

## AN ANALYTICAL STUDY OF THE CONSULTATION SYSTEM DURING THE CALIPHATE OF HAZRAT ABU BAKR SIDDIQUE (R.A)

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### Abstract:

*The system of consultation (Shura) has been a defining characteristic of Islamic governance, ensuring collective decision-making, justice, and adherence to ethical principles. Among the Rightly Guided Caliphs, Hazrat Abu Bakr Siddique (RA) laid a strong foundation for consultative governance that played a crucial role in stabilizing the Muslim state after the passing of Prophet Muhammad (PBUH). His leadership was marked by wisdom, humility, and a firm commitment to seeking counsel from the companions, demonstrating that governance in Islam is not an autocratic rule but a collective responsibility. The caliphate of Hazrat Abu Bakr (RA) was established during one of the most challenging periods in Islamic history. Following the Prophet's (PBUH) passing, the Muslim community faced significant internal and external challenges, including political uncertainty, tribal rebellions, economic difficulties, and the emergence of false claimants to prophethood. Despite these circumstances, Hazrat Abu Bakr (RA) ensured that all major decisions were made through consultation with the senior companions of the Prophet (PBUH), including Hazrat Umar (RA), Hazrat Uthman (RA), Hazrat Ali (RA), and other notable figures. His approach to governance reflected his deep sense of responsibility and understanding of the trust placed in him by the Muslim community. Unlike monarchies or autocratic systems, where decisions are imposed without discussion, Hazrat Abu Bakr (RA) believed in open dialogue, inclusivity, and the participation of knowledgeable and experienced individuals in the decision-making process. His leadership style emphasized transparency, accountability, and the welfare of the people, setting a precedent for future Islamic governance. The consultative system during his rule was not a mere formality but an integral part of governance that allowed for diverse perspectives, ensuring well-balanced and just policies. Whether it was the decision to launch military expeditions, compile the Quran, or tackle financial and administrative matters, Hazrat Abu Bakr (RA) sought counsel from the Shura before making final decisions. His ability to balance firmness with flexibility, as well as his commitment to unity and justice, solidified his legacy as a model of Islamic leadership. This article aims to explore the consultation system during the caliphate of Hazrat Abu Bakr Siddique (RA) in detail. It will analyze its structure, implementation, significance, and long-term impact on Islamic political philosophy. By studying his approach to governance, we gain valuable insights into how consultative leadership can foster unity, stability, and ethical governance in any society.*

**Keywords:** Consultation System, Caliphate, Islamic Governance, Ethical Principles, Islamic History, Tribal Rebellions, Islamic Leadership

### An Overview of Hazrat Abu Bakr Siddique (RA)

Abu Bakr was born in Makkah in 573 CE to Uthman Abu Quhafa and Salma Umm al-Khair. He is generally regarded as the fourth person to embrace Islam, following Hazrat Khadija bint Khuwaylid, Ali ibn Abi Talib, and Zayd ibn Harith. He participated in several significant battles of Islam, including the Battle of Badr and the Battle of Uhud. His role in these early Islamic conflicts has been extensively analyzed by historians.<sup>1</sup>

<sup>1</sup> Rizwy, Ali Asgher, Sayed, A Restatement of the History of Islam & Muslims, p154.

Abu Bakr was present at the Farewell Pilgrimage in 632 CE, as well as the event of Ghadir Khumm. However, shortly after the passing of Prophet Muhammad (PBUH), Abu Bakr and a few companions gathered at a place called Saqifa, leaving the Prophet's body yet to be buried. After prolonged discussions, which at times grew intense, Umar ibn Al-Khattab pledged allegiance to Abu Bakr at Saqifa. This was soon followed by others present, including a group of Bedouin tribesmen who had arrived at the scene. The renowned Sunni historian Al-Tabari later described Saqifa as "a scene reminiscent of the era of Jahiliyyah (pre-Islamic period)"<sup>2</sup>

As a result, Abu Bakr assumed leadership and governed the Rashidun Caliphate from 632 to 634 CE. Upon gaining power, he initiated the Ridda Wars to suppress a widespread rebellion of apostasy in various regions outside Madinah. However, these wars expanded beyond confronting those who had renounced Islam to include military action against groups that refused to acknowledge Abu Bakr's authority. After the Ridda Wars concluded, he launched military campaigns into Syria and Persia, but he passed away before their completion. Another significant event during his caliphate was the confiscation of the land of Fadak from Fatimah (RA), the daughter of Prophet Muhammad (PBUH).<sup>3</sup>

In 634 CE, AbuBakar (RA) fell sick from a sickness and died rapidly thereafter. He was succeeded via Umar (RA).

Abu Bakr's full name was Abdullah ibn Uthman ibn Aamir ibn Amr ibn Ka'ab ibn Sa'ad ibn Taym ibn Murrah ibn Ka'ab ibn Lu'ai ibn Ghalib ibn Fihr al-Quraishi.

In Arabic, the name Abdullah means "Servant of Allah". One of his early titles before accepting Islam was Ateeq, which means "the one freed or saved". Prophet Muhammad (PBUH) reaffirmed this title by saying that Abu Bakr is "Ateeq".

He was also given the title As-Siddique (The Truthful) by the Prophet Muhammad (PBUH) after he immediately affirmed the truth of the Isra and Mi'raj event when others expressed doubt. Hazrat Ali (RA) also reaffirmed this title on multiple occasions.<sup>4</sup>

There's a dispute over his name being Abdullah. Ibn Hajar in Al-Isaabah, as well as many other assets, narrates from Qasim Ibn Muhammad Ibn Abu-Bakar."

I requested Aisha the name of Abu-Bakar. She said Abdullah. I stated people are saying Ateeq. She stated Abu Quhafa had three children, one become Ateeq, second Mu'taq and 1/3, Utaiq. "All 3 names are comparable and derived from the same root."

"He was reportedly stated in the Quran because the '2d of the 2 within the cave' in reference to the occasion of hijra, where with Muhammad he concealed inside the fall down Jabal Thawr from the Makkan celebration that turned into sent after them."<sup>5</sup>

Many Sunni hadiths available about Muhammad comes through Abu-Bakar's daughter Aisha. After the demise of Abu-Bakar, her brother Muhammad ibn Abu-Bakar was emancipated by using Ali. After Muhammad ibn Abu-Bakar turned into killed through the Umayyad's, Aisha raised and taught her nephew, Qasim ibn Muhammad ibn Abu-Bakar and her nephew Urwah ibn Zubayr. He then taught his son, Hisham ibn Urwah, who changed into the principle trainer of Malik ibn Anas, whose views many Sunni observe.

### **The Early Life of Hazrat Abu Bakr Siddique (RA)**

Abu Bakr was born in Makkah around 573 CE into a wealthy family of the Banu Taym clan, which was part of the Quraysh tribal confederation. His father's name was

<sup>2</sup>Tarikh ul umam wal Mulok,(Tarikh al-tabri), p208-210/3.

<sup>3</sup> Rizwy, Ali Asgher, Sayed, A Restatement of the History of Islam & Muslims, p429.

<sup>4</sup> Al Asfhani, Abu Nua'eem, Usdu al Ghaba fi Ma'arif al-sahaba", p64, 65.

<sup>5</sup> Ibn ul Aseer, Abu al Hassan Ali bin Muhammad, Usd ul-Ghaba fi Marifah al Sahaba, maktba al- Islami, Tehran, p60.

Uthman, who was given the title Abu Quhafa, while his mother, Salma bint Sakhar, was known by the title Umm ul-Khair.

During his early childhood, like many Arab children of that time, he spent time among the Bedouins, who referred to themselves as Ahl-i-Ba'eer—the people of the camel. He developed a strong affection for camels and would often play with camel calves and goats. Due to his fondness for camels, he earned the nickname Abu Bakr, which means "the father of the camel's calf."<sup>6</sup>

"Like other children of the wealthy Makkan service provider families, Abu-Bakar changed into literate and advanced a fondness for poetry. He used to wait the annual truthful at Ukaz, and participate in poetical symposia. He had a superb reminiscence and had a good know-how of the genealogy of the Arab tribes, their testimonies and their politics."<sup>7</sup>

A well-known story recounts an incident from Abu Bakr's childhood when his father took him to the Kaaba and instructed him to pray before the idols. While his father attended to other matters, young Abu Bakr was left alone with the idols.

Turning to one of them, he said, "O my god, I am in need of fine clothes; grant them to me." The idol remained motionless. He then addressed another idol, saying, "O god, provide me with some delicious food, for I am hungry." Again, there was no response.

