

# Muslim thought & work ethic

Civil Services

By Anwar Syed

Dawry 13.6.09

WHILE recent scholarship has made considerable advance in the study of Muslim political thought, Muslim ideas on public administration have not received the same attention. I find that the subject can be very engaging and its study rewarding.

The higher bureaucracy in Pakistan used to claim, with a good deal of pride, that it had inherited the British civil servant's tradition of superb competence, probity, dedication to duty, and candour. Actually, it retained only his disposition to arrogance towards the natives and let go of his more desirable qualities.

On the other hand, it is fashionable among our intellectuals to dismiss our colonial legacy as being unworthy of a free people. They would have us look for decent values and constructive ways in our own native tradition. Had they examined our nativity with care, they might have discovered that it is rather barren in the areas of organizational management and the arts of association. But it so happens that we have another source of guidance, our Islamic heritage which we can consult.

Beginning with the pious caliphate, we will first see that it did not admit of contrivances such as the separation of powers and checks and balances. The caliph headed

been damaged by natural calamities or other accidents. Loss of revenue in these circumstances should not be grudged, for the people were the "real wealth" of a country. Investment in their welfare would allow them to prosper and enhance their taxable capacity. In his celebrated treatise, *Siyasat Namah*, Nizam al-Mulk (a mediaeval Muslim statesman and thinker) wrote that in times of adversity the peasant should be given a loan to "keep him viable, lest he be cast out of his home into exile."

Since the poor and the destitute may have difficulty in reaching the ruler, he must find his own ways of getting to know of their condition. He should comfort them, and show them respect, even if others in society hold them in low esteem. "Do not be arrogant or vain towards them," said Ali to Malik. Preoccupation with the "major" affairs of

---

The higher bureaucracy in Pakistan used to claim, with a good deal of pride, that it had inherited the British civil servant's tradition of superb competence, probity, dedication to duty, and candour. Actually, it retained only his disposition to arrogance towards the natives and let go of his more desirable qualities. On the other hand, it is fashionable among our intellectuals to dismiss our colonial legacy as being unworthy of a free people.

---

designed to keep out the common folk as well as the sounds from the nearby market place. Promptly came a letter from the caliph: "I have come to know that you had a palace made which you use like a fort in order to stay aloof from the people. Use only a part of the house as your residence and let that be near the treasury. Close the rest of the building. Don't put up any gate that inhibits the people from coming in to tell you of their problems."

Nizam al-Mulk warns that when the king and his officials become inaccessible, the business of the people suffers, facts remain concealed, and the state goes to ruin.

The public servant cannot be arbitrary; he must act within the law. He can exercise only those powers which the law allows him. Caliphs and sultans, *walis* and *amils*, are all under the law. Since the fundamental law

for Muslims is embodied in the Quran, the word of God, the principle of the supremacy of the law is well established. Ali asks Malik to follow the commandments of God and traditions of the Prophet (PBUH) in conducting his administration.

Earlier Umar had given the same advice to Abu Musa. He told the Qazi of Kufa that if he could not find guidance in the Quran, he should consult the Sunnah, and should that too be unavailing, he should use his own judgment or "refer the matter to me." On one occasion, he ordered Abu Musa to receive 20 lashes for the 20 he had ordered given to

balances, the caliph headed all branches of government, including the administration. He appointed and dismissed, governors and other high officials (judges, tax collectors, etc.) and he oversaw their functioning to the extent possible, acting on reports he received from the public.

In Muslim theory, service to the people is the primary function of government and administration. Umar bin Khattab and Ali ibne Abu Talib, the second and fourth pious caliphs respectively, reminded their provincial governors repeatedly that their foremost duty, and that of their subordinates, was to serve the people honestly, competently, and compassionately. They were enjoined to deal with men fairly, in accordance with law, and not arbitrarily. In one of his letters to Amr bin al-Ass, the governor of Egypt, (available in a collection of his letters published by Nadwatal Musannafin in Delhi in 1959) Umar wrote: "Every ruler is responsible before God for the welfare of the people, and let it be remembered that the accursed of God is he who is an oppressor."

