner, 2010, p. 146). The disputes over leadership that followed the passing of the Prophet were indicative of the absence of a clear hierarchical authority.

More importantly, the lack of any reference of a temporal Caliphate in the Qur'an and the Sunnah subordinated the executive post and the state to the Sharia. Initially, the disputes over leadership were resolved relatively peacefully in a period known in the history of Sunni Islam as the rule of the Four Guided Caliphs. According to Donner: On the death of Muhammad in 11/632, the Believers in Medina agreed to recognize Abu Bakr as their political leader. This act not only secured the succession but also institutionalized the notion that the Believers should remain a single, united community. We also noted that Abu Bakr was succeeded by 'Umar ibn al-Khattab (ruled 13–23/634–644) and then by 'Uthman ibn 'Affan (ruled 23–35/644–656) and how under these leaders the first great wave of expansion of the Believers' movement took place. (p. 146)

Because the Companions of the Prophet are equal in authority and status, at least in theory, the selection process was based on the criteria of piety and proximity to the Prophet. Thus, Abu Bakr was selected and his three successors were selected accordingly. It should be noted that Shia jurisprudence, which emphasizes lineage to the Prophet, disputes the validity of the Sunni claims. They claim that Ali ibn Abi Talib (599–661 AD; the Fourth Guided Caliph according to Sunni historical accounts) and his offspring are the rightful Caliphs to rule the Umma after the Prophet. But according to the Sunni historical narrative, the Prophet did not indicate who should rule the Umma after his passing. The piety of the Caliph and his proximity to the Prophet were salient at the early period. The structure and configuration of Ulu Al Amr during the period of the Four Guided Caliphs, and to a much lesser extent Mu'awiya ibn Abi Ṣufyan (602–680 AD), the fifth Caliph, who used force to succeed Ali. The Caliph, as a Companion of the Prophet, can achieve authority over other Companions and the Umma via Bay'a (a contract in a form of an oath of allegiance to a leader).

In my reading this is the only period in the history of Islam where the executive can be rightly labeled as a temporal power uniting force and authority. The Four Guided Caliphs and Mu'awiya ibn Abi Ṣufyan, as members of Ulu Al Amr, unified force and authority as a self-constituting power. It is only during the rule of the Four Guided Caliphs that the category Ulu Al Amr was occupied by one person at the apex of the authority relationship.

By the time of the death of the Fourth Guided Ali ibn Abi Talib in 661 AD, the piety and proximity qualifications were no longer sufficient to establish an authority relationship alone due to the disputes that rose among the Companions over the Caliphate post. The structure of the authority relationship became horizontal, canceling any possible authority relationship to unify the Umma. Once Ulu Al Amr authority was no longer recognized, disputes were unable to be resolved, leading to a period in Islamic history dubbed the Great Fitnah (insurrection, upheaval, and chaos). As the waning authority relationship disappeared, piety became a source of division and insurrection. "[T]he First Civil War had involved economic and other practical issues but was fundamentally a debate over the nature of future leadership in the community of Believers, particularly its relationship to issues of piety and morality" (Donner, 2010, p. 167). Unlike Shia accounts, Sunni scholars generally avoid putting the blame on any of the generation of the belligerent Companions during the period of the Grand Fitnah. Instead, they justify the bloodshed as a moment of upheaval that blurred "Truth" and "Falsehood." It is important to note that during the First Civil War (656–661AD) and the Second Civil War (680–692 AD) the structure of authority was horizontal rather than hierarchical. The fact that the two civil wars were bitterly fought is indicative of equal authorities cancelling out each other. Accordingly, the legal category of Ulu Al Amr evolved historically as a response to the chaos of Grand Fitnah and with it elevating the importance of verse 4:59. The absence of reference of the state and a form of government in the Qur'an and Sunnah created an environment conducive to competitive claims over the leadership of the Umma. At the end of the Grand Fitnah, Mu'awiya ibn Abi Ṣufyan, a Companion of the Prophet, became the fifth Caliph and the most powerful figure to bring stability and quell chaos.