Frustrated, Abu Bakr picked up a stone and addressed an idol, saying, "If you are truly a god, defend yourself, for I am about to strike you." He then hurled the stone at the idol and left the Kaaba. From that moment onward, he never returned to worship idols.<sup>8</sup>

AbuBakar become a skinny man with white skin. Tabari relates (Suyuti additionally relates the same thru Ibn SA'd al-Baghdadi's report) from Aisha her description of Abu-Bakar:

"He become a person with honest skin, thin, emaciated, with a sparse beard, a slightly hunched body, and sunken eyes and sticking out brow, and the bases of his arms had been hairless."

He remained a hanif until changing to Islam and in no way worshipped idols."<sup>9</sup>

### **Acceptance of Islam by Hazrat Abu Bakr Siddique (RA)**

Upon returning from a business trip to Yemen, Abu Bakr was informed by his friends that during his absence, Muhammad (PBUH) had declared himself the Messenger of God and introduced a new religion.

The renowned historian Al-Tabari, in his work Ta'rikh al-Tabari, quotes Muhammad bin Sa'd bin Abi Waqqas, who reported:

"I asked my father whether Abu Bakr was the first to embrace Islam. He replied, 'No, more than fifty people had accepted Islam before Abu Bakr. However, he was superior to us in his commitment to the faith. Umar ibn Khattab embraced Islam after forty-five men and twenty-one women. As for the foremost in accepting Islam and faith, it was Ali ibn Abi Talib.'"

According to Sunni and Shi'a perspectives, there is a difference of opinion on who was the second person to publicly accept Islam. Many Sunni scholars believe it was Abu Bakr, while Shi'a Muslims maintain that it was Ali ibn Abi Talib, with the first person being Muhammad's (PBUH) wife, Khadija.

<sup>6</sup> Drissner, Gerald (2016). Islam for Nerds - 500 Questions and Answers. Berlin:createspace. p. 432-

<sup>7</sup> War and Peace in the Law of Islam by Majid Khadduri, Translated by Muhammad Yaqub Khan Published 1951 Ahmadiyyah Anjuman-i-Ishaat Islam. Original from the University of Michigan. Digitized 23 October 2006.

<sup>8</sup> Masood ul Hassan, Hazrat Abu Bakr Siddique (RA), published, Ferooz sons, Lahore, P2.

<sup>9</sup> Ibn-e- Sad, Abu Abd ullah Muhammad bin Sad, Tabaqat ibni Saad, Dar-e-Saidr, Beirut, 188/3.

On the other hand, Ibn Kathir, in his book *Al-Bidaya wa'l-Nihaya*, refutes the claim that Abu Bakr was not among the first Muslims. He writes:

"The first woman to accept Islam was Khadija. The first freed slave to embrace Islam was Zaid bin Harithah. The first child to accept Islam was Ali ibn Abi Talib, as he had not yet reached puberty at that time. However, the first free man to embrace Islam was Abu Bakr."

### **Life of Hazrat Abu Bakr Siddique (RA) After Accepting Islam**

Hazrat Abu Bakr Siddique (RA) played a significant role in spreading Islam and supporting the oppressed.

### **Family and Conversion to Islam**

After accepting Islam, Abu Bakr (RA) faced challenges within his own household. His wife, Qutaylah bint Abd-al Uzza, did not embrace Islam, leading to their separation. However, his other wife, Umm Ruman, accepted the new faith. Among his children, all embraced Islam except for Abdu'l-Rahman ibn Abu Bakr, who initially resisted but later accepted Islam.

### **Bringing Others to Islam**

His conversion became a turning point in the early Islamic movement. Due to his respected status among the Quraysh, Abu Bakr (RA) successfully invited several influential figures to Islam. The individuals who accepted Islam through his efforts included:

- Usman ibn Affan (RA) – Later became the third Caliph.
- Az-Zubayr ibn Al-Awwam (RA) – Played a key role in the conquest of Egypt.
- Talha ibn Ubayd-Allah (RA) – A close companion of the Prophet (PBUH).
- Abdur Rahman ibn Awf (RA) – A prominent supporter of the Rashidun Caliphate.
- Sa'd ibn Abi Waqqas (RA) – Led the Muslim forces in the conquest of Persia.
- Abu Ubaidah ibn Al-Jarrah (RA) – The commander of Muslim forces in Syria.
- Abu Salama (RA), Khalid ibn Sa'id (RA), Abu Hudhaifah ibn Al-Mughirah (RA) – All played crucial roles in the expansion of Islam.

### **Liberation of Oppressed Slaves**

Slavery was deeply rooted in Makkah, and many of the early converts to Islam were slaves who suffered brutal persecution. Hazrat Abu Bakr (RA), out of his immense compassion and devotion to Islam, spent his wealth to purchase and free enslaved Muslims. He paid 40,000 dinars for the emancipation of numerous slaves, including:

#### **Freed Male Slaves:**

1. Bilal ibn Rabah (RA) – One of the closest companions of the Prophet (PBUH) and the first Mu'azzin (caller to prayer).
2. Ammar ibn Yasir (RA) – One of the earliest and most tortured Muslim converts.

#### **Freed Female Slaves:**

1. Lubaynah (RA)
2. Al-Nahdiah (RA)
3. Umm Ubays (RA)
4. Harithah bint Al-Muammil (RA)

His father once questioned why he chose to free weak and elderly slaves instead of strong ones who could serve him. Abu Bakr (RA) responded, "I am freeing them for the sake of Allah, not for my own benefit." This selfless act of freeing the oppressed demonstrated his deep faith and commitment to justice, earning him a high status in Islam. His unwavering support for Islam and the Prophet (PBUH) played a pivotal role in strengthening the early Muslim community.<sup>10</sup>

### **Hazrat Abu Bakr Siddique's (RA) Migration to Madinah**

<sup>10</sup> Tarikh ul umam wal Mulok, (Tarikh al-tabri), p 426/3.



Here's a rewritten version with improved clarity and flow:

### **Migration to Madinah**

In the year 622, following an invitation from the Muslims of Madinah, the Prophet Muhammad (PBUH) instructed his followers to migrate there. The migration took place in groups, with Hazrat Ali (RA) being the last to leave Makkah. He was entrusted with the responsibility of settling any outstanding debts of the Muslims and was famously known for sleeping in the Prophet's (PBUH) bed the night the Quraysh, led by Ikrimah, plotted to assassinate him.

Meanwhile, Hazrat Abu Bakr (RA) accompanied the Prophet (PBUH) on his journey to Madinah. Due to the looming danger from the Quraysh, they did not take the usual route but instead traveled in the opposite direction, seeking refuge in the Cave of Thawr, located about five miles south of Makkah.

During their stay in the cave, Abu Bakr's (RA) son, Abdullah ibn Abi Bakr, would listen to the plans of the Quraysh during the day and secretly deliver the information to them at night. His daughter, Asma bint Abi Bakr (RA), brought them food daily, while their servant, Aamir, would lead a flock of goats to the cave entrance each evening, allowing them to be milked without raising suspicion.

The Quraysh sent search parties in all directions, and at one point, a group came dangerously close to the entrance of the cave. However, they were unable to see the Prophet (PBUH) and Abu Bakr (RA). It was during this moment that Qur'an verse 9:40 was revealed:

"If you do not aid him (the Prophet), Allah has already aided him when those who disbelieved had driven him out as one of two, when they were in the cave and he (Muhammad) said to his companion, 'Do not grieve; indeed, Allah is with us.'"

This verse confirms that Abu Bakr (RA) was the companion of the Prophet (PBUH) in the cave, as also affirmed by narrations from Aisha (RA), Abu Sa'id al-Khudri (RA), and Abdullah ibn Abbas (RA).

After three days, when it was safe to continue their journey, they resumed their migration and eventually arrived in Madinah, where they were warmly welcomed by the Ansar (the Muslim residents of Madinah).

This migration, known as the Hijrah, marked a turning point in Islamic history, establishing Madinah as the first Islamic state and demonstrating Abu Bakr's (RA) unwavering faith and loyalty to the Prophet (PBUH).

"After staying on the cave for three days and 3 nights, Abu-Bakar and Muhammad continue to Madina, staying for some time at Quba, a suburb of Madina<sup>11</sup>."

### **Life in Madinah of Hazrat Abu Bakr Siddique (RA)**

In Madinah, Prophet Muhammad (PBUH) decided to construct a mosque for the growing Muslim community. A suitable piece of land was chosen, and the cost for its purchase was covered by Hazrat Abu Bakr (RA). Alongside other Muslims, he actively participated in the construction of Al-Masjid an-Nabawi, which became the center of religious and social activities.

