

The Qur'an and The Concept of State: Study on Ahmad Hassan's and Taqiyyudin Nabhani's Interpretation about *Khilafah*

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Abstract. This paper confers Ahmad Hassan's and Taqiyyudin Nabhani's concept of khilafah. Their thoughts about it represent radical form of understanding Islam. Using a descriptive-analytic methods, the authors examine how the two Muslim clerics discuss the issue of Khalifah in modern context. The collected data are examined by classifying them into the similarities and differences of their thoughts over the issues of khalifah or Islamic state. This study finds that both authors tend to propose Islamic system of politics by proposing the concept of khilafah instead. A. Hassan contextualizes it in the application of democratic nation state system such as in Indonesia by preferring Islamic law to be based as one of principles of the nation. In contrast, Taqiyyuddin an-Nabhani proposes the application of *khilafah* more exclusively.

Keywords: The Qur'an, Nation state, *Khilafah*, Politics.

1 Introduction

At least, there are two perspectives regarding the concept of state: Western, and Islamic model. The first model is offered by Western scholars. Aristotle defines the state as an alliance rather than family and village. It is established in order to obtain the best life possible. It means here as a state of law. He divides the country into six kinds, including monarchy, tyranny, aristocracy, oligarchy, republic and democracy.¹ Another thinker, Augustine divides it into two parts: state of God (*Civitas Dei*), and the worldly state (*Civitas Terrena*). God's country is only reached by a church. The church represents God's sovereignty on the Earth. Another type is worldly or secular state. It is held by peoples who fall into a state of sin. Kranenburg defines it as an organization that govern peoples which grows from time to time, following the will of the group or its own peoples.

The Second model is proposed by Muslim scholars, called Daulah, Khilafah, Hukumah, Imamah and the Sultanate (Ni'matul Huda, 2010: 8-16). Yusuf Musa sees Islam as a complete life order. It includes not only what is related to religion, but also what is related to social, state, and other problems (Musa, 1972: 80). Islam covers all aspects of human life. So that, it is believed that it offers solutions for all problems, including state problems. This view originates from the concept of the union of religion and state, where the state is both a political and religious institution. Both cannot be separated (Ghazali, 2005: 62).

However, according to Izzah Darwazah, in the Qur'an there are no verses that emphasize the form or system of government that should be applied by Muslims. What are found in it, are only signs that are related to the formation of a state and the existence of a head of state (Darwazah, 1956: 62). If the verses of the Qur'an that cover statehood are collected, it will be found that they are conveyed about it in general. Due to these facts, Muslims scholars interpret them differently.

Likely Yusuf Musa, Taqiyyuddin an-Nabhani argues that establishing an Islamic State is God's order, as mentioned in QS. al-Mā'idah [5]: 48. There are also other verses, informing certain points about politics, such as government, law of war, criminal, civil, social, military and so forth. These verses are also supported by the authentic hadith. Based on these consideration, an-Nabhani concludes that governing a country based on Islamic teachings is a compulsory (An Nabhani, 1997: 11). The existence of Islamic teachings about the state lies not only in the theoretical domain but it is also based

¹ Monarchy is a country whose government is led by one person, but its government is only intended for the public interest. Tyranny is a country whose government is only intended for one person and is only intended for the interests of these rulers. The aristocracy is a country whose government is led by several peoples who want to realize public welfare. Oligarchy is a country held by several peoples and is only intended for the interests of these groups. Republic is a form of government in which citizens participate in the framework of realizing public welfare. Democracy is a form of government that outlines direct and unrecognized decisions if it is approved by the majority of the people.

on historical facts, such as state life experienced by the Prophet Muhammad, Khulafa al-Rashidin, and the rulers afterwards.

The other scholar, Ahmad Hassan states that Islam and state are integrated. He says so, because Islam deals with all of problems as well as the problems of state. In his view, state constitution must contain the principles of Islamic law, Islamic values, and the symbols of Islam (Hassan, t.th: 85-142).

However, Ali Abdul Raziq has a different argumentation. According to him, Islamic State or khilafah had no basis in the Qur'an or Hadith. This statement is based on his study of the words 'khilāfah' in the Qur'an and Hadith, the terms 'khilāfah' does not indicate to understanding of the khilafah that has existed in Islamic history. Accordingly, he concludes that there are no instructions from the Qur'an and Hadith that determine a political system or a state system to be established by Muslims (Abdul Raziq, 1965: 42).

Furthermore, Raziq argues that the Prophet Muhammad is solely the messenger of God to convey Islamic teachings, not a head of state or political leader. The history proves that the Prophet never gave instructions to Muslims about the procedure for the deliberation of government system. The Prophet also never interfered in the politics of the Arabs and State activities, such as dismissing the governor, recruiting a judge, and issuing regulations on trade, agriculture and industry systems, were never carried out by the Prophet (Abdul Raziq, 1965: 64-72).