Umar asked Abu Musa al-Ash'ari, the governor of Basra, to be accessible to the people, and to take personal interest in their problems. In the opening paragraph of his famous letter to Malik bin Ashtar, his governor in Egypt (available in Nahjul Balagha), Ali ibn Abu Talib urged him to promote the people's prosperity. He went on to observe that a ruler would enjoy the confidence of his people only if he was considerate to them, relieved their troubles, and did not oppress them.

Both Umar and Ali asked their officials to be solicitous of the peasantry's difficulties while collecting taxes. The wellbeing of the taxpayer was more important than the tax itself and its proceeds. Collection policy should not impair the citizen's income-generating capacity. The fourth pious caliph admonished Malik that "the ruler who does not pay attention to the prosperity of his subjects and fertility of the land, but concentrates only on revenue collection, lays waste the land and ruins the state."

Taxes should be reduced if the crops had

state would not do as an excuse for neglecting the poor. He must give them a share of the state revenues, not only stipends in cash but grain from the government warehouses when necessary. "For the sake of God, Malik, protect them and their rights."

Public officials are asked to be civil in their dealings with the public. Arrogance on their part is to be condemned. Malik bin Ashtar is told never to say to himself: "I am their lord, their ruler, and that I must be obeyed submissively.... If you ever feel any pride on account of your sway over your subjects, then think of the supreme sway and rule of God over the universe."

Officials are asked to adopt a modest bearing towards the public, shun an ostentatious lifestyle, and live as ordinary Muslims did. Umar ordered Amr bin al-Ass to stop leaning on cushions while interviewing people. Nor should he address them sitting on a pulpit; he should stand before them. Governors and other officials were asked to eat simple food and wear clothes made of coarse fabric.

Umar himself was a model, perhaps an extreme one, of austere living. Ali advised Malik to refrain from self-projection and image building. "Do not boast of the good points you may have in your character or the good things you may have done. Do not let flatterers make you vain and egoistic."

Apparently, the Arabs of Umar's time were jealous of their rights vis-a-vis the officialdom. Many travelled to Madina to convey their reports and complaints to the caliph. In order that grievances might be lodged, free access to officials was deemed necessary. Ali asked Malik to appoint a certain time of day for receiving people with complaints. He should listen to them patiently even if they were uncouth or irrelevant. He should exclude his police and army officers from such meetings so that the complainant might speak freely.

Consider the case of the "Governor's Mansion" in Kufa. Sa'd bin Abi Waqqas, the governor, had built a spacious house with a gate in front. The people of Kufa complained to Umar that Sa'd's "palace" had been

Musa to receive 20 lashes for the 20 he had ordered given to a young man who had spoken to him rudely.

Nizam al-Mulk advised that if any judge passed a ruling capriciously, the other judges must report that fact to the caliph who should dismiss that judge. He called attention, approvingly, to a pre-Islamic Iranian custom. On an appointed day, the king heard complaints. If any of them were directed against him, he would step down from his throne and ask the chief justice to judge between him and the complainant "impartially and regardlessly." In a letter to Sa'd bin Abi Waqqas, Umar declared that the ruler must be equally just to all: relative and stranger, friend and foe, rich and poor. Whenever Umar himself happened to be involved in a lawsuit, he insisted on being treated on par with the other party. He scolded Zaid bin Haris, the *qazi* of Madina, for having risen in deference to him when he appeared in the court as a respondent.

In serving the people, the public official is not to observe distinctions of creed and belief. Ali reminds Malik that while Islam makes him a brother to fellow Muslims, bonds of humanity join him with non-Muslims. "Men of either category suffer from the same weaknesses and disabilities.... Let your mercy and compassion come to their (non-Muslims) rescue in the same way and to the same extent that you expect God to show mercy and forgiveness to you."

The judicial function is rated highly. A judge should persevere in examining the pros and cons of matters that come before him. He should demand evidence and reasoning in support of the arguments made. He must bear with detail in sifting fact from fiction. He should be willing to rectify his own error of judgment, and he should not let flatterers turn his head.

There is more that Islam tells us about judges and other aspects of governance and administration but, having run out of space, I shall defer the rest of it until next Sunday.

*The writer is professor emeritus of political science at the University of Massachusetts at Amherst, USA. E-mail: anwarsjed@cox.net*