

# Political thought of Al-Imam Al-Syaukaniy in the Tafseer book "*Fathul Qadir*"

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## ABSTRACT

Al-Imam Al-Syaukaniy was one of the scholars who had a tendency to speak in the political field. Some of his political thoughts are contained in his monumental work entitled: Tafseer *Fathul Qadir*. One of the hallmarks of this book is, its description is a combination of the Riwayah Method and the Dirayah Method. It is called Riwayah because the Tafseer book uses verses from the Koran, the hadits of the Prophet Muhammad and the opinions of Sahabat in explaining the intentions of the verses of the Koran. It is also called Dirayah because the Tafseer book uses linguistic rules in analyzing the verses of the Koran. In the Tafseer Book "*Fathul Qadir*", Al-Syaukaniy talks about leadership and deliberation, about the right of citizens to obtain justice and about the right of citizens to live in association and assembly.

**Keywords :** Political Thought, Al-Imam Al-Syaukaniy, Tafseer Book "*Fathul Qadir*"

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## I. PRELIMINARY

In discussing the issue of political thought, we cannot miss the talk of Greek philosophers such as Plato (428-348 BC) and Aristotle (384-322 BC). The real political thinking starts with them. The work of Plato, *The Republic*, and the work of Aristotle, *Politics*, can be used as evidence about that.

When Plato talked about governance, for example, he only needed three citizens as state pole. One of them became a farmer, one became a construction worker and the other became a fabric weaver. If it is really needed, one or two more people can be added to fill other professions. So, in the opinion of Plato, a community consists of at least four or five citizens.

Islamic thinkers and philosophers such as Al-Farabiy (870-950 AD) and Ibn Sina (980-1037 AD), received much influence from the two Greek philosophers. Just an example, Al-Farabiy's thoughts about the origin of the emergence of a country or city. According to him, humans naturally have a tendency to live in a society, because they are unable to fulfill all their needs without the help of others. From that tendency, a society was born and later formed a community. In this case Al-Farabiy uses the term "Ummah" and "Jama'ah" in relation to government. Likewise his thoughts about the Main State (المَدِينَةُ الْفَاضِلَةُ), the Stupid State (المَدِينَةُ الْجَاهِلَةُ) and the Destructive State (المَدِينَةُ الْفَاسِدَةُ), are other examples of Al-Farabiy's thinking.

We also know other Islamic thinkers, such as Al-Mawardiyy (died 450 H). He has talked about the requirements of a person to become head of state. The conditions are, he must be fair, has adequate knowledge for berijtihad, healthy hearing and vision, intact members of his body, has insights to protect the people, and must come from the descendants of the Quraysh tribe.

Still from Al-Mawardiyy's thinking, if a person has assumed the position of head of state, then the person concerned must truly understand and live up to his

function. Among these functions is, he must maintain the preservation of the religion of Islam, implements the law and legislation consequently, protects the people wisely, upholds the truth based on justice, must be firm in suppressing the enemies of Islam, manages *بَيِّنُ الْمَالِ* with full honesty and so on.

In that case there is one interesting thing about Al-Mawardi's constitutional ideas. In the XI century, he had popularized the theory of social contracts, while in Europe the theory emerged only in the sixteenth century. The social contract theory introduced by Al-Mawardi presupposes voluntary agreement which results to rights and obligations between the head of state and his people. That is, a head of state has the right to obtain loyalty from his people, and at the same time he is obliged to protect his people with full responsibility.

After Al-Mawardi died, then in the same year an Islamic thinker named Imam Al-Ghazali was born. Besides being known as a *tasawwuf suniy* (التصوّف السُّنِّي) figure, Al-Ghazali also talked a lot about political thought. For example, Al-Ghazali warning to someone who had been appointed as head of government. According to him, he should always be close to the Islamic scholars, not acting wrongfully, not arrogant, always responsive to the needs of his people, he should realize that fulfilling the needs of his people is better than circumcision services, do not familiarize himself in luxurious life, and do not ever ask for a people's agreement to violate Shara' law (الحُكْمُ الشَّرْعِي).