The interpretation made by Raziq is contrary to A. Hassan and An-Nabhani. On one hand, Raziq placed religion and state separately, rejecting the state's base on religion. On the other hand, A. Hassan and An-Nabhani situate religion and state as interconnected and integrated. It is therefore, the concept of state government should be based on Islam. The different results of interpretation cannot be separated from the background and socio-political thinkers. A. Hassan and An-Nabhani share the same view regarding the relationship between religion and state, representing integralist thinkers. But in reality, their different educational and socio-political backgrounds can give birth to their different thoughts. A. Hassan was a Singapore-born cleric but his thoughts were influential in Indonesia, even the two prominent Indonesian figures were his students, Muhammad Natsir and Sukarno. He was considered as one leading religious cleric in the country due to his contribution to the Persatuan Islam (Persis). While Taqiyuddin An-Nabhani was known as a graduate of Al-Azhar University who came from Palestine, and established an organization, known as Hizb al-Tahrir. In other words, these two clerics play an importance role both in their own context, as well as in the context of Islamic world as a whole.

These two religious scholars represent fundamental form of understanding Islam in modern era in which it supplies a contradictory function supposedly positive and negative at the same time. It is considered positive by some because of the assumption of purity and the true Islam. At the same time it is seen as negative by some others due to its radical understanding of Islam. It is therefore considered important to study their thoughts particularly their thought about the relation between religion and state. Using a descriptive-analytic method, this study discusses how Ahmad Hassan and Taqiyuddin An-Nabhani discuss the term khilafah in relation to the discourse of religion and state in their own context; what similarities and differences of Islamic political thought they have; and why their thoughts about in certain points are different.

This paper aims at uncovering a general picture of Islamic political thought from the integralist point of view represented by Ahmad Hassan's and Taqiyuddin An-Nabhani's thoughts. In addition, it also aims at knowing further why certain points of their thoughts are different from each other in spite the fact that both came from similar religious form of understanding.

2 Islam and State

The discourse of religion and state as an ideological debate that has always existed in the Islamic perspective. This issue attracts intellectuals for debate, both in classical and contemporary Islamic studies. There are at least three paradigms that talk about the relationship between religion and state (Syamsuddin, 2001: X). *First*, religion and state is an integral and inseparable (integrated). This paradigm argues that Islam is a perfect religion which regulates not only religious issues but also state one. The legitimacy of the state must be based on sharia.² In short, this paradigm reflects trends of

² This paradigm is promoted by two groups; traditional, who still want to maintain the traditions, practices and thoughts of classical Islamic politics, such as Rashid Ridha (1865-1935) and the second group are fundamentalists, who want to reform social systems with the jargon *al-Rujū 'ila al-Qur'an wa al-Sunnah* and reject the systems made by humans, such as Khursid Ahmad, Sayyid Qutb, Abu al-A'la Mawdudi, Muhammad Asad, Muhammad Husayn Fadhlallah .

Islamic idealism. *Second*, religion and state interrelate one another symbiotically. The proponents of this paradigm argue that religion was used as a raw material in the formation of a national law. These patterns of thought is used in order to maintain a balanced relationship between law and state. As opposed to the first paradigm, the second emphasizes the substance of the legal-formal state form. The state is the central instrument in realizing religious teachings.³ *Third*, religion and state must be separated (secularistic). The third paradigm limits the role of Islamic law to play in only personal matter. This paradigm rejects the state's foundation on Islam. Religion is seen as limited to individual problems, and it has not any basis for constructing a state. In other words, Islam is a religion that has nothing to do with state affairs. Including to the supporters of this paradigm among others are Ali Abd al-Raziq, Taha Husain, Ahmad Lutfi Sayyid, Muhammad Sa'id al-Ashmawi. In the context of Indonesia, Ali Abdurraziq's secularistic thinking is reflected by Abdurrahman Wahid's political thoughts (Ghazali, 2005: 66-67).

3 Islamic State

The concept of Islamic state usually refers to the practice in the time of the Prophet Muhammad, seen as a form of city state. During the Khulafaur Rashidin or the four successors after the death of the Prophet, the term Khilafah was clearly used. While in the period of Umayyah and Abbasidyah, the concept of state in Muslim communities took a form of kingdom to exercise the concept of khilafah (Aziz, 2011). Because the Prophet did not mention exactly how the system of organizing the state worked, it is understandable if we find that the state administration always changes as it is found in Islamic history. This is one of the causes of the relationship between Islam and the state have been concerned by Muslim thinkers, both in classical era such as Ahmad ibn Abi al-Rabi' (d. 885 AD / 272 H) or Abu Nasir al-Farabi (d. 950 AD / 339 H), in medieval era such as Abu Hasan Ali ibn Habib al-Mawardi (d. 1059 M / 450 H) or Abu Abbas Ahmad bin Abdul Halim known as Ibn Taimiyah (d. 1329 M / 728 H), as well as the modern era like Jamaluddin al-Afghani (d. 1897 AD) or Muhammad Rasyid Ridha (d. 1935 AD). Classical and medieval Muslim's thinkers developed their thoughts related to the concept of the Islamic state in the form of the Caliphate. On the other hand, modern Muslim thinkers bring a new political idea namely nationalism to their discussion regarding state (Aziz, 2011: XVI).