Although Mu'awiya had emerged in 40/661 as the victor of the First Civil War, the basic questions over leadership that had been at issue during the war had never really been settled; they had rather been made temporarily moot by the fact that the logical claimants for leadership at that time had been reduced to one. (Donner, 2010, p. 177)

The fact that Mu'awiya was neither the most pious nor proximate to the Prophet explains his legal exclusion from the Sunni category of a "Guided Caliph." As a result, the legacy of his reign ushered an innovative attribute to the post of the Caliphate, mainly the practical principle that, to prevent chaos, it is more expedient to have a powerful Caliph than a pious one. Nevertheless, Mu'awiya was the first to become a Caliph while more pious and proximate Companions were overlooked ushering a pernicious change leading to dynastic rule.

For the first time, the Sunni legal thread of the primacy of expediency over piety appears in the history of Islam. The subtle but significant change set in motion a gradual but enduring erosion of the Caliphate's authority in the direction of the yet-to-be-formed Ulu Al Amr legal category as the Ulama. "But on Mu'awiya's death in Rajab 60/April 680, the latent tensions dividing the ruling elite among the Believers quickly bubbled to the surface" (Donner, 2010, p. 177). The tension that divided the elite was over a major innovation that introduced a dynastic rule for the first time in Islam. "Hoping to secure a smooth succession, Mu'awiya in his last years had issued a decree naming his son Yazid ibn Mu'awiya heir apparent" (Donner, 2010, p. 177). Consequently, "it was in the year 65 AH–686 AD when Mu'awiya asked to give Wilayah al ahed [allegiance to a dynastic monarchy] to his son Yazid" (Al-Mutairi, 2003, p. 116).[4] Wilayah al ahed was introduced as an expedient solution to avoid future conflict. In fact, it was Mu'awiya's ploy to introduce hereditary rule. By the time of Mu'awiya's death the generation of the Companions was aging and shrinking in size. Accordingly:

With the Second Civil War in particular, we are palpably moving into a new phase in the history of the community of Believers. The era of the companions of the prophet is rapidly drawing to a close, and the dramatis personae are now members of a younger generation who had no memory of the prophet or of the struggles that shaped his life. One senses an attenuation of the intensely charismatic quality of the early movement, with its clear-sighted concern for piety and observing God's will; the commitment to piety is still there, but it has become more routinized and less personal and is tempered among many Believers with more practical and this worldly concerns. (Donner, 2010, p. 190)

The chaos that followed the death of Mu'awiya over Yazid's ambition sparked the Second Civil War, as evidenced by the absence of a hierarchical authority relationship to speak on behalf of the Umma. Instead, force and coercion were used to subdue the Companions and the Umma to accept the usurpation of the Caliphate. The material change achieved by Umayyad's success gradually transferred authority from the Companions and paved the way for the rise of the role of the Ulama to fill the category of Ulu Al Amr category as referenced in verse 4:59. Therefore, the Umayyads were first to introduce dynastic rule and simultaneously paving the way for the rise of Ulama as Ulu Al Amr. The following quote illustrates the point: Another major office which gradually developed in the Islamic state apparatus, again due to the exclusively political and administrative limitation of the caliphal authority, was that of the ulama (religious scholars). A firm and extensive knowledge of the religious sciences—the Qur'an and Hadith in particular—provided the ulama with a crucial area of expertise and thus authority. As the custodians of institutionalized Islam, this class of religious scholars and their religious authority had to be recognized. (Dabashi, 1989, p. 92)

The gradual transfer of authority to the Ulama as Ulu Al Amr led to the growth of a Sunni jurisprudence generally independent from the temporal Caliphate that historically lacked authority in Sunni. Instead, legitimacy to rule over the Umma was furnished by the Ulama as Ulu Al Amr. One example is how the decline and eventual dissolution of the Abbasid empire (750-1258 AD) rendered Wilayah al ahed irrelevant to the new political and social circumstances of competing smaller political entities. Ulu Al Amr's authority was central in addressing this new change to the legal principle of Maslaha (the principle that the intent of the law primarily aims for the good of the community). Accordingly, Ulu Al Amr was able to forge a new form of contract to legitimate temporal force rule. The new contract of Wilayah al qaher (allegiance to the usurper of power by force) reflects the completion between competing forces. The historical trauma of the sacking of Baghdad in 1258 AD by the Mongols and the invasion of the Crusades demonstrate the centrality of Ulu Al Amr's authority in addressing material change by legitimating legal solutions that are compatible with the new challenges. First, regarding the consequences of the Fall in Sunni Islam, all three monotheistic religions share similar accounts. But the extent of damage caused by the event differs in the three religions. The variations exist even within the same religion among the different branches of theologians, as between St. Augustine of Hippo (354–430 AD) and St. Thomas Aquinas (1225–1274 AD). But the focus here is on the Protestant accounts of the Fall as the womb that bore modernity's social, political, and economic trajectories. More precisely, the Lutheran account of "[t]he Christian conception of man as 'created being' 'between' natura naturata and natura naturans, with unalterable inheritance of the Fall, still remains the unshaken basis of the bourgeois concept of freedom of German Idealism" (Marcuse, 2008, p. 8).