As part of fostering brotherhood between the Muhajirun (migrants) and the Ansar (residents of Madinah), Hazrat Abu Bakr (RA) was paired with Kharijah bin Zaid Ansari. Their relationship was one of deep mutual respect and friendship, further strengthened when Hazrat Abu Bakr (RA) married Habiba, the daughter of Kharijah.

Kharijah bin Zaid Ansari lived at Sunh, a suburb of Madina, and Abu-Bakar additionally settled there. After Abu-Bakar's family arrived in Madina, he bought some other residence close to Muhammad's.<sup>12</sup>

<sup>11</sup> Islamic Culture by the Islamic Cultural Board Published 1927,p11.

The climate of Makkah was dry, whereas Madinah had a more humid environment. Due to this change, many of the migrants, including Hazrat Abu Bakr (RA), fell ill upon their arrival. He suffered from fever for several days and was cared for by Kharijah bin Zaid Ansari and his family during his illness.

In Makkah, Hazrat Abu Bakr (RA) had been a successful cloth merchant, and he resumed the same trade in Madinah. He established a shop in Sunh, from where he supplied fabric to the local market. Before long, his business flourished, contributing to the economic growth of the Muslim community.

In early 623 CE, his daughter Aisha (RA), who had been betrothed to Prophet Muhammad (PBUH), was formally married to him in a simple yet significant ceremony. This marriage further strengthened the close bond between Hazrat Abu Bakr (RA) and the Prophet (PBUH).<sup>13</sup>

### **Participation in Ghazwat of Hazrat Abu-Bakar Siddique (R.A)**

#### **War of Badr**

In 624 Abu-Bakar changed into involved inside the first battle between the Muslims and the Quraysh of Makkah, known as the war of Badr, but did not combat, alternatively performing as one of the guards of Muhammad's tent.

#### **Conflict of Uhud**

In 625 CE, Hazrat Abu Bakr (RA) participated in the Battle of Uhud. Initially, the battle favored the Muslims due to the courageous efforts of Ali ibn Abi Talib (RA), Hamza ibn Abdul Muttalib (RA), and Abu Dujana (RA). However, the tide of battle turned against the Muslims due to key events, including the martyrdom of Hamza (RA) and the disobedience of some Muslim soldiers who abandoned their assigned positions to collect war spoils.

Seizing the opportunity, Abu Sufyan's army launched a counterattack, leading to chaos and heavy Muslim casualties. During the confusion, Mus'ab ibn 'Umayr (RA) was martyred, and rumors spread that Prophet Muhammad (PBUH) had been killed. This false news caused further panic, prompting some Muslims to flee. However, a few loyal companions, including Ali (RA) and Abu Dujana (RA), remained steadfast in protecting the Prophet (PBUH). Various historical reports mention that both Abu Bakr (RA) and Umar (RA) were among those who temporarily retreated but later regrouped with the Muslim forces."<sup>14</sup>

#### **Warfare of the ditch**

In 627 CE, Hazrat Abu Bakr (RA) took part in the Battle of the Trench as well as the Invasion of Banu Qurayza. During the battle, Prophet Muhammad (PBUH) divided the trench into different sections, assigning a contingent to guard each one. Abu Bakr (RA) was entrusted with the command of one such contingent, responsible for defending his assigned sector.

The Quraysh forces made repeated attempts to cross the trench, but every attack was successfully repelled. Abu Bakr (RA) displayed exceptional bravery in safeguarding his area, ensuring the enemy could not breach the defense. To honor his courageous efforts, a mosque—later named "Masjid al-Siddique"—was built on the site where he had defended against enemy charges.

<sup>12</sup> Hazrat AbuiBakr, the First Caliph ofIslam, ,p67.

<sup>13</sup> Tabqat ibn -Saad ,p62.

<sup>14</sup> Razwy, Sayed Ali Asgher. A Restatement ofthe History ofIslam & Muslims,p153.

In 628 CE, Abu Bakr (RA) was also present at the signing of the Treaty of Hudaibiyyah, a pivotal agreement between the Muslims and the Quraysh, which laid the groundwork for future Muslim victories.<sup>15</sup>

### **Battle of Khaybar**

"AbuBakar took component within the battle of Khaybar. Khaybar had 8 fortresses, the most powerful and most properly-guarded of which changed into known as Al-Qamus. Muhammad despatched Abu-Bakar with a set of warriors to attempt to take it, but they were not able to accomplish that. Muhammad also sent Umar with a set of warriors, however Umar couldn't conquer Al-Qamus both. a few different Muslims also attempted to seize the citadel, but they had been unsuccessful as nicely. Eventually, Muhammad despatched Ali, who defeated the enemy chief, Marhab." <sup>16</sup>

Military campaigns all through final years of Muhammad

"In 629 Muhammad sent 'Amr ibn al-'As to Zaat-ul-Sallasal, observed by means of Abu Ubaidah ibn al-Jarrah in reaction to a name for reinforcements. Abu-Bakar and Umar commanded an army underneath al-Jarrah, and that they attacked and defeated the enemy." <sup>17</sup>

In 630, while the Muslims conquered Makkah, AbuBakar become a part of the navy.

Before the conquest of Makkah his father Uthman Abu Quhafa converted to Islam.

### **The Battle of Hunayn and the Siege of Ta'if**

In 630 CE, as the Muslim army advanced through the Hunayn Valley, located about 11 miles northeast of Makkah, they were suddenly ambushed by archers from local tribes. Taken by surprise, the vanguard of the Muslim forces was thrown into chaos, leading to panic among some soldiers. Men, horses, and camels collided in an attempt to find cover. Despite the sudden attack, Prophet Muhammad (ﷺ) stood firm, demonstrating remarkable composure.

At that moment, only a handful of companions, including Hazrat Abu Bakr (RA), remained by his side. Under the Prophet's instructions, Hazrat Abbas (RA) called out in a loud voice: "O Muslims, gather around the Prophet of Allah!"

Hearing this call, the scattered Muslim forces quickly regrouped and rejoined the battlefield. Once they had assembled in sufficient numbers, the Prophet (ﷺ) ordered a counterattack, and the Muslims launched a decisive charge against the enemy. In the fierce hand-to-hand combat that followed, the opposing tribes were overwhelmed and forced to flee towards Autas.

After securing Hunayn, the Muslims pursued the retreating forces to Autas, where another battle took place. The enemy could not withstand the relentless Muslim assault and eventually abandoned their camp, retreating to the fortified city of Ta'if.

The Siege of Ta'if was then launched, with Hazrat Abu Bakr (RA) leading one of the key assaults under the Prophet's command. The enemy, however, locked themselves inside their stronghold, refusing to engage in open combat. The Muslims employed catapults to breach the fortifications, but their attacks were unsuccessful. They also attempted a shielded formation, where soldiers advanced under a protective cover of cowhide to set fire to the fort's gates. However, the defenders countered by hurling red-hot iron scraps, forcing the Muslims to abandon this approach.

Despite their efforts, the city remained unconquered at that time. The Prophet (ﷺ) later lifted the siege, allowing time for the people of Ta'if to reconsider their stance toward

<sup>15</sup> Tabqat ibn -Saad,p62.

<sup>16</sup> A Restatement of the History of Islami & Muslims,p192.

<sup>17</sup> A Restatement of the History of Islami & Muslims,p193.

Islam. Hazrat Abu Bakr (RA), through his courage and leadership, played a vital role in these military campaigns, further strengthening the foundations of the growing Islamic state.

"The siege dragged on for 2 weeks, and nonetheless there was no sign of weak point inside the fortress. Muhammad held a council of conflict. Abu-Bakar cautioned that the siege might be raised and that God could Himself make arrangements for the autumn of the fortress. The recommendation was normal, and in February 630, the siege of Ta'if became raised and the Muslim navy returned to Makkah. Some day's later Malik bin Auf, the commander, came to Makkah and have become a Muslim. For that reason the prediction of Abu-Bakar became fulfilled, and God Himself arranged for the surrender of Ta'if." <sup>18</sup>

### **Hazrat Abu-Bakar (R.A) as Amir-ul-Hajj**

"In 631 ad, Muhammad sent from Madina a delegation of 3 hundred Muslims to perform the Hajj according to the new Islamic manner. AbuBakar was appointed because the leader of the delegation. The day after AbuBakar and his party had left for the Hajj, Muhammad acquired a brand new revelation: Surah Tawbah, the 9th bankruptcy of the Qur'an. It is related that after this revelation got here, a person advised to Muhammad (ﷺ) that he must send information of it to AbuBakar. Muhammad said that most effective a person of his residence ought to proclaim the revelation." <sup>19</sup>

Muhammad (ﷺ) summoned Ali, and asked him to proclaim a portion of Surah Tawbah to the human beings on the day of sacrifice when they assembled at Mina. Ali went forth on Muhammad's slit-eared camel, and overtook Abu-Bakar .when Ali joined the birthday party, Abu-Bakar wanted to realize whether or not he had come to present orders or to convey them. Ali said that he had not come to update Abu-Bakar as Amir-ul-Hajj, and that his handiest challenge become to convey a unique message to the humans on behalf of Muhammad.