It seems that the concept of caliphate state received criticism from time to time. On the other hand, the idea of nationalism as dimension of modern state concept is also not easily accepted for some reasons. As a result, alternative political ideas emerge, which have different concept with the Caliphate and nationalism. The representative example is Pan Islamism movement by Jamaluddin al-Afghani. This movement includes the solidarity of all Muslims in the world in order to bring together the unity of Islam. Another example is the Islamic movement in Asia and Africa. These movements accepted the idea of nationalism as a form of resistance to Western colonialism, and made it the source of forming an Islamic (national) state. The acceptance of nationalism also adopted as an ideology of the movement. For example, Darul Islam (DI) movement in Indonesia, Ikhwanul Muslimin in Egypt, the Jamaat e-Islami in Pakistan. The three movements interpreted the nationalism movement as exclusively Islamic (Aziz, 2011: 1-2). This movement based on the assumption that Islam is a perfect religion, covering all matters relating to life in the world. In other words, Islam gives a clear corridor how life should be managed and experienced (Akbar, 2017: 95).

The Islamic intellectual figure who first studied state political theories is Syīhab al-Din Ahmad ibn Abī Rabi', born in Baghdad lived during the reign of Mu'tashim in the 9th century AD. He chose the monarchy system under the king's leadership who became the solo ruler in some forms of government. Ibn Abi Rabi' said, God had given full authority to the king.

The next figure, founder of the Imamah concept, al-Mawardi. He states, Imamah can impose the discipline and reduce the conflict. Even Imamah is an alternate position of the Prophet to maintain the continuity of religion and religious affairs. The state is the means to uphold God's law, its implementation also limited by God. Next, al-Ghazali uses the theocracy concept. While Ibn Taimiyah considers, the obligation of religion is to establish a state. Because the mission *amar ma'ruf nahi munkar* (instruction to ask people to do right, and not to harm others) can only be carried out by the state. Ibn Taimiyah also asserts that the khilafah was only appropriate to be implemented at the time of the Prophet, while the next generation was a kingdom's system. However, he also offered to use the kingdom's system with the caliphate concept, both of a monarchy or republic form as long as the king/caliph upheld the religion of Islam. Al-Maududi expressed more detailed ideas. The highest

³ Groups that hold this paradigm include Muhammad Abduh, Fazlurrahman and Qamaruddin Khan.

sovereignty belongs to God not to the people. He is more inclined to the theocratic form although it is slightly different from the theocracy system in Europe. Human function is only as executor of sovereignty, for example the formation of government bodies (Syadzali, 1993).

In the political perspective, the discourse on the formation of the Islamic State is one of the efforts to search for the form of state, marked by the tension between the establishment of the caliphate and the nation-state. The concept of an Indonesian state that uses Pancasila as its basic pillar can be mentioned as a case in point. Indonesian peoples were able to make Pancasila as brokerage that bridges and binds all components of a pluralistic society both of religion and culture like the Medina Charter was used as a binding rope for the Arab community under the leadership of the Prophet at that time. So that in the process of statehood it is very important to develop political democracy on the basis of Islamic values without imposing the ideals of formalizing Islamic values in the Islamic State (Aziz, 2011: 3).

4 Biography of Ahmad Hassan

Ahmad Hassan, more popularly known as A. Hassan or Hassan Bandung was born in 1887 in the Tamil area of Singapore. He is a child of a mixed family Indonesia and India. His father, Ahmad Sinna Vappu Maricar from India. Ahmad ever worked as editor of "Nurul Islam" Magazine. He wrote several books in Tamil language, and translated several books which were written in Arabic. His mother Muznah, who came from Palekat Madras was born in Surabaya. When Ahmad Sinna was trading in Surabaya, he met with Muznah, and married her there. The couple then moved to Singapore, and settled in there until both of them died (Mughni, t.th: 11).

Since childhood, the young Hassan has been trained very hard by his father to master sciences of Islam. He began his education at the age of 7 in Kampung Kapur. This year he began to study the Qur'an and Islamic teachings. Hassan received religious education directly from his father, then he continued to study at a Malay school. At the same age he also attended the Victoria Bridge English School in Geylang. He also studied Arabic, Malay and Tamil. Formally, he never completed his elementary school education because at the age of 12, he had worked in a shop owned by Sulaiman's brother-in-law at the same time he learning about how to pray, ablution, fasting and others like children as usual at Haji Ahmad in Bukittinggi, studying Nahwu Shorof to Muhammad Thaib and also studied Arabic for three years to Said Abdullah al-Musawi. He also studied with Abdul Latif, an scholar in Malacca and Singapore, Sheikh Hasan, an scholar from India. He studied sciences of Islam from many teachers, including Ahmad on Bukit Tiung, Muhammad Thaib on Minto Road, Said Abdullah al-Musawi, Abdul Latif, and Sheikh Hassan, a teacher of Indian descent. He learned this lesson until he was 23 years old (Wildan, 1995: 32). Thus, even though he never completed his formal education, the capacity and quality of his knowledge in the field of Islamic studies has been recognized by many circles (Akh. Minhaji, 2015: 82-84).

In 1911, about 24 years old, A. Hassan married Maryam Malay Tamil descent. From this marriage, he has seven children named, Abdul Qodir, Jamilah, Abdul Hakim, Zulaikha, Ahmad, Muhammad Sa'id and Mansyur (Mughni, t.th: 21).