و لما أراد معاوية أن يبايع النا ابنه يزيد سنة ١٥ ، و يعهد بالأمر إليه من بعده، اعترض عليه كبار الصحابة و فقهاؤهم في تلك الفترة، و هم عبد الله بن عمر، و 4
عبد الله بن الزبير، و عبدالله بن عبا ، و عبد الرحمن بن أبي بكر، و الحسين بن علي

The unalterable inheritance of the Fall first required the intervention of God Incarnate, as Christ the Son, redeemer of humanity, and later through a predestination of grace. This Lutheran account of the Fall splits the Christian subject into two realms, where works in the physical/temporal world cannot improve the spiritual quality since "for the free Christian knows that he is 'actually' raised above worldly law, that his essence and his being cannot be assailed by it and that his subordination to the worldly authorities is a 'free' act, which he does not 'owe' them" (Marcuse, 2008, p. 9). This inward attitude of the individual results in a particular conception of freedom and the self that are the bases of bourgeois capitalist modernity.

While the Qur'an shares with the Old Testament the account of Adam's Fall, the consequence of the event is different and presupposes certain a priori qualities in the Muslim subject. According to the Quranic accounts of the Fall, Adam and Eve are transferred to a temporal existence but their nature was not damaged in the process. In other words, the punishment is "Paradise Lost," transforming temporal existence as a test to reunite with God or the affirmation of Adam's sin resulting in an eternal damnation. The emphasis is on the ability of the human subject to discern "good from evil" and act upon this knowledge. The emphasis on works assumes that the spiritual and mental conditions are not damaged or corrupted, as the following verses from the Qur'an illustrate: But Satan caused them to slip out of it and removed them from that [condition] in which they had been. And we said, "Go down, [all of you], as enemies to one another, and you will have upon the earth a place of settlement and provision for a time." (2:36)

Then Adam received from his Lord [some] words, and He accepted his repentance. Indeed, it is He who is the Accepting of repentance, the Merciful. (2:37)

We said, "Go down from it, all of you. And when guidance comes to you from Me, whoever follows My guidance there will be no fear concerning them, nor will they grieve." (2:38)

The narrative does not indicate a good or evil nature of the human subject. Moreover, "original sin" was absolved with Adam's repentance, freeing humanity from that burden and rendering the sacrifice redundant. As a result, the temporal world remained unchanged, without Divine intervention. Instead, the hereditary consequence of the Fall is temporal existence of dissension between "good and evil" followed by a "trial" at the end of time. It is a condition of strife that tests agents to determine those who would follow divine guidance and those who are enslaved to the ends of the temporal world. The a priori assumption about the human subject here is that individuals have sound faculties capable of distinguishing "truth" from "falsehood" with Divine guidance from Divine Books communicated through Messengers and Prophets. Consequently, "Muslims can understand transparently what they need to understand, how they need to act, to be saved" (Gould, 2008, p. 12). This idea is emphasized via law in the absence of a reference the Caliphate. Accordingly, the temporal world transformed into a temporary condition, tying the temporal and spiritual realms via law into a unified domain of salvation. Muslim subjects achieve salvation by unifying the spiritual and temporal realms according to the will/commands of God. This orientation toward the temporal world generates an attitude that motivates the agent of unifying thought with action or the spiritual with works (as much as the agent is capable) according to the will of God. Again, the emphasis here is that individuals are capable of distinguishing the right path of action. Chapter 103 illustrates this idea further:

By time, (103:1)
Indeed, mankind is in loss, (103:2)
Except for those who have believed and done righteous deeds and advised each other to truth and advised each other to patience. (103:3)

There are ample verses in the Qur'an that express this idea of the capacity of the agent to believe and do righteous deeds based on their ability to discern "truth" from "falsehood." The a priori assumption regarding human cognition in the Qur'an and Sunnah presupposes a certain limitation on the type of authority relationship within a Sunni context. More precisely, it strips the divine character of the bearer of authority, replacing it with an expert's knowledge type of authority. As such, "[a]uthority seems to be derived from the fact that the person wielding authority possesses superior knowledge, insight, or experience. The authority rests upon these givens, which are accompanied by the person's ability to give extended reasons for what he decides to say or do" (Friedrich, 1972, p. 51). This type of Sunni authority is based on the legal ability of the expert to convince others who are equal in status that his or her view is ultimately the correct one, setting a precedent for future similar cases. Over time, the consistency of the quality of legal opinions elevates the expert as a recognized part of the canon.