At Makkah, AbuBakar presided on the Hajj rite, and Ali study the proclamation on behalf of Muhammad. The main points of the proclamation were:

1. Henceforward the non-Muslims have been now not to be allowed to go to the Kaaba or perform the pilgrimage.
2. No one must circumambulate the Kaaba naked.
3. Polytheism changed into not to be tolerated. Wherein the Muslims had any settlement with the polytheists such agreements would be honoured for the stipulated intervals. Where there were no agreements a grace length of 4 months was provided and thereafter no sector became to take delivery of to the polytheists.

From the day this proclamation turned into made a brand new technology dawned, and Islam alone became to be ideal in Arabia.

### **Military Campaigns Led by Hazrat Abu Bakr Siddique (R.A) as a Commander**

Hazrat Abu Bakr Siddique (R.A) also commanded a military expedition known as the Campaign of Abu Bakr As-Siddique, which took place in Nejd in July 628 CE (7 AH in the Islamic calendar). Under the directive of Prophet Muhammad (ﷺ), Abu Bakr (R.A) led a large battalion into Nejd, where the mission resulted in significant casualties and captives among the opposing forces. This event is also referenced in the Sunni Hadith collection, Sunan Abu Dawud. <sup>20</sup>

### **Shura System in the Reign of Abu Bakr (R.A)**

After understanding the blessings of the Prophet (ﷺ), it is also essential to analyze the interactions of the Rightly Guided Caliphs (Khulafa-e-Rashidin). A Muslim views the

<sup>18</sup> Hazrat AbuiBakr, the First Caliph ofIslam, p46.

<sup>19</sup> A Restatement ofthe History ofIslami& Muslims,p255.

<sup>20</sup> Atlas Al-sīrah Al-Nabawīyah".Darussalam.1 January 2004,p14.



period following the Prophet's time as blessed and holds it in high regard, just as the Qur'an and Hadith do. The way the earliest followers comprehended and interpreted Islamic teachings carries great significance, as does the process of preserving and explaining the divine message. The interpretation of Allah's Book and His guidance can only be considered valid if it is given due recognition. Ignoring its importance would undermine its role as a guiding principle in religion. Therefore, the Shura system (consultative governance) must also be examined in this context.

"Maimoon bin Mehran narrates that whenever a case was presented before Hazrat Abu Bakr Siddique (RA), he would first look for its solution in the Book of Allah. If he found a clear ruling there, he would make his decision accordingly. If there was no specific guidance in the Quran, he would then refer to the Sunnah of the Prophet (PBUH) and follow it.

If he could not find any guidance in the Sunnah either, he would ask the companions: "Has anyone heard any ruling from the Messenger of Allah (PBUH) regarding this matter?"

If a companion recalled a relevant Sunnah, Hazrat Abu Bakr (RA) would rejoice and say:

"All praise is due to Allah! We still have people among us who remember the Sunnah of the Messenger of Allah (PBUH)."

However, if no one could recall any precedent, he would gather the representatives of the people and the respected elders, consult them, and then make a decision based on their unanimous opinion.

Hazrat Umar (RA) followed the same approach. Whenever he faced a matter without a clear ruling in the Quran or Sunnah, he would first investigate whether Hazrat Abu Bakr Siddique (RA) had made any decision regarding it. If he found a ruling, he would follow it. Otherwise, he would consult the companions and scholars, and once they reached a consensus, he would decide accordingly.<sup>21</sup>

#### **Advisors of Hazrat Abu Bakr Siddique (R.A)**

These chiefs and the people of the Ummah were determined and specific people whom the people were familiar with, it was not that the caliph could summon whom he wished and consult him and make a wise decision. Allama Rashid Raza Misri writes:

"The Caliph Rashidin and his Adel Judge were aware of the chiefs of the nation, intellectuals and intellectuals, and knew that they were" avalalamurs, just that they could be summoned when needed.<sup>22</sup>

History has somewhat preserved the names of the aristocrats and patriarchs on whom we can determine their political position by taking a close look:

Qasim says:

During his caliphate, Hazrat Abu Bakr Siddique (R.A) would seek advice on important matters from scholars and experts in jurisprudence. For this purpose, he would invite the Muhajireen (Emigrants) and the distinguished individuals among the Ansar.

Among those he consulted were:

- Hazrat Umar ibn Khattab (R.A)
- Hazrat Uthman ibn Affan (R.A)
- Hazrat Ali ibn Abi Talib (R.A)
- Hazrat Abdur Rahman bin Auf (R.A)
- Hazrat Mu'adh bin Jabal (R.A)
- Hazrat Ubayy bin Ka'b (R.A)

<sup>21</sup> Ali Abdu l Razzaq, Shekh, Islam aur Usool e Hukoomat, Bazm e Iqbal, Lahore, 1995, p.251

<sup>22</sup> Ansari, Jalal udin Umar, Islam ka Nizam e Shura, Maktabah Tameer Insaniyat, Lahore, p.111

- Hazrat Zaid bin Thabit (R.A)

These esteemed companions were considered a source of wisdom and guidance in addressing various issues during the time of Hazrat Abu Bakr Siddique (R.A).<sup>23</sup>

### **Selection of Hazrat Abu Bakr (R.A)**

After the passing of the Holy Prophet (PBUH), the Ansar of Madinah, considering their religious contributions and sacrifices, felt that they had the right to leadership. This sentiment was natural, as those who dedicate themselves to a movement often aspire to lead it. Naturally, their attention turned to their leader, Saad ibn Ubaadah, and they agreed to pledge allegiance to him.

Meanwhile, the news reached the Muhajireen, including Hazrat Abu Bakr (R.A.), Hazrat Umar (R.A.), and Hazrat Abu Ubaidah (R.A.), who immediately proceeded to **Saqifah Bani Sa'ida**, where the Ansar were gathered. Upon arrival, they explained the political circumstances and the importance of unity among the Muslims.

During this critical moment, Hazrat Abu Bakr (R.A.) addressed the Ansar, acknowledging their virtues but emphasizing:

"Indeed, all that you have mentioned about your contributions is true, and you are worthy of honor. However, the Arabs recognize only the Quraysh as their leaders, and they would not accept leadership from any other tribe."

He then proposed the names of Hazrat Umar (R.A.) and Hazrat Abu Ubaidah (R.A.) for leadership.

His speech had a profound impact on the Ansar, who began to reconsider their stance. Hazrat Zaid ibn Thabit (R.A.), a notable companion, stood up and said:

"Do you not know that the Prophet (PBUH) was from the Muhajireen? The Arabs will accept leadership only from the Quraysh. Just as we supported the Prophet (PBUH) in his mission, it is now our duty to support his successor."

This realization led to the consensus that Hazrat Abu Bakr (R.A.) was the most suitable choice, ultimately resulting in his selection as the first Caliph of Islam.

On this occasion Hazrat Umar mentioned about the virtues of Allah Almighty and your religious honor and said:

"This is the person whom the Prophet (peace be upon him) had forwarded to lead an important thing, such as prayer. So, does any of you wish that the Prophet (peace be upon him) had preceded him"?<sup>24</sup>

After this you also consulted Hazrat Uthman (may Allah be pleased with him). Hazrat Usman (RA) fully endorsed the choice of Hazrat Abu Bakr. Hazrat Abu Bakr (RA) also consulted with the two elders, as well as Saeed ibn Zaid (may Allah be pleased with him), Asid ibn Hazir (may Allah be pleased with him) and other refugees and Ansar.

Despite all these aspects, Abu Bakr did not impose his opinion on the people by force and authority, but after the people's support gave it a final and definitive form. Addressing:

As you can see, the judgment of Allah has come to me. After that, you need a person who is the protector and guardian of your affairs and will lead you in prayer and confront your enemy. And if you wish, you can choose the Caliph with whom you wish, and if you wish, I will try to appoint a Caliph, but I will not be lacking in this simple cause " .

After this, the eyes of Hazrat Abu Bakr (RA) with his eyes became shaky and all the people were crying with you.

<sup>23</sup> Islam ka Nizam e Shura,p.113

<sup>24</sup> Islam ka Nizam e Shura,p.112

"You are better and more aware of us, so please choose the Caliph according to your predecessors." Abu Bakr said, "Well then I will consider this matter. I will appoint a caliph.

