

## THE CALIPHATE IN THE ERA OF NATION-STATES

by Virgemarie A. Salazar

The Islamic State in Iraq and Syria (ISIS) seems to dominate the news of late for committing atrocities in areas under its control. A splinter group of Al Qaeda, ISIS has now gained a reputation which can rival other terror groups. Its leader, Abu Bakr al-Baghdadi, declared that his group has established a caliphate which spans roughly a third of the territory of both Iraq and Syria.

But what exactly is a caliphate? How does ISIS envision the caliphate it aspires for?

Caliph comes from the Arabic word *khalīfah*, which means vicegerent, deputy, or successor. The caliphate (*khilāfah*) was formed after the Prophet Muhammad's death when Abu Bakr was elected as his successor. Abū Bakr, 'Umar, 'Uthmān, and 'Alī are known as the *Rāshidūn* (rightly guided) caliphs in Sunni theology. The practices of the *Rāshidūn* era provided precedents for later theories of the caliphate.<sup>1</sup>

The abolition of the caliphate in 1924 precipitated a debate in the Muslim world as they sought to create institutions by which to organize and govern themselves. Until now the debate continues, with ISIS bringing it to the fore. ISIS is romanticizing the notion of the caliphate to legitimize its actions by proclaiming its desire to create a state reminiscent of the time of the four rightly guided caliphs.<sup>2</sup> It raises the question of whether the caliphate as a system of governance remains relevant in this day and age. Should we equate the concept of caliphate with that of an Islamic state?

To shed light on these questions, 'Alī 'Abd Al-Rāziq's main arguments in his book *al-Islām wa-Usul al-Hukm (Islam and the Foundations of Political Power)* are examined. 'Abd Al-Rāziq explored the relationship between Islam and the modern state. As a jurist and scholar of Al-Azhar University, he embarked in a rigorous study of the *sīra* (life of the Prophet), the chronicles of *Tabari*,<sup>3</sup> and the *hadith* (reports of the words and deeds of the Prophet and early Muslims) literature, and utilized reason as an instrument in scrutinizing the traditions that had been built around religious dogma.

'Abd Al-Rāziq's primary contention was that the caliphate had no basis in the Qur'an, tradition or consensus. Since Islam does not prescribe a particular form of government, Muslims are free to determine their own systems of governance. To him, the caliphate is not a religious obligation, for political structures change from time to time; thus, Muslims are not obliged to create political structures similar with those of the Prophet's time and the *Rāshidūn* era.

His ideas stirred a maelstrom for being perceived by some as an attempt to undermine the ambition of monarchies in the Middle East, including that of King Fouad of Egypt, to revive the title of caliph. He was brought to trial for his revolutionary ideas. A special court in al-Azhar ruled that his ideas were tantamount to licensing Muslims to form a Bolshevik state. Another court of al-Azhar scholars revoked his diploma and judicial appointment.<sup>4</sup> Despite being criticized and persecuted for his ideas, his legacy lives on in the minds of many Muslim scholars to this day. A number of Muslim intellectuals credit him for his audacity and wisdom in reinvestigating the basic tenets of Sunni theology. He laid the groundwork for other scholars by applying critical reasoning in the study of Sunni dogma.

A constructivist approach is applied in analyzing 'Abd Al-Rāziq's views on the caliphate and governance to determine the process by which the caliphate has evolved throughout history and its applicability in the modern

state system. Following the argument that the caliphate is not divinely ordained, it is instructive to discuss the concept of caliphate as a social construct which evolved as a product of intersubjective awareness among actors during its time. In reviving the caliphate, ISIS is using history and strong religious and cultural symbolisms to justify its aims. The caliphate is not the sole realization of Islamic ideals, for Muslims are free to establish the form of government that suits them.