An absence of Divine or esoteric knowledge is foundational in the Sunni authority relationship and obedience, with the exception of Sufism to a certain degree. But this authority type also has political implications; the a priori assumption renders God's commands as the ultimate goal of the system rather than the establishment of a Caliphate. As the law becomes the ultimate goal of the Muslim collectivity, the institution around the law surpasses the temporal force, namely Ulu Al Amr's authority. This idea was expressed by Ernest Gellner (1981), who argued:

The fact that, in this way, legislation is pre-empted by the deity has profound implications for Muslim life. It does not merely mean that a fundamentalist may have difficulties in accepting modern law and legislative practices; it also means that a certain kind of separation of powers was built into Muslim society from the very start, or very nearly from the start. This version of the separation of power did not need to wait for some Enlightenment doctrine concerning the desirability of a pluralist social order and of the internal balance of independent institutions. It subordinates the executive to the (divine) legislature and, in actual practice, turns the theologians/lawyers into the monitors of political rectitude—whether or not they always have the power to enforce their verdicts. (p. 7)

Temporal rulership in the history of Islam was preempted by the law. This in turn rendered temporal action in the history of Islam as a mere force that depended on the legitimacy of Ulu Al Amr's authority to become a legitimate temporal power. This sets up Ulu Al Amr's authority, temporal force and the state in a peculiar triangular that produces a local logic to tyranny and despotism.

The Fall produce different a priori assumptions about human agency that influence the type of authority expressed between the bearer of authority and the subject of authority. This leads the present analysis to the second point of "Truth" claims in the Sunni authority relationship. To illustrate the logic and quality of "Truth" in the Sunni authority relationship and obedience, it is beneficial to contrast it with sovereignty's "Truth" claims. In his book "The Impossible State: Islam, Politics, and Modernity's Moral Predicament," historian of Islamic Law Wael Hallaq (2013) argued that the physical and metaphysical change ushered by the advent of modernity makes it impossible for an Islamic state as an ethical entity to exist. He argued that modernity's economic and scientific progress is constructed around a certain paradigmatic logic that prioritizes the "is" over the "ought." More precisely, he argued that ethical concerns in modernity took a back seat to expediency. He used Carl Schmitt's notion of "central domain" to define the concept of paradigm. Hallaq stated that: A starting point toward a definition of paradigm is Carl Schmitt's notion of "central domain." If a domain becomes central, "then the problems of other domains are solved in terms of the central domain—they are considered secondary problems, whose solution follows as a matter of course only if the problems of the central domain are solved." In illustration of this notion, Schmitt offers the example of European technical progress during the nineteenth century, an arena of progress that, to use our term, was paradigmatic. The massive upsurge of "technical progress" affected all "moral, political, social, and economic situations." Its overpowering effect gave it the status of "a religion of technical progress which promised [that] all other problems would be solved by technological progress." It became "a religion of technical miracles, human achievements, and the domination of nature." Whereas in an age of traditional religion the central domain is moral upbringing, moral education, and worldly moral desiderata, in the "technical age" what counts as progress, as a true achievement, is "economic and technical progress." Similarly, in "an economic age, one needs only solve adequately the problem of the production and distribution of goods in order to make superfluous all moral and social questions." Thus, all concepts, including "God, freedom, progress, anthropological conceptions of human nature, the public domain, rationality and rationalization, and finally the concept of nature and culture itself derive their concrete historical content from the situation of the central domains and can only be grasped therefrom." (pp. 9–10)

Politically, modernity's central domain put the raison d'état at the center of politics and with it the sovereign figure and sovereignty. Scientific knowledge produced new ways of examining and understanding history, politics, and most importantly the human subject. Science is the basis of "Truth" claims, and it brings new ways to conceptualize the social sciences as constructed around the human subject.