That is why no one opposed your appointment, Abdullah ibn Abbas said, "Two people did not disagree about your caliphate."<sup>25</sup>

### **The Islamic Governance During the Caliphate of Hazrat Abu Bakr (R.A.)**

There is no need for affiliation with any specific state. Various systems of governance focus on particular aspects of life, while others deviate from the path of true reform. However, Islam offers a comprehensive framework that provides clear principles and guidelines for all aspects of life. Instead of adopting modern welfare models, social republics, or socialist ideologies, the concept of an Islamic governance system should be prioritized, as it upholds justice, welfare, and morality in a balanced manner.

### **Definition of the Islamic Emirate**

In such a state, the practical provisions of the Qur'an and Sunnah are legally enforceable; all decisions of the government are in accordance with the Qur'an and Sunnah.

### **Purpose of the Islamic Emirate**

The objective of the Islamic Emirate is to establish a society where individuals can live in harmony with the divine laws of Allah and the natural order, fostering a unified Ummah based on justice and righteousness. It aims to create a system where every citizen is safeguarded in terms of honor, life, and property.

The state ensures that basic necessities such as food, shelter, and clothing are easily accessible to all, eliminating hardship in daily life. Equal opportunities in education and employment are provided, ensuring fairness for the rich and poor alike, including those in positions of authority.<sup>26</sup>

### **Core Principles of Governance Derived from the Leadership of Hazrat Abu Bakr Siddique (R.A)**

Here is the revised version of your text with improved clarity and coherence:

### **The Shura System in Islamic Governance**

Islamic governance is fundamentally based on the Shura (consultative) system. Allah has emphasized this characteristic of Muslims in the Holy Qur'an:

"And they conduct their affairs by mutual consultation" (Ash-Shura: 38).

### **Core Principles of the Shura System**

- The leadership should be knowledgeable in the Quran and Sunnah and capable of deriving guidance from them.
- The Shura system remained intact during the early Islamic Caliphate, ensuring governance through collective wisdom.
- However, Western influences led to the dismantling of the Shura system, replacing it with legislative institutions where laws are passed based on majority votes, rather than divine guidance.
- In Islam, no individual or institution has the authority to legislate beyond what is ordained by Allah and His Messenger.

### **Structure of the Shura System**

1. **Local Councils** – Established at the village or city level, with the mosque serving as the main administrative office.
2. **Selection of Leaders** – The leader of the Shura must be well-versed in religious and worldly affairs. Other members should be:

<sup>25</sup> Islam ka Nizam e Shura, p.113

<sup>26</sup> Janjooa, Ata Muhammad, Jamhoriyat o Shuraiyat, Nashir Raja Muhammad Irshad, Lahore, p.359

- Pious and trustworthy
- Educated and committed to national service
- At least 40 years old with a respected reputation in the community

### 3. Responsibilities of the Local Council

- Overseeing moral, educational, and economic affairs within their jurisdiction.
- Enforcing Islamic principles (enjoining good and forbidding evil).
- Keeping records of social and economic conditions for proper governance.
- Resolving mutual disputes through Shura decisions.

### Expansion of the Shura System

The **Shura structure** should begin at the village level and gradually expand to:

- Regional level (police station jurisdiction)
- District level
- Central government level (Islamic Emirate)

### Selection Based on Merit, Not Majority Votes

- In Islam, leadership is based on merit, not just numerical voting.
- Different segments of society are chosen based on their skills, knowledge, and righteousness.
- A national council should be established to guide the Islamic State and resolve critical issues at the national level.

This Shura-based governance ensures justice, wisdom, and adherence to Islamic teachings, leading to a balanced and righteous society.

1. The Council of the Islamic Emirate must be Muslim regardless of their area.
2. Be aware of the Qur'an and the Qur'an so that it is the Queen of the texts according to the present circumstances.
3. Sunnah must be effective and pious. Able to carry out the duties of communicating.
4. Ability to carry out national and national responsibilities.
5. Not less than forty years of age.
6. Be physically healthy mentally.
7. Have special skills in any area of life other than the aforementioned attributes. For example, science, politics, economics, medicine, economics, military skills, engineer training, industry, education, law and agriculture etc. The list of persons with these qualities should be prepared in excess of the number of district councils across the state.<sup>27</sup> The Board of Selectmen of the Majlis-e-Shura consisting of experts from the pious and theologians. These select boards select members of a specific council through qualification- based interviews and research.

### Guiding Principles of the Majlis-e-Shura in the Governance of Hazrat Abu Bakr (R.A.)

1. Requests from individuals seeking official positions should not be entertained.
2. The selection board must avoid appointing any of its own relatives.
3. No government grants should be provided to Shura members under the pretext of welfare or development projects, as such responsibilities fall under the jurisdiction of the permanent government administration.

<sup>27</sup> Jamhoriyat o Shuraiyat, p.361



4. Shura meetings should be held in the central mosque of the capital to discuss governmental affairs.
5. The selection of representatives should not be based on a fixed number from specific regions, as Islam does not recognize geographical boundaries as a criterion for governance.<sup>28</sup>

#### **Responsibilities of the Majlis-e-Shura in the Governance of Hazrat Abu Bakr (R.A.)**

1. In cases where the Book and Sunnah are present, the Shura may, although there is no amendment, set out the rules and regulations necessary for its implementation".
2. Among the provisions in which multiple interpretations of the rules of the Book and Sunnah are possible, legalize the interpretation which is closest to the Book and Sunnah.
3. In cases where there is no ruling, it is necessary to make new laws according to the nature of Islam or to adopt one of the existing jurisprudential laws.
4. In cases where there is absolutely no principle guidance, the Shura may make appropriate rules, provided that they do not conflict with any Shariah order.
5. If the constitution of the Islamic State contradicts Islam, then the Council of the Shura should compile this constitution in light of the Book and the Sunnah.<sup>29</sup>

#### **The Efficiency of the Governance System of Hazrat Abu Bakr (RA)**

In addition to the justice of the Central Council, there should be ingenuity so that the political and administrative affairs of the country can run smoothly. The Worldly Wave has a full sense of accountability. There are qualities of bravery and courage to protect the country and to fight the enemies. Keeping a close watch on the current and modern world politics so that Islam can control the secret conspiracies of the enemy elements.

#### **Selection of Ameer of Hazrat Abu-Bakar (RA) Government System**

If an Islamic state possesses the above-mentioned qualities and its leader has firmly established the rule of the Qur'an and Sunnah within its borders, he may appoint a member of the Majlis-e-Shura during his lifetime as a guardian or deputy Ameer. Initially, the Council can choose the leader through mutual consultation. If a country is both prosperous and facing threats, then any movement or party striving for an Islamic revolution within that state should have its leader recognized as the ruler. This leader should then appoint members of the Shura based on the advice of prominent figures within his party.<sup>30</sup>

#### **The tenure of the Ameer in the Governance System of Hazrat Abu Bakr (RA)**

In other systems, the government and its members are elected for a fixed term, often leading to political instability and economic uncertainty due to frequent changes in leadership. In contrast, the Islamic system ensures stability through the renewal of leadership and Shura members. The governance of the Rightly Guided Caliphs serves as a beacon of guidance for us.

#### **Reasons for the Dissolution of the Governance System of Hazrat Abu Bakr (RA)**

When there are three types of variation:

1. The wishes are overwhelmed with self-restraint and the Shari'ah commits the Shariah and it should be proved by the Shariah court.
2. Otherwise the misconduct is credible. This means that they should adopt a belief that is contrary to the truth.

<sup>28</sup> Al Salabi, Ali Muhammad, Dr., Syedina Abu Bakar (R.A.), Dar ul Salam, Riaz, Saudi Arab, 1435, p.317

<sup>29</sup> Syedina Abu Bakar (R.A.), p.319

<sup>30</sup> Jamhoriyat o Shuraiyat, p.363

3. If the wishes of the rich and the members of the council are answered. Medical Board to confirm.<sup>31</sup>

Accountability Board: - Record of all types of property should be obtained before the speech in the higher positions, then after the discharge of responsibilities, their property should be accounted for in case of extraordinary increase.

### **Education Department in the Governance System of Hazrat Abu Bakr (RA)**

Along with Islamic education and the moral purification of individuals, in-house training should be made mandatory. As their abilities and skills improve, their roles and character will be enhanced. Hazrat Umar (RA) emphasized that everyone should acquire specialized education and skills in their respective fields before undertaking any task.