Systems of governance, whether a caliphate or not, have to correspond to the current social and political realities. In carving out new borders and declaring a caliphate, ISIS is challenging the sovereignty of governments in Iraq and Syria by offering an alternative to the Western model of the state. The aspiration to return to the age of the caliphs appeals to a number of Muslims who believe in the need for political and religious revival to counter Western influences. Therefore, the caliphate that ISIS envisions has serious implications not only in areas under its control but also in the world stage for it threatens the prevailing Westphalian state system.<sup>5</sup>

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### *The caliphate*

One way of looking at the process by which the theory of the caliphate developed is through *historicizing legitimation*, in which historical narratives of Islamic origins have transformed alongside the emergence of the caliphate doctrine. By using this approach, it can be argued that many of the inherited narratives concerning the origins of the caliphate are not accurately based on the Qur'an and *sunnah* (actions and sayings of the Prophet). These narratives constitute invented traditions that have altered the future of statecraft in Muslim-majority countries and the Muslims' collective memory of the past, as Noah Feldman put it.<sup>6</sup>

To a certain extent the caliphate was a social construct, or a set of ideas, body of thought and norms shared by a group of people at a particular place and time,<sup>7</sup> which evolved from historical events and the socio-political conditions during its inception. The argument that the caliphate was a product of history denies its divine origin thus making it a human institution. It can be said that the caliphate as a political system exists only as an intersubjective awareness among people, a system of human creation constituted by ideas. Hence, if the thoughts and ideas of the actors change, then the system itself will change.<sup>8</sup>

By using reason and critical thinking, 'Abd Al-Rāziq was able to argue the notion that the caliphate as an institution developed historically from a nascent structure to a complex one coterminous with the growth of the Muslim empire. Therefore, the caliphate formed after the time of the Prophet was not a categorical necessity for Muslims, which means that the succeeding generations can establish a different political system provided that the primary principles of Islam are upheld, such as fasting during Ramadan, prayer, or pilgrimage, or, in more general terms, as long as it does not permit what God has prohibited or proscribe what God has allowed.<sup>9</sup>

As a jurist, 'Abd Al-Rāziq developed an interest in the history of Islamic jurisprudence. His desire to gain a more in-depth knowledge on it led him to examine the nature of political authority in Islam. Thus, he devoted many years of study on the caliphate and the bases of its power. But it was only in 1925 when his work was published, a year after Kemal Ataturk abolished the caliphate.

'Abd Al-Rāziq put forth the view that Muslims are not obliged to emulate the form of governance which persisted during Islam's first generations (*salaf*) since political systems change throughout history. Muslims are given the freedom to organize their government in accordance with existing intellectual, social and economic conditions.<sup>10</sup> Thus, the office of the caliph morphed through time starting from the time of the Prophet to the collapse of the Ottoman Empire.

The Prophetic state was in the primitive stages of development; for that reason the Prophet was a religious leader first and not a political leader akin to today's head of state. The state during the Prophet's time was unique. Although the

Prophet had some degree of power and authority over his people, it was not similar to the power and authority of temporal rulers. To ‘Abd Al-Rāziq, the difference between a temporal ruler and the Prophet Muhammad is so great because “the power that the prophet exercises over his people is of a spiritual nature” in contrast to the role of the kings “which serves strictly the interests of this world.”<sup>11</sup> He likened the authority that the Prophet has with the authority that Moses and Jesus wielded over their followers.

Moreover, ‘Abd Al-Rāziq clarified in his writings that the title of caliph pertains to the “caliph of the Messenger of God” and not “caliph of God,” which suggests that the caliph assumes the role of the Prophet toward the faithful. The belief that the caliph derives his authority from God became widespread among Muslims because it was the dominant discourse among theologians. However, none of the scholars could find a verse from the Qur’an to support their claim. Moreover, *hadith*, ‘Abd Al-Rāziq said, do not prove that the caliphate is a religious doctrine. They focused more on the legal thesis that a consensus had been reached to substantiate their assertion. He further declared that consensus, whether among the Prophet’s Companions and their followers, or that of the *ulama* (religious scholars), or the entire Muslim community, never played a role in installing caliphs except in the case of the first four; as such consensus can never be used as religious proof.<sup>12</sup>

The issue of the caliphate is not only passed over in the Qur’an, it is equally ignored in the sunna. This is borne out by the fact that the religious scholars were unable to provide even a single hadith in support of their case on this issue. Had they found the least evidence to buttress their argument in the sunna, they would have used it to reinforce the idea of unanimous agreement.<sup>13</sup>

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After the time of the Prophet, the title of caliph was conferred to some of the Prophet’s Companions. Sunni Muslims believe that the rightly guided caliphs were consciously following the practice of the Prophet. The *Rāshidūn* caliphs succeeded the Prophet in his roles as a custodian of the religion and in the regulation of the community’s affairs under the principles of the faith. For Ibn Khaldun, renowned historian and philosopher, the caliphate, in its truest sense, existed only during the *Rāshidūn* period. Thereafter, “the characteristic traits of the caliphate disappeared, and only its name remained.”<sup>14</sup> It is deemed that the office of the caliph degenerated into a *mulk* (kingship) under a dynastic rule and its leaders became impious.