While agreeing with Hallaq's (2013) assessment of modernity, problems arise when applying Schmitt's "central domain" to an Islamic paradigm. As a result, the structure and logic of the Islamic paradigm and "Truth" claims operate with same logic of sovereignty that stands absolute, indivisible, supreme, infallible, and with finality in relation to other domains. In the case of Islam, Hallaq (2013) constructed a paradigm that substitutes the "is" located at the core of the central domain with "ought," reducing both paradigms to the logic of sovereignty. The outcome of this argument reduces both paradigms to similar logic of authority relationships and "Truth" claims as copies of one another in both paradigms.

The exception to both paradigms is that one paradigm operates according to the "is" logic while the other according to the "ought" located in the central domain, risking the entire analysis to a romantic critique of modernity. This is exactly the problem that the present analysis aims to correct by focusing on Ulu Al Amr's authority in the face of physical and metaphysical change.

Ulu Al Amr's "Truth" claims do not operate in similar fashion to those under sovereignty as a central domain that determines "Truth" claims. Ulu Al Amr's authority has a different logic than sovereignty in determining other domains in the system. This is due to the fact that in Sunni Islam, "Truth" claims are open to interpretation by temporal agents who are experts, but not divine. Therefore, "the absence of definitive interpretations breeds a certain tolerance, for example, among the four orthodox schools of law in Sunni Islam, because the differences do not matter" (Gould, 2008, p. 12). Instead, "Truth" claims in Sunni Islam are constituted through the juridical principle of Ijma (consensus or agreement among legal scholars, a jurisprudence principle and a source of Islamic law). This legal principle is based on the juridical view that "Truth" claims are similar to a mosaic in structure; put together, they can constitute the whole image. Therefore, "[t]he recognized sources of law in Islam include, next to the Qur'an and Sunnah, the consensus (Ijma) of the Muslim community, their scholars, and representatives. The will and consensus of the community thus stands in authority next to the will of God" (Kamali, 2002, p. 15). This principle is further solidified by the Hadith (reports or narrative of what the Prophet said or did) or "[t]he principle that 'the community will not agree on error' may endow communal consensus, rather than the political doctrine, with a kind of legislative authority. Within this communal consensus, the voice of the learned is liable to possess special weight" (Gellner, 1992, p. 7). Historically, this is precisely how the entire system functioned without a Church or claims of Divine knowledge But neither the construction of the legal principle of Ijma nor the juridical weight given to the previous Hadith are constituted by the Umma. On the contrary, it is the Ulama, whom I claim are members of Ulu Al Amr, acting on behalf of the Umma or the community, legally legitimizing their ruling as the will of the community. But Ulu Al Amr's authority operating in the face of historical contingencies functions according to a tradition of "Truth" claims, which are constructed around the a priori assumptions about human agency in Sunni Islam. These assumptions prevent the formation of an entity with final, highest and indivisible authority. As such, members of Ulu Al Amr do not occupy a central domain with a particular "Truth" claim; instead, Ulu Al Amr's authority is one of harmonizing logic between the metaphysical and physical realms. A good example of this harmonizing role is the two contracts that were invented by Ulu Al Amr to harmonize ontological change of time and space, namely Wilayah al ahed and Wlayah al qaher, as discussed previously.

The hegemony of the law over the entire system regulates the nature of governance and with it economic and social institutions, rendering Ulu Al Amr, not the executive, at the apex of the authority relationship. For example, "the caliph of the Sunnis [had] no authority to dispense spiritual instruction" (Dabashi, 1989, p. 90; Goldziher, 1989, pp. 182–183). Consequently, a Caliph "as ruler [...] is nothing but the successor of the one who preceded him . . . and not entitled by the qualities inherent in his personality" (Dabashi, 1989, p. 90; Goldziher, 1989, pp. 182–183). Moreover, the fact that laws were communicated to the Prophet while the Muslims were a minority in Mecca before the formation of the city-state of Madinah set a precedent centering the law as the basis for all political, social, and economic institutions. Institutions do not have logic independent of the law; instead, they operate according to the ethical and legal standards of the law. The hegemony of the law prevented raison d'etat to form independent of Ulu Al Amr's authority. This set Ulu Al Amr and their authority, temporal rulers, and the state in a triangular relationship dynamic that merits original insights in historical writing about Sunni Islam, especially questions regarding the formation of civil society. Unlike sovereign power, temporal force lacked self-constituting authority, hence, the label "force" and not "power." Because temporal power presupposes a self-constituting legitimacy, this dynamic prevented a bearer of authority similar to sovereignty to form in the Sunni authority relationship. Instead, temporal rulers in Sunni Islam were legally checked by Ulu Al Amr as the (Ulama) who speak on behalf of the Qur'an and the Sunnah. Thus, the "already existing law" limited rulers from gaining a similar authority enjoyed by the sovereign figure in two ways: first, the law prevented rulers to be above the law or authors of laws. Second, the law preempted any attempts by temporal rulers to claim a divine right to rule. This dynamic opens new possibilities of how one should think and construct concepts such as tyranny, obedience, freedom, autonomy or equality according to the logic of authority relationship in Sunni Islam. Certainly, these political concepts while universal in character, they operate differently and have different significance than they do under a sovereignty relationship.