Among *mufassir* (مُفَسِّر) there is also a tendency to speak in the political field. For example Ibnu Jarir al-Tabari (died 310 H) in the Tafseer Book of al-Thabari (التفسير الطبري), he talked a lot about the head of state in relation to people's welfare. Then another speaker named Abu Qasim Muhammad ibn 'Umar al-Zamakhshariy (died 538 H) in the Tafseer Book of Al-Kasasyaf (الكشاف), talked a lot about a moral state in relation to the existence of Imamah (الإمامة) in rejecting despotism.

After al-Zamakhshariy, another famous *mufassir* named Abu 'Abdillah Muhammad ibn Ahmad al-Qurthubiy (died 671 H) appeared. In his book Tafseer al-Qurthubiy (القرطبي), he speaks a lot about Imamah (الإمامة) in the context of the law of fiqh (الفقه). A well-known *mufassir* was Abu al-Fida 'Ismail ibn Kathir (died 774 H). In his book Tafseer Ibn Kathir (ابن كثير), he talked a lot about the concept of Imamah (الإمامة) with rational arguments and very interesting descriptions.

Now we come to the talk of a famous *mufassir* from Yemen. His name is Muhammad ibn 'Aliy Muhammad ibn 'Abdillah al-Syaukaniy al-Shan'aniy. He was born in Hijrah Syaukan Village in Yemen, on Monday the 28th of Zulq'ah in 1172 Hijriyyah and passed away on Tuesday 27th of Jumadil End of year 1250 Hijriyyah at the age of around 78 years.

Imam Al-Syaukaniy grew up in the city of San'a, the capital of Yemen now. Al-Syaukaniy drew on the knowledge of religion first with his own father, then with famous scholars in San'a and its surroundings. Among

these scholars is Sayyid Abdurrahman ibn Qasim al-Madaniy, al-Allamah Ahmad ibn Amir al-Hada'iy, al-Allamah Ismail ibn al-Hasan ibn Ahmad ibn al-Imam al-Qasim al-Madaniy, al-Allamah al-Qasim ibn Yahya al-Kanlaniy, al-Allamah Sayyid Abdullah ibn al-Hussein ibn 'Aliy ibn al-Imam al-Mutawakkil, al-Allamah al-Hasan ibn Ismail al-Maraghiy, and others.

From the breadth of knowledge and the depth of his insight, Imam al-Syaukaniy was called as a sea of endless knowledge (بحر العلوم), sun of knowledge (شمس المعارف), Islamic figures (شيوخ الإسلام), and so on. Among his many works, there are two very phenomenal works, namely the Tafseer Book "*Fathul Qadir*" (فتح القدير) and the Hadith Book of Nailul Authar (نيل الأوطار). Both of these books are the main reference books in most Islamic boarding schools and Islamic colleges in Indonesia.

The Tafseer Book "*Fathul Qadir*" (فتح القدير) that we are discussing consists of five volumes, published by Darul Fikr (دار الفكر) in Egypt in 1973. This book has two features. First, the description merges the Riwayat method (الرواية) and the Dirayat method (الدراية). It is said to use the Riwayat method (الرواية) because this Tafseer book uses verses from the Koran, the hadith of the Prophet. and the opinions of Sahabat in explaining the intentions of the verses of the Koran. It is said the Dirayah method (الدراية), because this Tafseer book uses linguistic rules in analyzing the verses of the Koran.

The second feature is that the Tafseer book was written by a Syi'ah Zaidiyyah (الشيعة الزيدية) scholar, namely al-Imam al-Syaukaniy. This sect is called Syi'ah Zaidiyyah because the followers of this sect adhere to the teachings caused by al-Imam Zaid ibn 'Aliy ibn Husein ibn 'Aliy ibn Abiy Talib.