Therefore, the rule of the Prophet should be distinguished from the rule of those who came after him. The Prophet’s political functions can be explained as necessary in maintaining an emerging state, but his primary mission was of a divine nature, for Islam is a call to reform mankind and not a political prescription for establishing a state.<sup>15</sup>

The caliphate took on a different form under monarchical rule beginning with the Umayyad dynasty up to the Ottoman Empire. It is conceivable that the institution of the caliphate based on voluntary allegiance could have existed; however, ‘Abd Al-Rāziq asserted that the caliphate “has been a constant source of evil and corruption.”<sup>16</sup> The caliphate, he said, persisted through the use of coercion for without it the caliph could not maintain his position or be able to rule.

*Thus, we can see that the title of caliph (the successor and vicegerent of the Prophet), together with the circumstances in which it was employed – circumstances which we have described only in part – were among the sources of the misconception, propagated among the ranks of Muslims, that the caliphate was a religious function. This led the people (wrongly) to ascribe the rank of the Prophet himself to whomever it was who held power over Muslims.<sup>17</sup>*

‘Abd Al-Rāziq wrote that the rulers propagated the claim that the caliph derives his authority and power directly from God to stay in power and suppress opponents in the name of religion.

*They were relentless in inculcating this belief among the masses through numerous means – the belief, namely, that obedience to rulers is tantamount to obedience to God; and rebellion against them, a*

*rebellion against God. However, they were not contented even with this. They could not acknowledge what Abu Bakr had acknowledged, nor did they share his aversion. They turned the ruler into a representative of God on earth.*<sup>18</sup>

By ascribing a divine nature to their mandate, political actors were able to legitimize their motives and conduct despite their tyrannical rule. As a result, this belief had been preserved within Muslim societies for centuries. There are those who argued that the caliphate is necessary in the practice of religion and preserving the welfare of the Muslim community. His response was that "neither the conduct of our spiritual life, nor the direction of our temporal affairs calls for the caliphate."<sup>19</sup>

The belief in the divine origin of the caliph's authority had been acknowledged in the early years of Islam, but it was under the Abbasid dynasty when the concept of "Shadow of God" gained prominence. The founder of the dynasty declared himself as God's sword and lock, which means that he ruled by divine grace. 'Abd Al-Rāziq challenged this belief by saying that nothing prevents Muslims from dismantling an obsolete and repressive system and building a new one based on human reason and lessons learned from the experience of other nations.

The process by which societies form institutions can be seen as rooted in the relationship between society and state and based on an overarching set of values. Studies on state-society relations focus on the interactions between state institutions and societal groups as they negotiate the exercise of public authority. Societies have distinctive structure and character for different groups of people share understanding or meanings that bind them together. Thus, societies build states and governments which originate from social values and norms that people have internalized.

*As far as we know the Prophet never intervened in the political affairs of the various tribes. He never sought to modify their system of government or to influence their administrative or judicial organisation... He left all these matters to the people, openly declaring that they were better informed about them than he was himself. Each tribe was thus responsible for its particular conditions, its political set-up and the regulations, or (in case of an absence thereof) the anarchy under which they lived. What they were bound by was solely, as we have seen, the union brought about by Islam and the obligations which stemmed from it to honour its principles and its moral regulations.*<sup>20</sup>

Furthermore, he explained that Muslims, like everyone else, need a government to manage their affairs for "such an institution is indeed necessary for the conduct of religious practices and the quest for the public good."<sup>21</sup> The caliphate, according to him, can be an equivalent of a government which can take many forms.