Therefore, the absence of a Divine entity to speak on behalf of the law cast a temporal logic constraining the authority relationship in Islam and limited "Truth" claims. This explains why Islam and Muslim empires did not coerce local populations into conversion, because the a priori assumptions about human agency leave no space for a Divine claim over theological "Truths" or the salvation of souls. The temporal quality of Ulu Al Amr as experts prevented the elevation of the authority relationship and obedience beyond legal knowledge that recognizes the human subject's right to choose a religion and, accordingly, a law to obey. The following verse in the Qur'an demonstrates a priori assumptions about human agency and its freedom to accept "Truth" from "Falsehood": There shall be no compulsion in [acceptance of] the religion. The right course has become clear from the wrong. So whoever disbelieves in Taghut and believes in Allah has grasped the most trustworthy handhold with no break in it. And Allah is Hearing and Knowing. (2:256)

The verse belongs to the Madani period (revealed during in Yathrib or Madina) when Muslims formed a city-state under the leadership of the Prophet. In general, the clear prohibition of compulsion in religion in the Qur'an and Sunnah limited the standardization and codification of the law, allowing the operation of a multiplicity of laws (under the hegemony of the Sharia). The prohibition limited the scope of Ulu Al Amr's authority and temporal force, preventing the raison d'état to take hold of the state and harmonizing it with law.

Thus, by grasping the local historical roots of the authority relationship of Western Europe, the red thread and its trajectory become visible. The legacy of a unified legal standard in the history of Western Europe set an operational logic whereby arbitrary, unjust unified/universal laws met with unified/universal demands. This logic is at the core of the Universal Declaration of Human Rights, which demonstrates the Eurocentric roots of contemporary human rights On the other hand, in the case of Sunni history, struggles against arbitrariness of law were chiefly based on the demands of the application of the Sharia according to Ulu Al Amr's authority over the law. Therefore, the particular character and application of the Sharia function as a check on obedience to both temporal force and the authority of Ulu Al Amr's authority prevented the rise of a Divine agency or knowledge. This limitation protected the freedom of religious minorities to choose their faith and live according to their religious laws. Ideally, this in turn allowed Muslims to hold temporal force to the standard Ulu Al Amr's authority. But there are also disadvantages to this logic of authority, for example, the absence of coercion under a unified code of laws allowed the treatment of none Muslims unequally by imposing Jizyah (a tax historically levied by Islamic states on certain non-Muslim subjects permanently residing in Muslim lands under Islamic law). Conversely, the existence of multiplicity of laws constructs local forms of freedom, autonomy, equality and emancipation that operate according to the logic of Sunni authority relationship. Thus, by upholding the Sharia, Ulu Al Amr's authority functions as a check on temporal force and arbitrary power.

Situating Ulu Al Amr's authority as the prism to investigate Sunni Islam and its history, questions regarding Islam and modernity in general and religion and politics in particular can be reformulated and answered according to the local logic of authority relationships. The local operational logic of Ulu Al Amr's authority provides a role of religion and law that serves a different function from that under sovereignty. Therefore, antiauthoritarian attitudes are present in both systems, but they operate under the different authority relationship's local logic. This leads to another contribution of Ulu Al Amr's authority that introduces new and original accounts of Sunni subjectivities, especially when discussing human rights and Islam. Ulu Al Amr's authority provides a trajectory to think about many possible Sunni subjectivities in relation to political concepts that operate according to sovereign logic of authority relationships. According to Ulu Al Amr's authority, binary concepts that operate according to the logic of sovereignty must be reconceptualized or discarded altogether when investigating and analyzing Islam and its history; this is particularly important in human rights and democracy debates.