Exactly in March 1936, Persis established a new academic institution called "pesantren". In this case, A. Hassan became the director and head of the new school. However, in 1940, he decided to move his pesantren to Bangil, East Java by inviting 25 students from Bandung to join him. This move was apparently driven by family considerations in which many of his relatives lived in Surabaya area (Federspiel, 1966: 152). He dedicated his life for teaching and dakwah. The way he does dakwah Islamiyyah is done not only by preaching, but also by writing. He is a prolific author writing a lot of materials for magazines, books, and materials for debates. In 1956, he made the pilgrimage (two years before he died) together with his students and close friends of his fellow Persis members. In the middle of the pilgrimage, A. Hassan has pain, so he was unable to do jumrah aqabah. Upon arrival from Hajj, he was still sick. Even one of his legs had an infection that had to be amputated. A. Hassan died on Sunday, November 10, 1958 at the age of 71 years. His body was buried in Bangil (Akh. Minhaji, 2015: 95).

A. Hassan is known as the most productive writer in the Persis organization. His works reflect the pragmatic form of understanding and explaining Islam.⁴ There are 80 works, published thousand copies of them and many often reprinted (Djaja, 1980: 30).

⁴ G. Pijper look, the characteristic possessed by Ahmad Hassan not reflect like the thoughts of other modernists outside Indonesia, such as Muhammad Abduh or Rashid Ridha. In addition, A. Minhaji also concluded that Ahmad Hassan relied on his own starting point..

The renewal character of his thought look similar to the thought of Rasyid Rida, as reflected in his criticism towards Sukarno's view, published in the Panji Islam Magazine No. 12-16 entitled "Membudakkan Pengertian Islam" [The Abuse of Islamic Perspective]. Here, A. Hassan rejected Sukarno's opinion which influenced by Turkey's model of nationalism. He criticizes secularisation aspect in Turkey's nationalism due to the assumption that it is not Islamic:

"Yang dilarang oleh Agama ialah mengurus suatu negara atau mengajak orang lain pada mengurusnya secara kebangsaan, yakni secara yang diatur sendiri oleh satu-satu bangsa dengan tidak mengambil hukum-hukum Islam, sebagaimana Turki dan Iraq, yang sudah Sukarno jadikan Imam. Adapun mencintai negeri dan mengajak yang lain mencintainya, sebagai bukti kecintaan itu dengan berusaha sendiri, atau membantu usaha orang-orang yang bekerja supaya negeri tersebut terurus dengan cara dan aturan Islam itu, tidak terlarang, malah terpuji, terpuji sangat, bahkan suatu kewajiban atas tiap-tiap muslim" (Hassan, t.t: 73).

(What is forbidden by religion is to take care of a country or invite others to take care of it on a national basis without making Islamic teachings as the basis of it, like what happened in Turkey and Iraq, in which Sukarno did not use them role model. As for loving the country and inviting others to love it, as proof of that love by trying on your own, or helping the efforts of those who work so that the country is managed in a way and Islamic teachings are considered fundamental reference, is not forbidden, even it is praiseworthy, highly praised, even it is an obligation for each Muslim)

Besides being known as a productive cleric, A. Hassan is also known as a reformist who has a firm and rigid understanding of Islam. Federspiel sees him as a fundamentalist. Here are some principles that one can be categorized as a fundamentalist. *First*, one who takes form of resistance over what so assumed as non-Islamic such as modernity and its cultures like secularization. *Second*, one who rejects hermeneutics or critical reading the text and its interpretation. The Qur'anic text is understood literally, because the mind is considered unable to provide a proper interpretation of the text. The mind is also not permitted to 'compromise' in interpreting texts. *Third*, one who rejects pluralism and relativism. Pluralism is the mistake result of understanding the text. The concept that is not suitable with the views of fundamentalism is a form of relativism that arises as a result of reasoning intervention on the sacred texts and social development that has been out of religious control. *Fourth*, one who rejects historical and sociological developments as sources of understanding Islam. They consider that historical and sociological developments have taken it far from the literal doctrine of the scriptures. In this framework, the community must adjust their development to the scriptures, even if it is necessary, one could use the violence. So they are a-historical and a-sociological. Islam for them is like the era of the Salaf - who fully perfected the holy book (Azra, 1996: 109-110).

5 Ahmad Hassan's Concept of State

Muslim scholars' thought about the concept of state is different from one another, depending on various factors that influence their mind (Aziz, 2011: 2). A.Hassan, one of the leading clerics of Persatuan Islam has his own view about it. Lived during pre-independence days, he participated in the debate about the nation in Indonesia. Prior to the independent day of the country, a number of scholars including Muslim scholars took part in formulating prospective state of Indonesia. For example, one of the debates regarding the statehood took place between nationalists and Islamists from late May until mid-August 1945. In it A. Hassan uses Islamic perspective to the discussion, and resulted in the idea that Muslims have the rights to have proportional space and opportunity to live and regulate in the frame of the nation state of Indonesia (Bachtiar, 2013: XI-XIV). Furthermore he explains that the country is a group of people residing in a certain area. At the same time every citizen have certain degree of independence to exercise his or her citizenship (Hassan, t.th: 5).