To find out more about the Tafseer Book "*Fathul Qadir*" (فتح القدير) by al-Imam al-Syaukaniy, an in-depth study to answer this question is needed: What is the political thinking of al-Imam al-Syaukaniy in the Tafseer Book "*Fathul Qadir*"?

In an effort to obtain clear answers to the above problem, it is necessary to describe them in the form of sub-problems as follows:

1. What is the concept of leadership and deliberation according to the Tafseer Book "*Fathul Qadir*"?
2. What is the concept of citizens' right to live in association and assembly according to the Tafseer Book "*Fathul Qadir*"?

## II. OPERATIONAL DEFINITION

As for what is intended by the term political thought in this paper are: ideas about constitutionality. The ideas of constitutionality in this paper are limited to the following: the concept of leadership and deliberation, the concept of citizens rights to obtain justice and the concept of citizens right to live in association and assembly.

As for what is desired by the term Tafseer Book "Fathul Qadir" in this paper is the interpretation of the verses of the Koran by al-Imam al-Syaukaniy which consists of five volumes and published by the publisher of Darul Fikr Egypt in 1973.

Thus the meaning of the title of this research are: Ideas about constitutionality concerning leadership and deliberation, citizens rights to obtain justice and citizens rights to live in association and assembly which can be understood from the Tafseer Book "Fathul Qadir" by al-Imam al-Syaukaniy.

### III. LITERATURE REVIEW

There are many studies on politic written by scientists and Muslim thinkers. For example, al-Farabi's classic book entitled *أَهْلُ الْمَدِينَةِ وَالسِّيَاسَةُ الْمَدِينِيَّةُ* and *آرَاءُ أَهْلِ الْمَدِينَةِ*. Then al-Mawardi's classic works are titled *قَوَانِينُ الْأَحْكَامِ السُّلْطَانِيَّةِ* and *الْوَزَائِرَاتِ السِّيَاسَةِ*. Then Ibn Taimiyyah's classic work was titled *الشَّرْعِيَّةُ*. Then Ibn Khaldun's classic work was phenomenally titled *مَقَدِّمَةُ بَنِ خَلْدُونِ*.

However, a special study of political thought in the Koran written in Indonesian seems to be lacking. Maybe we can call the work of Prof. Dr. H. Abdul Muin Salim with the title "Conception of Political Power in the Koran" published by PT. Rajagrafindo Persada Jakarta in 1994. However, a special study of political thought in the Tafseer Book "Fathul Qadir" does not yet exist.

### IV. RESEARCH METHODS

This research is library research. In accordance with the purpose of this research which to find out the conception of political thought concerning leadership, deliberation, justice, living in association and assembly, the source of the data is the verses of the Koran relating to political thought contained in the Tafseer Book "Fathul Qadir".

In addition, the books whose subject matter is not focused on matters relating to political thought will be used as a supporting source for the completeness and perfection of this research. In this case the books which, among the discussions both directly and indirectly, have relevance to the problem of this research. For example, the book Nailul Authar "تَبْيِيحُ الْأَوْطَارِ" by al-Syaukaniy, then the book "التَّفْسِيرُ" by Muhammad Husein al-Zahabiy, the book "مُفْرَدَاتُ الْأَفَاطِ الْقُرْآنِ" by al-Raghib al-Ashfahaniy, the book by Muhammad Fuad Abdul Baqiy "لِأَفَاطِ الْقُرْآنِ الْكَرِيمِ", and the book by Ahmad ibn Faris Zakariyya entitled "مَقَائِسُ النَّعَةِ".

### V. RESEARCH APPROACH

In connection with the source of this research data in the form of verses of the Koran and focusing on a theme, in this case is political thought, then this study includes a study of interpretations with thematic interpretation approaches and the uses semantic analysis. With the use of

thematic interpretation approaches and semantic analysis, the terms contained in the Koran can be explored in depth and more convincingly.