### **Legal System of the Islamic Emirate under the Governance of Hazrat Abu Bakr (RA)**

The foundation of the Islamic Emirate is the Book of Allah, and its law is the Sunnah of the Leader of the Universe. By adhering to the Book and Sunnah, the Majlis-e-Shura, along with the scholars and jurists, can address emerging issues in light of the opinions of the Ayatollahs. However, every knowledgeable Muslim should have the right to make an informed decision and challenge the Shariah Court in the Supreme Court to ensure that rulings do not contradict the Book and Sunnah.

### **The Excellence of Decision-Making in the Majlis-e-Shura of Hazrat Abu Bakr (RA) Governance System**

In Islam, the Majlis-e-Shura is not a dictatorship but a platform for discussion and opinion. Imam Ibn Taymiyyah writes:

"If a member of the Shura presents a clear argument based on the Book, Sunnah, and consensus, then even if the majority holds a different view or there is a significant risk, that argument should not be disregarded. However, if there is a difference of opinion based on reasoning, the leadership should adopt the view that aligns most closely with the Book and Sunnah." (As mentioned in "Politics of Shari'ah: Revolutionary Khilafah and Democracy").<sup>32</sup>

### **Collective Ijtihad in the Governance System of Hazrat Abu Bakr (RA)**

The Hanafi jurisprudence is the most widely accepted school of thought in the Islamic world. One of the key reasons for its prominence is the method of Shura-based Ijtihad introduced by Imam Abu Hanifa. This approach allows scholars and experts from diverse fields to analyze every aspect of a legal issue, thereby minimizing the chances of error.

It is a well-established fact that when individuals with different perspectives and inclinations deliberate on a matter, the outcome is more balanced and moderate. As a result, the rulings derived from such collective reasoning naturally gain acceptance in practical life. Perhaps this is why Imam Shafi'i's teacher, Imam Waqi' bin Al-Jarrah, praised Imam Abu Hanifa's method, saying:

"How can Imam Abu Hanifa make an error in his legal reasoning when scholars like Abu Yusuf, Zafar, and Muhammad participated in his Ijtihad? He was accompanied by experts like the sons of Yahya bin Zayd, Hafs ibn Ghiyas, Ali ibn Mushir, and renowned Hadith scholars. Additionally, linguistic and Arabic experts such as Qasim ibn Ma'an, Abdullah ibn Mas'ood's descendant Ibn Abdul Rahman, Dawood ibn Naseer Tay, and Fudayl

<sup>31</sup> Jamhoriyat o Shuraiyat, p.363

<sup>32</sup> Ibn Shabbah, Abu Zaid Umar al-Numeri, Tarikh al-Madinah, (Research Mamood Ahmed al-Madinah, 1393, A.H.), p.317

ibn Ayyaz were part of his circle. A person surrounded by such great minds cannot go astray, for if he ever erred, they would surely guide him back to the truth."<sup>33</sup>

Shura ijtehad in pagan companions and subjects

Before discussing Imam Abu Hanifa's Shura-style Ijtehad, it seems necessary to briefly mention the views that have been found in the Hadiths and the Companions about Ijtehad.

Hazrat Memon bin Mehran states regarding Abu Bakr and 'Umar that whenever there was a contradictory matter in which the Qur'an and the Sunnah had no explanation, you would issue it with the Suggestion of the jurist.

This method of Shaykhin is in line with Ijtehad Rasulullah's statement that when Hazrat Ali asked that if he did not find a clear text in the book and the Sunnah, then what should we do?

Consult with experts and worshipers, and do not accept individual opinions."<sup>34</sup> In another tradition, in reply to the question of Abdullah bin Abbas, he said:

Defer the affairs of the (non-denominational) to the council of worshiping believers and do not make any decision on individual opinions".

The Shaykhin's conduct was also closely followed by the Quranic revelations of Wisdom and Wamer as well as Shuram Benham.

Hazrat Abu Bakr's routine is stated in these words:

They gathered together the noble people and their best people and asked for their Suggestion. When agreeing with an opinion from a discussion, they would decide accordingly".

In "Kunz-ul-Aal", it is also narrated that he has:

There are numerous reports in Islamic tradition indicating that Hazrat Umar (RA) regularly held consultative meetings for major decisions, similar to the discussions regarding the distribution of wealth. After thorough deliberation, if a unanimous decision was reached, it would be implemented. Hazrat Umar (RA) also advised his governors to adopt the same practice in their administration.

On one occasion, Hazrat Shuraih (RA) stated: "There is no need to seek opinions on a ruling that is explicitly mentioned in the Quran. However, if a matter is not clearly stated, then one should refer to the Hadith. If there is no direct explanation in the Hadith either, then the issue should be carefully analyzed, and consultation should be held with scholars."

Allama Al-Juwayni mentions that the Companions followed a systematic approach when addressing legal matters, issuing fatwas, and resolving disputes. If the Quran provided a clear ruling, they would abide by it. If not, they would refer to the Sunnah, and in cases where no direct guidance was found in either, they would engage in deep contemplation and scholarly consultation before arriving at a decision. This method was followed not only by the Companions but also by the people under their rule.

The same consultative approach was later practiced by Hazrat Umar bin Abdul Aziz (RA). When he was appointed governor of Madinah, he invited ten distinguished jurists to the house of Marwan, including Urwah bin Zubair, Abdullah bin Utbah, Abu Bakr bin Abdul Rahman, Abu Bakr bin Sulaiman, Sulaiman bin Yasar, Qasim bin Muhammad, Salim bin Abdullah bin Umar, Abdullah bin Abdullah bin Umar, Abdullah bin Amir, and Kharija bin Zaid. Addressing them, he said:

<sup>33</sup> Dihlvi, Shah wali ullah, Imam, Izalat ul Khafa an Khelafat el Khulafa, Qademi Kutub Khana, Karachi, P.300

<sup>34</sup> Al Salabi, Ali Muhammad, Dr., Syedina Abu Bakar (R.A), Dar ul Salam, Riaz, Saudi Arab, 1435, P.98

"For the responsibility entrusted to me, you will serve as Allah's witnesses and be among the supporters of truth. My intention is to ensure that no decision is made without the counsel and advice of the people."<sup>35</sup>

In Andalusia, the Umayyad Qazi al-Qa'ida al-Yahya bin Yahya al-Basti also formed a council to discuss jurisprudence, with members sometimes up to sixteen.

Imam Abu Hanifa's Interpretation of Islam

Due to the collapse of the Caliphate Ali Minhaj-ul-Nabaw, the rulers were unable to establish a system of Shari'ah for the study of Shariah problems.

I decided to take my personal opinion on the issues. And his followers and followers followed this Shariah order by trusting him because of his knowledge and ability. In these circumstances, Imam Abu Hanifa formally established a collective Shurai system for the investigation of Shariah problems in his constituency. After the establishment of the Caliphate Abbasia, Imam Abu Hanifa came to his hometown of Kufa from Hijaz and set up a council of law for the establishment of the Shari'ah Islamic rule under the rule of which he was himself. Your biographer, Moufiq, writes:

Then Imam Abu Hanifah consulted his school on mutual consultation. The members did not associate the edit with the council's separate opinion .<sup>36</sup>

Here is how the jurisprudential issues are discussed and decided:

In this assembly, issues were presented and examined in great depth. Different viewpoints and pieces of information were analyzed, allowing members to express their insights freely. Hazrat Abdullah bin Mubarak (RA) mentioned that if a juristic issue was brought forward, the council would deliberate on it for three days, ensuring a thorough and thoughtful discussion.

The renowned Hadith scholar, Sulaiman Al-A'mash, beautifully described the methodology of these discussions: "Whenever a matter was presented, the members would engage in detailed discourse, each offering their arguments. Eventually, the issue would be clarified to its core, leaving no ambiguity."

The environment in these assemblies encouraged open and unrestricted discussion. Abu Sulaiman Al-Jaujani narrated an incident in which a young man attended Imam Abu Hanifa's gathering. When the Imam gave an answer to a question, the young man boldly responded, "You have made a mistake." Surprised by his audacity, someone in the assembly remarked on his lack of respect toward the Imam. Imam Abu Hanifa immediately intervened, saying: "Leave him be; I have trained my students to speak freely and express their opinions."

At the same time, great discipline was maintained. When Imam Abu Hanifa spoke, the assembly listened attentively. Imam Muhammad himself recorded that discussions in these gatherings were rigorous, with students sometimes accepting the Imam's reasoning and, at other times, respectfully challenging him with counterarguments. This tradition of debate and analysis contributed to the depth and precision of legal discourse.

Abdullah ibn Nimir has outlined the following:

When Imam Abu Hanifa entered the assembly, his students and companions would gather around him. Among them were renowned scholars such as Qasim bin Ma'an, Aafia bin Yazid, Dawood Tai, and Zafar bin Hudhail. A legal issue would then be introduced for discussion.