Inspired by the international and local discourse of nation state system, as well as by Islamic teachings, A. Hassan finds the convergence of these two system- Western nation state, and Islamic state system- appropriate Muslims. He desires an Islamic democratic system as the appropriate form of state, though by making Islamic teachings as measurement, not the other way around. In his view, the democratic government of the present trend is a reflection of Islamic religious teachings. So if someone says "State law must be separated from religion" is the depravity of Muslims in relation to the West. Hassan's argument is reinforced by several of texts from the Qur'an, including: QS. al-Nisā [4]: 59; al-Syūrā [42]: 38; āli-Imrān [3]: 159.

From these three verses, Hassan explains; the first verse obliges a Muslim to obey Allah, the prophet and the government. This obedience is expected to be implemented in the area of duty, and of prohibition as determined by the Qur'an and hadith. While obedience to government applies only in worldly not in the matters of worship. The second and third verse give a looseness, i.e. doing *ijma'* (consensus) as long as the Qur'an and Hadith are not abused in making a decision. *Ijma'* can only be

done by certain people, a chairman and experts in the field, or commonly called *ahl al-halli wa al-'aqdi* (Hassan, t.tt: 142-144). For example, this point can be found in the history of the formation of Indonesian state. A. Hassan argues that Indonesia was used it as a tool in the struggle for Islamic politics.

Furthermore, A. Hassan actually idealizes another form of state system. Influenced by Jamaluddin Afghani, he agrees to unite all political of Islamic countries around the world into one (Pan Islamism), yet this concept does not violet the right of every Muslims societies to establish their own state system. A. Hassan requires Islam as the basis for running the country. He also reminds us not to forget another important task of politics, that is to prosper and comply with various needs of people (Bachtiar, 2013: XXV-XXVI). It seems that he twisted the idea of Pan-Islamism by contextualizing it into local need. In his view, it is wrong if we consider Pan-Islamism as a kind of "internationalism." Instead, each community or country face its own crucial need, that is freedom from colonialization. Accordingly, Muslims in Indonesia, for example, needed at that time to be freed from the Dutch, Hassan agrees with the existence of independent states, but he expects that Islamic law is used as the basis of state. Therefore, even if Indonesia would become an independent government, in his expectation, its government must be based on Islamic laws (Bachtiar and Pepen, 2013: 37).

From some descriptions, the authors conclude that the concept of the Islamic State offered by Hassan is a concept of a democratic state based on Islamic legislation in order to make sure that it is guided by the Qur'an and hadith without denying the voting of non-Muslims in occupying government seats and giving a religious freedom to other religion.

6 Biography of Taqiyuddin An-Nabhani

Muhammad Taqiyuddin bin Ibrahim ibn Musthafa bin Ismail bin Yusuf an-Nabhani or Taqiyuddin an-Nabhani is assigned to the Bani Nabhan tribe, an Arab tribe inhabiting the Sahara desert in the Ijzim region, Haifa, North Palestine (Samarah, 2013: 4). He was born in the Ijzim, in 1909. His father was a lecturer in the Shariah sciences at the Palestinian Ministry of Education and his mother also mastered some of the Shari'a sciences obtained from his father (Grandfather Taqiyuddin An-Nabhani). The grandfather of his mother's path was Shaykh Yusuf bin Ismail bin Yusuf an-Nabhani, was a judge, poet, and one of the leading scholars in the Ottoman Daula (Samarah, 2013:5-6).

Shaykh Yusuf has given many influences in the intellectual life of Taqiyuddin An-Nabhani. From his grandfather, he memorized the Quran at a young age, which is under 13 years old, and gained extensive knowledge. He took many lessons from the assemblies and fiqh discussions held by his grandfather. In the assembly Taqiyuddin An-Nabhani's intelligence and ingenuity appeared in the eyes of his grandfather. So Shaykh Yusuf wanted his grandchildren to continue his education to al-Azhar in the science of Sharia (Samarah, 2013: 6-8).

Taqiyuddin's formal education began in Nizhomiyah elementary school. Then he continued to Akka. However, not yet finished his education at Akka he was encouraged by his grandfather to leave for Cairo and continue his school there. In Cairo he continued his schooling at Tsanawiyah Al-Azhar (high school level) in 1928 and he get a satisfactory grade. After graduating from Tsanawiyah Al-Azhar, he continued his studies at Kulliyah Darul Ulum. Besides that, Taqiyuddin also actively attended the scientific halaqas at Al-Azhar which were followed by Al-Azhar's Shaykhs, such as Shaykh Muhammad al-Hidhir Husain. In 1932, Taqiyuddin completed his studies at Kulliyah Darul Ulum, and in the same year also completed his studies at Al-Azhar University. Taqiyuddin got some diplomas, that includes; the Tsanawiyah al-Azhariyah diploma, the al-Ghuraba diploma from al-Azhar. Diploma in Arabic language and literature from Darul Ulum, Diploma in justice from Ma'had al--Ali li al-Qada', and he won the Shahadah al-Alamiyyah Syariah from Al-Azhar University with an excellent grade (Samarah, 2013: 34).