The main points of 'Abd Al-Raziq's contention emphasize that politics and government are not central to the essence of Islam for the universality of religion lay not in its political structure but in its faith.<sup>22</sup> Although establishing a state is necessary in implementing Islamic values and ideals, Muslims are free to determine the form of government that will best ensure their welfare. He opposed the belief that religion and politics constitute a unified whole in Islam; so much so that Islam associates politics primarily with the caliphate and with the despotic regimes throughout Muslim history.<sup>23</sup>

He came to conclude that Muslims believe Islam prescribes a political entity by which to organize themselves; however, religious texts, traditions and even the example of the Prophet do not formulate any such obligation, nor do they provide anything that could be considered to be a constitution or a political prescription for the community.<sup>24</sup> He reasoned that it was not the intention of the Prophet to closely link his teachings with statecraft. Therefore, the Prophet allowed the people to decide on political and administrative matters. This arrangement defined the relationship between state and society during the time of the Prophet, and it can serve as the basis in forming an Islamic state.

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The problem is that the nature of state in Islam remains to be a contentious issue. Muslims today continue to disagree on the ideal relationship between religion and the state because the Qur'an and *hadith* offer little guidance on governance, allowing Islamists to dominate the debate and draw attention to their cause with the use of violence. Al Qaeda's vision of an Islamic state is to subsume Muslim states under a unitary caliphate similar to the objective of ISIS to establish a caliphate in Iraq and the Levant. Muslims, however, are not limited to a caliphate because nothing hinders them from instituting a political system which upholds Islamic values under the current nation-state system. This is true if an Islamic state is seen not as an end in itself, but only a means or political framework for Muslims to live morally in accordance with the teachings of Islam.

### *The Westphalian Islamic state*

'Abd Al-Raziq raised the question of how Muslims should organize themselves. He critically examined Islamic religious traditions as a given, observable phenomena to assess the relevance of these beliefs in contemporary conditions. He, however, fell short of theorizing on the requisites of a system of governance congruent to the values of Islam.

Muslim-majority states can establish an Islamic state within their territories and in turn these states can maintain solidarity within the *ummah* (community of believers). An Islamic state can function under the Westphalian state system given the primacy of the sovereignty principle. The Islamic state does not have to conform to the concepts of individuality, liberty and secularism associated with the emergence of early European states for it is recognized that the Islamic concept of state cannot be understood in isolation from the notions of *tawhid*, *ummah*, *'adālah* (justice or fairness), and *qiyādah* or *imāmah* (leadership). Moreover, the nation-state system recognizes the right to self-determination, which gives Muslims the right to freely determine their political status and pursue their economic, social and cultural development.

An Islamic state, first and foremost, is not secular because it is based on religious law. The assumption that the Westphalian system is premised on the separation of Church and state is a fallacy, as evidenced by the existence of states like Iran and Saudi Arabia. The fact that there is little similarity in the political systems of these states proves that Muslims are not compelled to apply a distinct model of state and government.

The caliphate is not the only means by which Muslims can fulfill the will of God. Muslims can establish a state and government that correspond to the values and aspirations of the society they belong to. More importantly, the goals and means of government have to correspond to societal interest for the government will not be effective when faced with a society vehemently opposed to it. Oppression is not tolerated in Islam. Under the doctrine of *tawhid*, man is liberated from worldly authority to serve Allah alone. Society, including those in power, has to subscribe to this doctrine to ensure that collective endeavour does not limit individual liberty but instead promotes cooperation to achieve Islamic ideals.<sup>25</sup>

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The creation of an Islamic state presupposes the emergence of a society committed to Islamic principles and norms; hence, it presupposes the existence of the *ummah*.<sup>26</sup> There is no need for Muslims to revive the caliphate system because a society committed to Islam is bound to enact laws based on the *shariah*. Therefore, the Islamic state should be defined as a political community that facilitates the realization of Islamic ideals. Its geographical borders do not have to coincide with the *ummah* because the cohesiveness of the state is guaranteed by *ijma* (political consensus) on a set of principles and values which constitutes the fundamental law of a society.<sup>27</sup>

The Islamic ideal of an *ummah* is a manifestation of Muslim unity and cooperation which places Islam above all other allegiances. In the pre-modern era Muslims were conscious of ethnic, linguistic, and regional differences among them, politically, however, they were united under the caliphate and later empires and sultanates, whose shifting boundaries represented not the borders of nation-states as the term is understood today, but the writ of rulers who ruled in the name of Islam.<sup>28</sup> With the collapse of the Ottoman Empire and colonialism, the *ummah* was split into territories

delineated by colonial powers.