<sup>35</sup> Hakim Mohammad Said (ed.), The Islamic Concept of State (Karachi, Hamdard Foundation Press, 1983), p. 76-84

<sup>36</sup> Izalat ul Khafa an Khelafat el Khulafa, P.304



Initially, the scholars would debate the matter among themselves, each presenting their knowledge and arguments openly, sometimes even raising their voices in the intensity of discussion. The debate would continue until all possible aspects of the issue were explored.

At this point, Imam Abu Hanifa would begin his speech. As soon as he started speaking, the entire assembly would fall silent, attentively listening without interruption until he had concluded his reasoning. His method ensured a thorough examination of every matter, fostering critical thinking and scholarly discourse.<sup>37</sup>

Imam Abu Hanifa used to say that during discussions, Quranic verses and the practices of the righteous were frequently referenced in his speech. This created an atmosphere in the gathering where participants felt as if they were sincerely searching for the truth.

As a result, he would often reflect on complex issues and remark, “Ah! The most precise resolution of the issue is where we had initially focused.”

The jurisprudential principles established through the discussions in Imam Abu Hanifa’s gatherings followed the same tradition of open debate, critical reasoning, and scholarly argumentation. According to historical records, the number of rulings formulated through these debates is estimated to be around five million. Another narration mentions that over a thousand issues were resolved in these assemblies.

Out of the thirty-eight thousand legal provisions developed, only three thousand pertained to acts of worship, while the remaining thirty-five thousand addressed social, economic, and legal matters, demonstrating the comprehensive nature of Islamic jurisprudence in addressing all aspects of life.

### **Attributes Mujtahid**

Ijtihad refers to the rigorous intellectual effort undertaken to determine a Shariah ruling on any given issue. In its technical definition, it requires a high level of scholarly expertise and dedication.

The first essential condition for a mujtahid, as emphasized by scholars, is a thorough understanding of Quranic language, interpretation, and verses—including distinctions between general and specific rulings, absolute and conditional commands, and contextual meanings.

The second requirement is an in-depth knowledge of the Sunnah, encompassing familiarity with hadith classification, terminology, principles of authentication, and the methodology of hadith sciences.

Third, a mujtahid must be well-versed in juristic consensus (ijma) and previously established rulings to ensure consistency in legal reasoning.

Fourth, proficiency in Arabic language and literature is essential, as it allows precise interpretation and application of Islamic texts.

Fifth, a mujtahid must have a strong grasp of *usul al-fiqh* (principles of jurisprudence), including the hierarchy of evidence, rules of preference in legal arguments, conditions for abrogation, and principles of legal deduction. Additionally, he must be familiar with analogical reasoning (*qiyas*), its conditions, classifications, and application in Shariah rulings.

Regarding these qualifications, some scholars argue that in the modern era, it is rare to find all these attributes combined in a single individual. However, for an absolute mujtahid, possessing these qualities is essential, as only through mastery of these principles can a

<sup>37</sup> Ibn Shabbah, Abu Zaid Umar al-Numeri, Tarikh al-Madinah, (Research Mamood Ahmed al-Madinah, 1393, A.H.), p.415

scholar independently derive Shariah rulings. Despite the challenges, such expertise remains invaluable in every era.<sup>38</sup>

The existence of the Mujtahid is now rare, but other Mujtahids have been found in every age. That is why democratic scholars have also discussed another aspect of the topic of Ijtihad, that is, Ijtihad can be a part and partial. That is, reaching an Ijtihad in one of the fields of art or knowledge. Because the terms of the partial Ijtihad are convenient and convenient, as it is sufficient for the Ijtihad to be aware of the relevant issue, the ignorance of the irrelevant issues does not affect its competence.

According to Imam Razi, if a person attains perfection in the sciences subject to Ijtihad, then this is his superior form, but if he fulfills the conditions of Ijtihad in a particular art or problem, then Ijtihad will be valid for him. Although some scholars disagree on this point.

Given the stringent conditions for Mujtahid and the potential for partial Ijtihad, a viable way to deal with contemporary issues seems to be to adopt the same form of Shurai Ijtihad adopted by Imam Abu Hanifa. Today, the need for a Shura-i-aztah is greater than ever. Because of the closure of Ijtihad for a long time, no one dares to do Ijtihad before, and if one does, then there is no room for trust and acceptance in society. One does not trust the knowledge of a mujtahid and one does not trust in his piety. Piety is also a factor, so in the case of the Shura Ijtehad, people will rely more on the collective decisions of an organization. This is the only way through which the fear and stagnation of Ijtehad can be eliminated and the chances of getting mistaken in the registry will be reduced and the history only leads to that path.<sup>39</sup>

The expansion of various advanced sciences has led to new political and social issues, shaping intellectual perspectives in significant ways. While these changes present challenges for the application of Shariah, they also open doors to new possibilities. As the 12th-century scholar Imam stated, "The reality is that Ijtihad is now easier than in the past, though it still requires encouragement, intellectual security, deep understanding, and precision in interpreting the Book and Sunnah, along with the necessary skills."

In recent times, fulfilling the conditions of Ijtihad has become more accessible due to advancements in printing and the widespread availability of scholarly texts. Comprehensive hadith collections have been compiled in systematic formats, making it easier to distinguish authentic narrations from weak ones. Additionally, indexes of hadith themes and keywords have further simplified research, allowing for more efficient examination of contemporary issues.

A positive shift in intellectual and societal attitudes is the growing preference for open discussions and free speech in scholarly discourse. The trend of issuing authoritative fatwas without room for dialogue is becoming less favored. In this regard, Imam Abu Hanifah's methodology resonates with the modern intellectual approach, which values reasoned discussion and debate in legal rulings.

The necessity for Ijtihad has increased due to evolving societal challenges and the expansion of human knowledge. No single individual or a small group of exceptional mujtahids can comprehensively address all emerging issues alone, as it is nearly impossible for one person to fully grasp every detail of modern complexities. Rather than waiting for a singular extraordinary figure, it is imperative to utilize available resources and establish structured frameworks for Ijtihad. The most effective method in modern times is institutionalization—dividing topics and assigning them to specialists in different fields.

<sup>38</sup> Development of Usul-al-Fiqh, p.217

<sup>39</sup> Development of Usul-al-Fiqh, p.218

Many advanced sciences, though not directly related to Islamic jurisprudence, significantly impact Shariah matters today. For example, in cases related to medical ethics, a mujtahid must consult medical experts, and legal rulings should be informed by their specialized knowledge. Given this need, experts from various disciplines should also possess a foundational understanding of Islamic jurisprudence and ethical principles, enabling them to critically engage with scholars and contribute to informed legal discussions. This level of collaboration is only possible through the establishment of a formal institution for Shurai Ijtihad.

Contemporary scholar Maulana Amin Ahsan Islahi emphasized the need for collective scholarly efforts in addressing modern issues:

"When individuals—whether religious scholars or laypersons—express personal opinions on complex matters, it often leads to intellectual confusion. Addressing such issues requires both a deep understanding of religion and an awareness of the challenges posed by scientific and technological advancements. Therefore, our essential advice to scholars and non-scholars alike is to engage in collective deliberation rather than offering isolated opinions. Only through this collaborative approach can society be provided with proper guidance." <sup>40</sup>

The first conference of the Islamic gathering was held in Cairo. The resolution adopted in Cairo also recognized the importance of collective unity for the resolution of the problems arising.

"If the jurisprudence of jurisprudence is something which does not serve the purpose, then there will be professional collective unity, and even if that purpose is not fulfilled then there will be absolute collective unity." And even the Constituent Assembly will manage to provide resources that can pave the way for such collective gatherings" . <sup>41</sup>

Allama Sheikh Ahmad Shakir addressed the Egyptian experts, saying:

"I just completely oppose the imitators, whether imitators or victims. Such an individual Ijtihad is not useful to the law, but to the individual as a matter, it is a matter of what I am inviting, it is a collective and noisy Ijtihad, and it is useful, because when there are different views. If the exchange happens then the right thing will come out . <sup>42</sup>

Dr Muhammad Yusuf Musa says:

"It is not possible for a single person or multiple persons to work on different topics on their own. Therefore, an academy is required to invite scholars to the issues presented each year and study the details of each subject according to its subject. Then there is a collective discussion every year in which each person presents their findings. Then a collective resolution should be adopted and the Shariah ruling should be implemented on that basis. Which is necessary for Muslims to follow. I think the name of this process is consensus" . <sup>43</sup> Similarly, against Sheikh Abdul Wahab, Sheikh Mahmood Shalooth, Sheikh Mustafa al-Zarqa and Sheikh Mohammed Tahir bin Ashura have also highlighted the need for collective unity.