After completing his education, Taqiyuddin returned to Palestine, became a teacher under the Palestinian Ministry of Education precisely in the state senior high school in Haifa, also in Madrasah Islamiyah in Haifa. In addition to giving teachings and renewing the enthusiasm of their students to hold Islamic laws, he spread the hatred of the Western invaders in their souls. Because the influence of Western imperialism in the world of education, Taqiyuddin decided to apply for work in the Sharia Court, because in the Mahkamah Syariah less influenced by Western imperialism. His first position at the Sharia Court was as secretary of the Sharia Court in Beisan, then moved to Thabriya. However, because of his desire and knowledge in judicial matters, he was compelled to submit a request to al-Majelis al-Islamiyah al-A'la to get handle of judiciary.

His request was accepted and Taqiyuddin was transferred to Haifa with his new position as Chief Secretary at Makamah Syar'iyah. Until 1940 to 1945 he was appointed as Qadli Assistant. Next, he

moved to Ramallah become Qadli in the Mahkamah Ramallah until 1948. In the same year he was asked by his best friend to return in the Palestine to be appointed qadli in the Mahkamah Syar'iyah al-Quds. Then by the Mahkamah Syar'iyah and the Mahkamah Isti'naf until 1950, then he resigned, because he nominated to become a member of the Niyabi Assembly (representative). In 1951, Taqiyuddin An-Nabhani came to Amman to teach the students of Tsanawiyah Madrasah in Kulliyah Ilmiah Islamiyah. This continued until early 1953, when he began to be busy in the Hizb ut-Tahrir which he had pioneered between 1949 and 1953 (Samarah, 2013: 18). Taqiyuddin an-Nabhani died in 1977 CE and was buried in the al-Auza'i cemetery in Beirut. During his lifetime, Taqiyuddin wrote many books that could be regarded as priceless intellectual property. His works are inseparable from his activities as the founder of Hizb ut-Tahrir, therefore his thoughts and understandings form is the basis of various engagements either social or political movement. It is understandable if Hizb ut-Tahrir is deeply influenced by Taqiyuddin an-Nabhani's thoughts and movements (Samarah, 2013: 29-30).

7 The Islamic State According to Taqiyuddin An-Nabhani

According to Taqiyuddin An-Nabhani, many verses of the Qur'an are related to the problems of government that are present in our lives. These verses instruct the Muslims to run the government based on Allah's guidance. The government in the Qur'an can be known by searching for the word *al-hakim* which means *muna'ffidzul hukmi* (executor of decision or government). In addition, it can also be known by the word derivation, namely *al-Hukmu* which means the words *al-Mulku* and *al-Şultan*. So, we can find many verses of the Qur'an that talk about government, as the word of Allah in QS. Al-Māidah [5]: 49.

There is also a relation to social-problem of government, among others; regarding the law of war (QS. al-Taubah [9]: 123), politics (QS. al-Māidah [5]: 1), criminal (QS. al-Māidah [5]: 38), society (QS. al-Talāq [65]: 6), civil law (QS. al-Baqarah [2]: 188) and so on. Thus, the Qur'an always gives authority to the rules of government in its verses. Their positions are also supported by Hadith. The establishment of an Islamic government has been realized throughout Islamic history by the Messenger of Allah, Khulafa al-Rashidin, and the Islamic rulers afterwards. This shows that Islam has a set of government systems that guarantee the continuity of society, life, people and individuals (An-Nabhani, 1997: 13). Thus, the Qur'an and Hadith can be used as a foundation to establish the Islamic government.

The Qur'an and Hadith serve as the foundation for establishing an Islamic state with many implications. One of them is the system of an Islamic state. The Islamic system of government is totally different from the other systems. In Islamic government the leadership is held by peoples who are bailed by them that has freedom of choice. The government stands on the pillars of Islamic faith and sharia law. All of that society has same obligation, even though non-Islamic. In addition, the Islamic government is a centralized government, where the highest authority is at the centre with full authority of the country. In short, the Islamic government is a khilafah that is totally different from other popular systems. Both in terms of foundation and other substances. Although in some ways there are almost similar to other systems (An-Nabhani, 2017: 31-36).

The Khilafah is a general leadership for all Muslims in the world to uphold Islamic law and carry the da'wah of Islam throughout the world. The Muslim must establish the Khilafah. This is based on the Hadith and Ijma'. So lifting up at once pledged allegiance to a caliph becomes part of his demands, and also obeying the caliph is a must for he has performed the bai'at. The obligation to appoint the caliph is to implement the laws of sharia' which has sent down by God (An-Nabhani, 2017: 39-45). Thus the Islamic state according to Taqiyuddin an-Nabhani is a country based on the Qur'an and Hadith. His administration was carried out by adopting a khilafah system that was different from other government systems. And to realize this system, Muslims must appoint a leader which is called the Caliph. The leaders must be obeyed and protected. They are expected to apply the shariah laws in the daily lives of Muslims. Both individual aspects and those associated with large community groups such as a country.