If the verses of the Koran as a source of research data are linked to semantic analysis, then it can be said that structurally the data consists of a series of simple sentences or broad sentences. In broad sentences, the main clause and subclause are placed. Whereas at the lower level, the elements of phrases and words are obtained. Thus there are four elements that can form a verse of the Koran, which are sentences, clauses, phrases and words. Theoretically, the semantic aspects include lexical semantic, grammatical semantic and sentence semantic.

### VI. LEADERSHIP AND DELIBERATION

In this section we will discuss the verses of the Koran which are related to leadership and deliberation. In accordance with the discussion, then what is desired by the term leader here is, the holder of power control in relation to statehood. Whereas the term deliberation here is, the process of exchanging opinions to obtain the truth.

From this description it is hoped that the concept of al-Imam al-Syaukaniy political thinking about leadership and deliberation, the requirements of leaders, people's loyalty to leaders, the obligation of leaders to protect people's rights and the ethics of deliberation towards goodness will be clearly revealed.

The Koran uses the terms *مَلِكٌ* and *خَلِيفَةٌ*, *أَوْلِيَا الْأَمْرِ*, *إِمَامٌ* for the meaning of the leader. As for the verses of the Koran relating to leadership and deliberation, for example we get in surah *الْبَقَرَةُ* verse 30, then surah *ص* verse 26, then surah *النَّمَلِ* verse 165, then surah *يُونُسَ* verse 73, then surah *الْحَدِيدِ* verse 62, then surah *الْبَقَرَةُ* paragraph 124, then the surah *الْكَافِ* paragraph 28, then the surah *الشُّعْرَاءِ* verse 151-152, then the surah *النِّسَاءِ* verse 59, then the surah *الْإِسْرَاءِ* verse 33, then surah *الْبَقَرَةُ* verse 188, then the surah *آلِ* *النُّورِ* verse 159, then the surah *الشُّورَى* verse 38 and surah *النُّورِ* verse 62.

After the above verses have been interpreted by al-Imam al-Syaukaniy in such a way, then the term *خَلِيفَةٌ*, *مَلِكٌ* and *أَوْلِيَا الْأَمْرِ*, *إِمَامٌ* appear for the meaning of the leader.

#### 1. خَلِيفَةٌ

In terms of etymology, the term *خَلِيفَةٌ* consists of three letters. The three letters are *الْخَاءُ*, *الْأَلَامُ* and *الْفَاءُ*. The meaning contained in it is: changing position, later and change.

From the root of the word above, it is found in the Koran in the form of verbs with different meanings. The first form of the verb is *خَلَفَ-يَخْلُفُ*, used for the meaning of "replacing". The second form of the verb is *خَلَفَ-يَسْتَخْلِفُ* used for the meaning of "making". The notion of "replacing" here can refer to the replacement of generations or the replacement of the position of leadership.



But there is one thing that needs to be observed, that the concepts that exist in the verb **خَلَفَ**, in addition to meaning generation replacement and replacement of leadership position, also connotes functional. That is, someone who is appointed as a leader and ruler on the face of the earth, carries out certain functions and tasks.

The plural form of the word (**خَلِيفَةٌ**) is (**خَلَائِفُ**) or (**خُلَفَاءُ**). Term (**خَلَائِفُ**) is used for conversation in connection with humans in general and believers in particular. Then the term (**خُلَفَاءُ**) is used by the Koran in connection with the conversation directed at the unbelievers.

## 2. Ulu al-Amri (أولو الأمر)

The term Ulu al-Amri (أولو الأمر) consists of three letters, namely **أَلَمِمْ** and **أَلَهَمَزَةُ**. The three letters have five meanings, which are case, command, blessing, banner and miracle.

The word **أَمْرٌ** itself is a masdar form of the verb **يَأْمُرُ**. The meaning is telling or ordering or demanding someone to do something. Thus, we can interpret the term **أولو الأمر** as the owner of power and the owner of the right to order something. Someone who has the power to order something, the person concerned also has the power to regulate and control the situation.