### **The Significance of Consultative Ijtihad in the Governance System of Hazrat Abu Bakr (RA)**

Explicit consensus serves as an enduring foundation. In this regard, collective decision-making is the key to ensuring the continuity and advancement of Islamic jurisprudence.

<sup>40</sup> The Transfiguration of Islamic Law, p1/1.

<sup>41</sup> Ibn Temiyah, Ahmed bin Abdu l Halim, Imam, Al Siyasat Ul Shariyah, Noor Ul Quran, Karachi, 1995, p.178

<sup>42</sup> Ghaznwi, Muhammad Dawood, Molana, Islami Riyasat ky Asasi Usool o Tasworat, Maktba Naziryah, Lahore, 1998, p89.

<sup>43</sup> Ali Abdu l Razzaq, Shekh, Islam aur Usool e Hukoomat, Bazm e Iqbal, Lahore, 1995, p.189

Through this approach, modern challenges and emerging issues can be addressed with minimal uncertainty. This highlights the great significance of Consultative Ijtihad. Some of its benefits include:

- The rulings derived from Shurai Ijtihad are more likely to be accurate compared to individual Ijtihad, as they result from extensive discussions and thorough analysis, ensuring that all perspectives are carefully considered. In contrast, an individual Mujtahid may only be aware of one aspect of an issue, potentially overlooking other crucial dimensions, increasing the risk of an erroneous judgment.
- Individual Ijtihad carries the risk of personal biases or external influences, whereas collective Ijtihad ensures that religious scholars and experts cannot manipulate Islamic teachings or mislead the Muslim community for personal gain.
- Since Shurai Ijtihad involves mutual consultation, it brings together the arguments of various schools of thought, reducing scholarly disputes and fostering mutual understanding. This helps minimize sectarian tensions and eliminates misconceptions among the public.
- It contributes to the development of a new generation of Mujtahids, equipping them with deeper insights and wisdom. Additionally, modern scholars and experts from diverse fields can contribute valuable perspectives to the process.

From the above discussion, it is evident that if we view Ijtihad as essential for addressing contemporary issues and shaping an Islamic way of life, the best approach is one that ensures deep research, sound reasoning, and clear argumentation—one that is free from ambiguity and widely accepted by society. Implementing such a system without difficulty requires a shift from individual Ijtihad to consultative and collective decision-making. This approach not only safeguards against confusion and misinterpretation but also aligns with the practices of the early generations of Islam while addressing the demands of modern times.<sup>44</sup>

### **Hazrat Abu Bakr (RA) as a Political, Social, Economic, and Military Leader Powers and Responsibilities of Hazrat Abu Bakr (RA)**

As the Caliph, Abu Bakr (RA) became the head of the Islamic state. He regarded governance as a sacred trust and administered affairs with the utmost sense of responsibility. To Abu Bakr (RA), the position of Caliph was not a means of personal glory but a heavy responsibility that he had to fulfill in the service of Islam. Regarding the nature of his role and duties, he clearly stated:

"O people, I wish that someone else would take on the burden of leadership. If you expect me to match the standard set by the Holy Prophet (PBUH), then know that I cannot meet such expectations. He was free from sin and guided by divine revelation, whereas I am an ordinary human being, prone to error."<sup>45</sup>

### **Person of Statecraft**

Abu-Bakar made it clear to the people that he was merely the first among equals. To him, all individuals—whether wealthy or poor, high or low—were equal. His governance was based on the rule of law, but this law was not man-made; it was divine. Islam does not recognize priesthood, and therefore, the caliphate was not a theocracy. Since all authority rested with the people, the political structure was democratic in nature, but not in the modern sense. In the system administered by Abu-Bakar, the will of the people was of utmost importance but remained subject to divine guidance. Thus, the governance was neither a theocracy nor a democracy as understood in the West. Instead, it was a form of democracy

<sup>44</sup> Development of Usul-al-Fiqh, p.242

<sup>45</sup> Al Baladhuri, Ahmad bin Yahya bin Jabir, Futuh-ul-Buldan, dar ul fikr beirute 1866, p.178.



guided by divine principles—a system where the people acted as God’s vicegerents, ensuring that His will, as revealed in Islam, was implemented.<sup>46</sup>

### **Lawful Leader**

Abu Bakr was a legitimate ruler whose governance was bound by a constitution. However, this constitution was not man-made; it was divine. As a ruler, he had a threefold responsibility. Firstly, he was accountable to God, tasked with implementing His commandments as revealed in the Holy Quran. Secondly, he was responsible for upholding the teachings and practices of the Holy Prophet, ensuring that his leadership was a true reflection of the Prophet’s guidance, for which he sought direction from the Sunnah. Thirdly, he was answerable to the people, ensuring that his decisions and actions aligned with their well-being and earned their approval. As Caliph, Abu Bakr held both the head of state and government positions. Additionally, as the Prophet’s representative, he served as the religious leader. He wielded authority, but the governance system was structured in such a way that power did not lead to corruption; instead, it became a tool for service. Rather than being a ruler in a conventional sense, Abu Bakr functioned more as a guardian and caretaker of his people.

### **Consultative Assembly**

The Caliph was supported by an Advisory Council, which included all companions. However, there were no rigid rules regarding its structure or functioning. The council operated in an informal manner, with decisions reached through consensus. There was no exclusivity in participation; even an ordinary Muslim had the right to express opinions and offer advice. While the Caliph was not bound to accept every suggestion, whenever Abu Bakr chose not to follow the advice given, he would always provide a valid justification for his decision.<sup>47</sup>

### **Secretariat**

The administration under Abu Bakr managed official correspondence, with Ali, Uthman, and Zaid bin Thabit serving as secretaries. However, there was no elaborate bureaucratic system in place. The secretaries received no salary, and there were no grand buildings to house government offices. Instead, most administrative affairs were conducted in the main mosque of Madinah. The government had no rigidly structured departments; rather, responsibilities were distributed among the companions, each overseeing specific duties. Umar served as an advisor to the Caliph and was responsible for judicial affairs, while Abu Ubaida Jarrah oversaw financial administration..<sup>48</sup>

### **Responsibilities of the Calip**

As Caliph, Hazrat Abu Bakr did not reside in a palace; instead, he lived in a simple home like an ordinary citizen. He remained accessible to everyone, allowing people to present their concerns directly without any barriers or formalities. Hazrat Abu Bakr promptly addressed the grievances of the people, ensuring justice and fairness. He personally led prayers and used the Friday Khutba as an opportunity to review important matters, openly communicating his policies to the public and seeking their trust and confidence in governance..<sup>49</sup>

### **Death of Hazrat Abu-Bakar (RA)**

On August 23, 634, Hazrat Abu Bakr (RA) fell ill and did not recover. He developed a high fever and remained bedridden. As his condition worsened, he sensed that his time was

<sup>46</sup> Futuh-ul-Buldan, p184.

<sup>47</sup> Suhayl Zakar, Dr, Riyadh Zirikli, Ansab-ul-Ashraf, Dar-ul-Fikr Beirut 1996, p367/13.

<sup>48</sup> Al-Tabri, Abu Ja’far Muhammad bin Jareer, 310/923, Ikhtilaf-ul-fuqaha, Friedrich Kern, Cairo, 1902, p179.

<sup>49</sup> Sidqi Hamid al-Attar, Jami’ul-bayan fi tawil an ayi al-Qur’an, Dar al Fikr, 1995, Beirut, p343/1.

near. Acknowledging this, he summoned Ali (RA) and requested him to perform his ghusl, as Ali (RA) had also done for Prophet Muhammad (PBUH). Realizing the importance of appointing a successor to prevent division among Muslims after his passing—especially given the existing debate regarding Ali (RA) not being chosen—Hazrat Abu Bakr (RA) decided to nominate one. After consulting with several companions, he selected Umar (RA) as his successor. While some companions supported the decision, others expressed concerns due to Umar's (RA) strict and firm nature.

Hazrat Abu Bakr (RA) then dictated his final testament to Uthman ibn Affan (RA): "In the name of the Most Merciful God, this is the final will and testament of Abu Bakr bin Abu Quhafa, as he transitions from this world to the next—a moment when the unbelievers may believe, and the wicked may realize the consequences of their deeds. I appoint Umar bin Al-Khattab as my successor. Listen to him and follow his guidance. If he leads justly, support his actions. My intentions are sincere, but I cannot foresee the future. However, those who act unjustly shall be held accountable in the hereafter. Farewell. May the Divine favor and blessings always be with you."<sup>50</sup>

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<sup>50</sup> A Restatement of the History of Islami & Muslims, p429.

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