8 Ahmad Hassan and Taqiyuddin An-Nabhani: Compared

Both clerics A. Hassan and Taqiyuddin an-Nabhani have similar role, in that both had pioneering role in establishing religious mass organizations: the former established Persatuan Islam (Persis), and the later Hizb al-Tahrir. Their thoughts coloured the form of the thoughts of their organization. In

addition, their thoughts represent radical form of understanding Islam. Through Persis, A. Hassan proposes the idea of the return to the Qur'an and Hadith as the alternative paradigm of reforming Islamic thoughts. His Islamic political thought is close to the thought of Rashid Ridha which is called al-Khilafah, yet he more focuses on the importance of implementing Islamic teachings in local context where Muslims themselves reside, and live daily. For him, the concept of state which overshadows all Muslims around the world, it does not mean of "internationalism", but an independent state based on Islamic law. What matters for him is how Muslims become united under the banner of Islam in sense of substantive, and not administrative. It is why he can accept democracy, but the kind of democracy which is built within the spirit of Islamic law. His thought is different from Taqiyuddin an-Nabhani in that A. Hassan prioritizes the importance of locality where Muslims in every nation objectively need to have their own political system which is appropriate with the diversity of the backgrounds of people.

Taqiyuddin an-Nabhani bases his thought about politics on the Qur'an and Hadith too. But, he screws this fundamental principle to construct theological attitude over the concept of khilafah as the movement of internationalizing Islamic politics. He proposes a state system that adheres to a unitary system that call for unity of Muslims in the globe. His idea of khilafah takes an imagination of having centralistic form of governmental, putting the highest authority in the elites of Muslims. By doing so, the elites can easily build a coordination among different states in the world in order to fulfil the dream of having khilafah everywhere.

In the modern context it can be said that, in one hand, A. Hassan's thoughts have been influenced by modern political thought. He explains that Islamic democracy is a form of state that represents Islamic teachings. He assumes that democracy is a reflection of Islamic teachings, but he criticizes the kind of democracy which is liberal. This democracy is outside the corridors of Islamic teachings. So that sovereignty belongs only to God, yet its function plays as the highest role where Muslims have to follow God's guidance. In practice, humans are mandated to exercise some authorities, by considering the source of Islam, the Qur'an and Hadith as guidelines.

On the other hand, Taqiyuddin more exclusively exploits Islamic teachings as source of inspiration for construction the concept of Islamic politics. He believes that an Islamic government must stand on the pillars of Islamic faith and sharia laws. So that the sovereignty is in sharia law, the leader or caliph as the executor of the task of establishing sharia law in the media of state power. He rejects all views coming from western tradition including democracy. He believes that Islam has provides all Muslims' need in administering and managing their territory and existence.

From the description above it can be A. Hassan and Taqiyuddin an-Nabhani agreed that an Islamic state must be based on Islamic teachings, namely the Qur'an and Hadith. However, in the concepts of internationalism and democracy they have different ideas. Ahmad Hassan prefers the form of an independent state based on Islamic law, not internationalism. He assumes democracy as a reflection of Islamic teachings. While Taqiyuddin an-Nabhani, wants the internationalism state and the power is centralized. He believes Islam is the key to this khilafah state system. It is therefore, Taqiyuddin an-Nabhani rejects democracy, because it does not from Islamic teachings.

These two thoughts by Ahmad Hassan and Taqiyuddin an-Nabhani reflected in several Muslim Intellectual, such as Hassan al-Banna as a founder of the organization "*Ikhwanul Muslimin*" has the similarites though about *khilafah* with Taqiyuddin an-Nabhani. He requires the establishment of an Islamic state, he called *Daulah Islamiyah* or *Islâhud Daulah*. Based on the decline and colonialism by Western in several Islamic countries, such as Mesir, Palestina, Pakistan dna Libya. These countries indoctrinated by Western cause the weak of that leadership. The result is upholding the banner of Islam by uniting Muslims in one shelter. Hassan refers on several verses and hadith, one of them, QS. al-Anfâl [10]: 46, these verse explain the obligation of Muslim to unite because disputes can divide the power of Muslims. (Hassan al-Banna,)

The other Muslims intellectual's though about khalifah is Rasyid Ridhâ. He said that *khilafah*, *imâmat al 'uzmâ* and *imârat al-mu'minîn* are head of the government who must enforcing religious affairs. His thought affected after he read the megazine "Al-'Urwah al-Wuthqâ" by Jamaluddin al-Afghani, the megazine was change took place in Ridâ's religious orientation. Jâmi'ah Islâmiyah or translated as Pan-Islamism is the framework of Afghâni's efforts to purify the faith and teachings of Islâm. In Ridâ's opinion, this Jâmi'ah Islâmiyyah should in fact become a pure Ottoman institution led by Sulţân 'Abd al-Ĥamîd II, which united the Islamic world, with the aim being to strengthen the Sulţân's authority and ability in facing domestic as well as foreign challenges. Ridâ's perception reflected his attitude on the need to maintain the institute of khâlifah and his full confidence in the Ottoman government. Furthermore, Ridâ held out for a long time in opposing Arab nationalism or Pan Arabism, because he was concerned that the movement would weaken the authority of the Ottomans, where two ethnic groups, Turkish and Arabs, constituted the main elements of strenght. Rida's firm belief that the institute of khâlifah should be maintained was obvious from his serious effort to establish

a new institute of khalifah. The Sultân was for Ridâ also a khalifah, and he never questioned the legitimacy of the Caliphate as the sole and highest authorities of the Ottoman dynasty, although they were not of Qurayshî descent, and not even Arabs. (Munawwir Sjadzali, 1991).