Ulu Al Amr's authority provides us with new insights to think about the relationship between religion and politics. This is particularly important in the academic genre of Islamism or political Islam. The teleological Eurocentric attitudes toward religion and politics in general, and Islam and politics in particular, are afflicted with Eurocentric assumptions that fit sovereignty's logic. Thinking in terms of Ulu Al Amr's authority may contribute to the construction of a novel way of thinking about international law and human rights. It is over these dissensions that bridges must be built to arrive at a universal commonality between the two sides.

Glossary

Alim see Ulama legal scholars
Al-Qaeed   commander
Bay'a (from Ba'a, to sell) contract in a form of an oath of allegiance to a leader
Caliph or Caliphate (see also imam; of Muhammad) serving as the head of state or leader of the Muslim community
Fitnah   insurrection, upheaval, and chaos
Fuqaha (sing. Faqih, legal scholar)
Hadith reports or narrative of what the Prophet said or did
Jizyah   tax historically levied by Islamic states on certain non-Muslim subjects permanently residing in Muslim lands
            under Islamic law
Ijma consensus or agreement among legal scholars, a jurisprudence principle and a source of Sunni law, not
            recognized by Shia jurisprudence
Imam (see also Caliph)   leader of the Muslim community (also leader of congregational prayer, "modern" head of
            state)
Maslaha the principle that the intent of the law primarily aims for the good of the community
Sharia Islamic law, religious law, Right, Rectitude, Code (the whole body of rules guiding the life of a Muslim in law,
            ethics, and etiquette); the sources of the Sharia law found in the Qur'an, Hadith, and Sunna as well as Fiqh.
Sunnah the Prophet's verbally transmitted teachings, deeds and sayings
Ulama (sing. Alim) those with knowledge, the learned, religious scholars and experts
Ulu Al Amr those in authority or the legal scholars who possess a   legal mastery over the primary sources of the
            Sharia
Umma the community of the Muslim believers
Wilayah al ahed allegiance to a dynastic monarchy
Wlayah al qaher allegiance to the usurper of power by force

References

Ajijola, J. Muhammed. (1989). Introduction to Islamic law. New Delhi, India: International Islamic Publishers.
Dabashi, Hamid. (1989). Authority in Islam: From the rise of Muhammad to the establishment of the Umayyads. New
            Brunswick, CA: Transaction Publishers.
Donner, M. Fred. (2010). Muhammad and the believers: At the origins of Islam. London, UK: Harvard University
            Press.
Elshtain, Jean B. (2008). God, state, and self. New York, NY: Basic Books.
Friedrich, J. Carl. (1972). Traditions and authority. London, UK: The Pall Mall Press.
Gellner, Ernest. (1981). Muslim society. New York, NY: Cambridge University Press.
Gould, Mark. (2008). "Islam, the law, and the sovereignty of God." Policy Review, 149, 3–17.
Hallaq, Wael B. (2013). The impossible state: Islam, politics, and modernity's moral predicament. New York, NY:
            Columbia University Press.
Ibn Khaldun, M. Abd Ar Rahman. (1967). The Muqaddimah. Princeton, NJ: Princeton University Press. (Original
            work published 1377 AD)
Kamali, Mohammed H. (2002). Freedom, equality and justice in Islam. New York, NY: Cambridge University Press.
Lake, A. David. (2003). "The new sovereignty in international relations." International Studies Review, 5, 03–323.
Omotosho, A. (2000). "Critical analysis of the legal power of Ulu Al-Amr as indicated in Q4:59." Udus Law Journal,
            1(2), 61 –73.
Marcuse, Herbert. (2008). A study on authority. New York, NY: Verso.
Mirsepassi, Ali. (2000). Intellectual discourse and the politics of modernization: Negotiating modernity in Iran. New
            York, NY: Cambridge University Press.
Qur'an [Online] Available:
The Qur'an. Retrieved from https://quran.com/
إبن كثير، أبي الفداء.(١٩٩٩) تفسير القرآن الكريم. الجزء الأول. بيروت: لبنان. دارالفكر.
المطيري، حاكم. (٢٠٠٣).الحرية و الطوفان: دراسة موضوعية للخطاب السياسي الإسلامي و مراحله التاريخية. بيروت: لبنان.المؤسسة العربية
            للدراسات و النشر.