It should be understood that the Islamic state does not function to advance the interests of the entire Muslim community but serves as a political system committed to maintaining the peace, security and welfare of its citizens, irrespective of their religion, nationality or gender.<sup>29</sup> Muslims also have to be fully aware of the need to transcend historical models of political organization and work on achieving an Islamic model of the state that remains true to Islamic values espoused by contemporary Muslim societies.<sup>30</sup>

The social and political realities today are vastly different from the time of the caliph. Present-day Muslim-majority states are organized and run as sovereign states with defined territories. Muhammad Abduh, a celebrated Muslim scholar, believed that political organization is not determined by Islamic doctrine but by the circumstances of the times and the will of members of the community.<sup>31</sup> After gaining independence from colonial powers, Muslims had to accept the reality of having territorial boundaries and the supreme authority of the state within its territory. In Islam, however, sovereignty is derived from the will of God as embodied in the *shariah* and not from the state as a political institution. The ideal Islamic state is therefore not an autocracy or a theocracy, but rather a nomocracy, or government ruled by law.<sup>32</sup>

Confusion abounds when Muslims associate the attributes of the *ummah* with the political structure of a state. The *ummah* provides an atmosphere conducive to the spiritual development of the individual within the general framework of the law; while the state coordinates the activities of the *ummah* and employ natural and human possibilities to allow for its development. The perception that the state is a Western imposition – thus unIslamic – also propagates confusion among Muslims and is harboured by those who equate the Westphalian system with Westernization and secularization. To radical Islamists, the state system connotes Western domination and influence; thus they believe that *shariah* has to govern the *ummah* under the rule of a single caliph to fully uphold the values of Islam. The horrific acts of extremists like ISIS, however, are equally unIslamic, for a caliphate or any form of Islamic state that commits injustice does not foster conditions that enable Muslims to live in accordance with the law of Allah.

Toleration of differences in beliefs and doctrinal commitments is an established principle of Islam.<sup>33</sup> During the time of the Prophet, the rights of non-Muslim minorities were fully recognized. The Covenant of Medina, a historical document attributed to the *hijrah* (emigration from Mecca to Medina) episode of 622 to 624 CE, defined the political rights and duties of the members of the political community, which included Muslims and Jews of Medina. The Covenant emphasized the fundamentality of cooperation between Muslims and non-Muslims in establishing justice and defending Medina against foreign aggression.<sup>34</sup> It clearly enshrined the value of equality by prohibiting Muslims from committing injustice toward Jews and seeking revenge for their Muslim brothers. Prophet Muhammad led the Muslims and Jews to form a joint political unit with equal rights and obligations in the city-state of Medina while retaining their legal religious autonomy.<sup>35</sup>

*To the Jew who follows us belong help and equality. He shall not be wronged nor shall his enemies be aided.*<sup>36</sup>

Thus, the principles of the Westphalian system are not in conflict with those of the Islamic state. There may be differences in the basis of sovereignty and the values upheld but these do not negate the Islamic state's legitimacy. With the authority of the Islamic state emanating from society, the state has the responsibility to ensure that social relations are structured pursuant to the principles of justice and human dignity and that Quranic injunctions which emphasize fairness, decency and compassion are realized.<sup>37</sup>

#### *A postscript on ISIS*

From its beginnings as an al-Qaeda cell in Iraq, ISIS has morphed into an entirely distinct entity. The group's vision of reviving the caliphate seems to appeal to extremists from different corners of the world. Thus, it is fast becoming the new face of global jihad. By having territories under its control and attempting to govern them, ISIS is behaving more like the Taliban than al-Qaeda, which is considered a non-state actor. Although al-Qaeda also aspired to institute an Islamic state, it failed to effectively seize territories. But to some analysts, ISIS is making itself more vulnerable to

military action by confining its operations to a defined area. The actions of ISIS have far reaching consequences on the lives and welfare of people in its wake, regional stability, global security and the future of the nation-state system.

The Muslim community has to take the lead in addressing this problem. Cultivating a constructive debate on the relationship between Islam and the state can help tackle unresolved questions such as whether or not revealed sacred text is the exclusive or principal source of political legitimacy, and whether or not government should enforce a particular religious doctrine.<sup>38</sup> The Muslim themselves have the credibility and profound understanding of the complex issues surrounding religious extremism. More Muslims have to heed the call of scholars like 'Alī 'Abd al-Rāziq to apply rationality in discussions about politics and religion. Scholars have a role to play in propagating the view that Islam does not clash with reason and that reform in Islamic thought is necessary to respond to the challenges of modern times.