9 Conclusion

Having discussed backgrounds and views of A. Hassan and Taqiyuddin an-Nabhani on politics above, it can be concluded that both clerics have the same principle in the case of the Qur'an and Hadith as the source of inspiration in formulating the concept of state. They differ from one another in the case of translating and contextualizing the key term of the Islamic sources, i.e. khalifah into practice. A. Hassan translates it by accepting the concept of democracy within limited treatment. In that case, he tackles the concept of democracy down to be used in accordance with Islamic law. He argues that Islamic state is an independent organization and place in which it is not under the auspices of anyone and anything. In other words, the Islamic democratic concept of state is a reflection of the Islamic teachings. Muslims are expected to establish an independent state, but it is still under the unity of the Islamic state power. Meanwhile, Taqiyuddin an-Nabhani translated Islamic state or khalifah exclusively rejecting other defines the state as a power have functions to implement sharia laws. Political systems including democracy. Instead of borrowing from other traditions of democratic systems, he solely bases his political view on the Qur'an and Hadith. Accordingly, within the concept "Khalifah" state, he believes that it should be operative in the whole country and the highest position is the caliph. He aspires to establish an international state, similar to the concept which has been proposed by Jamaluddin Afghani, Pan-Islamism.

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References

- [1] Idil Akbar, "Khalifah Islamiyah: Antara Konsep dan Realitas Kenegaraan Islam Iran dan Kerajaan Arab Saudi," *Journal of Government and Civil Society*, 2017.
- [2] Hassan Al-Banna, *Majmu'atur Rasail*.
- [3] Taqiyuddin An Nabhani, *Sistem Pemerintahan Islam: doktrin sejarah dan realitas empirik*, Terj. Moh. Maghfur Wachid, Al Izzah. Bangil., 1997.
- [4] Abdul Aziz, *Chieftdom Madinah Salah Paham Negara Islam*, Pustaka Alvabet. Jakarta., 2011.
- [5] Azyumardi Azra, *Pergolakan Politik Islam: Dari Fundamentalisme, Modernisme Hingga Post-Modernisme*, Paramadina. Jakarta., 1996.
- [6] Tiar Anwar Bachtiar, *Risalah Politik A. Hassan*, Pembela Islam. Jakarta., 2013.
- [7] Tiar Anwar Bachtiar dan Pepen Irpan Fauzan., *Persis dan Politik (Sejarah Pemikiran dan Aksi Politik Persis 1923-1997)*, Lajnah Penerbitan Pesantren PERSIS. Bandung., 1997.
- [8] Muhammad Izzah Darwazah, *Al-Dustur al-Qur'an fi Syuun al-Hayat*, Cairo., 1956.
- [9] Tamar Djaja, *Riwayat Hidup A. Hassan*, Mutiara Jakarta. Jakarta., 1980.
- [10] Howard M. Federspiel, *The Persatuan Islam (Islamic Union)*, Dissertation In Faculty of Graduate Studies and Research Institute of Islamic Studies McGill University Montreal., 1966.
- [11] Abd Moqsih Ghazali, "Islam dan Wacana Negara: Perspektif Ali Abdurraziq dan Abdurrahman Wahid," *Dialog*, 2005.
- [12] Ahmad Hassan, tt. *Islam dan Kebangsaan*, Lajnah Penerbitan Pesantren PERSIS. Bandung.
- [13] Ahmad Hassan, *Membudakkan Pengertian Islam dalam Islam dan Kebangsaan*, Lajnah Penerbitan Pesantren Persis. Bangil., 1984.
- [14] Ahmad Hassan, *Pemerintahan Cara Islam dalam Islam dan Kebangsaan*, Lajnah Penerbitan Pesantren PERSIS. Bandung.
- [15] Ni'matul Huda, *Ilmu Negara*, Rajawali Pers. Jakarta., 2010.
- [16] Akh. Minhaji, *A. Hassan Sang Ideologi Reformasi di Indonesia*, Pembela Islam Media. Garut., 2015.
- [17] Syafiq A. Mughni, *Hassan Bandung Pemikir Islam Radikal*, PT. Bina Ilmu. Surabaya., 1982.
- [18] Muhammad Yusuf Musa, *Nizham al-Hukm fi al-Islam*, Dar al-Nahdhat al-Mishriyat. Al-Qahirat., 1972.
- [19] Ali Abdul Raziq, *Al-Islam wa Ushul al-Hukm: Bahts fi al-Khalifah wa al-Hukumah fi al-Islam*, Beirut., 1965.
- [20] Ihsan Samarah, *Syaikh Taqiyuddin an-Nabhani: Meneropong Perjalanan Spiritual dan Dakwahnya*, Al-Azhar. Bogor., 2003.
- [21] Munawwir Syadzali, *Islam dan Tata Negara, Ajaran, Sejarah dan Pemikiran*, UI Press. Jakarta., 1993.

- [22] Munawwir Syadzali, *Islam and Governmental System (Teachings, History and Reflections)*. INIS. Jakarta., 1991.
- [23] M. Din Syamsuddin, *Islam dan Politik Era Orde Baru*, Logos. Jakarta., 2001.
- [24] Dadan Wildan, *Sejarah Perjuangan Persis 1923-1983*, Gema Syahida. Bandung., 1995.