It is also incumbent upon Muslims to promote religious tolerance and counter radical views that the West is at war with Islam. The reality is that the nation-state is the prevailing system. Despite its European origin and being a relic of the colonial past, this system does not hinder Muslims from finding ways to organize and govern themselves without undermining their values and way of life. ❁

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#### Endnotes

<sup>1</sup>Glenn Perry, "Caliph," In The Oxford Encyclopedia of the Islamic World, Oxford Islamic Studies Online

<sup>2</sup>Erin Branco, ISIS Declaration of Islamic Caliphate May Fail to Gain Legitimacy, International Business Times, June 30, 2014, <http://www.ibtimes.com/isis-declaration-islamic-caliphate-may-fail-gain-legitimacy-1615822>

<sup>3</sup>Abu Jafar Muhammad ibn Jarir al-Tabari (d. 923) is an early Muslim historian, collector of hadith, shariah scholar and jurist (Oxford Dictionary of Islam, Oxford Islamic Studies Online)

<sup>4</sup>Hamid Enayat, Modern Islamic Political Thought, University of Texas Press, 1992, Kindle e-book version

<sup>5</sup>The Treaty of Westphalia (1648) ushered in an era of the nation-state which enshrined the principles of sovereignty of states, equality between states, and non-intervention in the internal affairs of another state. This system was anchored on the agreement among major European powers to abide by the tenet of territorial integrity.

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<sup>7</sup>Robert Jackson and Georg Sorensen, Introduction to International Relations: Theories and Approaches 3rd edition, Oxford University Press, 2006, p. 162

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<sup>9</sup>'Alī 'Abd Al-Rāziq, "The Caliphate and the Bases of Power." Oxford Islamic Studies Online

<sup>10</sup>Anthony Black, The History of Islamic Political Thought: From the Prophet to the Present, 2nd ed., Edinburgh University Press, 2011, <http://www.questia.com/read/121105900>

<sup>11</sup>Ali Abdel Razek, Islam and the Foundations of Political Power, trans. Maryam Loutfi, ed. Abdou Filali-Ansary, Edinburgh University Press, 2013, p. 85, <http://www.questia.com/read/122591441>

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<sup>13</sup>Ali Abdel Razek, p. 38

<sup>14</sup>Ali Abdel Razek, p. 29

<sup>15</sup>Gerhard Bowering, ed., The Princeton Encyclopedia of Islamic Political Thought, Princeton University Press, 2013, p. 6, <http://www.questia.com/read/122542743>.

<sup>16</sup>Ali Abdel Razek, p. 54

<sup>17</sup>Ali Abdel Razek, p. 116

<sup>18</sup>Ibid.

<sup>19</sup>Ali Abdel Razek, p. 54

<sup>20</sup>Ali Abdel Razek, p. 101

<sup>21</sup>Ibid.

<sup>22</sup>Anthony Black, p. 330

<sup>23</sup>Hamid Enayat, p. 65

<sup>24</sup>Ali Abdel Razek, p. 11

- <sup>25</sup>Hasan Turabi, Principles of Governance, Freedom, and Responsibility in Islam, The American Journal of Islamic Social Sciences 4, 1, 1987, p. 8
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Ibid., p. 223
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- <sup>30</sup>Ibid., p. 21
- <sup>31</sup>Anthony Black, p. 330
- <sup>32</sup>Nazih Ayubi, Nader Hashemi and Emran Qureshi, "Islamic State," In The Oxford Encyclopedia of the Islamic World, Oxford Islamic Studies Online
- <sup>33</sup>Louay Safi, The Islamic State: A Conceptual Framework, p. 227
- <sup>34</sup>Louay Safi, Overcoming the Religious-Secular Divide: Islam's Contribution to Civilization, p. 16
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- <sup>36</sup>A. Guillaume, The Life of Muhammad: A Translation of Ishaq's Sirat Rasul Allah, Oxford University Press, 1955, p. 231
- <sup>37</sup>Louay Safi, The Islamic State: A Conceptual Framework, p. 233
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