## 3. Priest (إمام)

The word **إمام** is rooted in the letters **أَلَمِمْ** and **أَلَهَمَزَةُ**. Both letters have many meanings. Among them are principal, place of return, congregation, religion, time, and purpose.

The experts define the word **إمام** as everyone who can be followed and displayed forward in various problems. For example, the Messenger of Allah. is the imam of the priests, the caliph is the imam of the people, the al-Quran is the imam of the Muslims.

As for something that can be followed and guided, it is not only humans, but also books and so on. If it is human, then what can be followed and guided is his words and actions. If it is in the form of books then what can be followed and guided is its ideas. But do not forget that something that can be followed is divided into two types, namely in terms of goodness and in terms of evil.

## 4. Malik (ملك)

The root word (**مَلِكٌ**) consists of three letters, namely **أَلَكَاْفُ** and **أَلَلَامُ**. The meaning is strong and healthy. From the root of the word a verb is formed **يَمْلِكُ** - **مَلَكَ**, and the meaning is the authority to own something. Thus **ملك** means someone who has the authority to order something and prohibit something in relation to a government.

Strictly speaking, term **مَلِكٌ** is the name of every person who has the ability in the field of government politics, a king, for example.

## VII. ABOUT GOVERNMENT (المشاورَة)

The root word from the term **المشاورَة** is **أَشَارَ** and **أَشْرَاءُ**. There are two meanings which contradict each other. First, start something and expose it. Second, take something. Another opinion said, the structure of the three letters above means squeezing honey bee from its nest. From the that structure above, a verb can be formed: **يُشَاوِرُ** - **مُشَاوَرَةٌ**. The meaning is, giving and taking each other's opinions.

Another meanings that we can draw from the structure of the letters above are precious jewelry and male genitals. The point is, in the process of exchange opinions, precious pearls and brilliant thoughts will be obtained. But in that process too, it is possible that someone will be humiliated by others because their opinions and thoughts are denied and rejected outright.

## VIII. ANALYSIS OF AL-IMAM AL-SYAUKANIY

Al-Imam al-Syaukaniy attributed term **خَلِيفَةٌ** to the power and leadership of the prophets with their tasks. These tasks are to call on people to do good and prevent them from committing evil. In addition, he also interpreted the term above as the ruler or leader of the previous people.

About the term **أولو الأمر** according to al-Syaukaniy is an institution, a group team consisting of priests, sultans, judges, and every person who controls the power based on Islamic law. Obedience to them is valid as long as they do not commit immorality. If they commit immorality and stay away from religious law, there is no obedience to them.

Al-Syaukaniy also expressed Jabir ibn 'Abdillah's opinion that what is meant by **أولو الأمر** is **أَهْلُ الْعِلْمِ** and **أَهْلُ الْقُرْآنِ**. According to the mujahid, they were friends of the Prophet. Whereas according to Ibn Kisan, they are a rationalist group. It seems that al-Syaukaniy also agreed with the opinion of the experts above. The proof is, there are no comments about that.

Regarding the term **إمام**, al-Syaukaniy interpreted it as the leader of the people as a guide. As a guide, a leader must be fair, consistent in implementing Islamic law and must completely avoid the persecution and wrongdoing to the people and their followers.

According to al-Syaukaniy, the appropriate standard for someone to be a leader is not seen from the noble or wealth, but there are more important aspects that must be considered. These aspects are that the person must have extensive knowledge of the intricacies of government. Then, the person must have a healthy and prime physical condition and that must be proven on the battlefield. Furthermore, the person must have a high level of consistency with the teachings of Islam.

Al-Syaukaniy argues, Muslim leaders must be people who truly believe in Allah SWT. and proven in his daily actions. Unbelievers are not at all justified as leaders

of Muslims, especially hypocrites. The hypocrites always try to bring believers to the path of disbelief. This is their program from time to time.

Why are Muslims forbidden to appoint unbelievers as their leaders? According to al-Syaukaniy, many reasons can be stated about that. Among other things, if it is done by believers, it means that they belong to the group of infidels themselves. Then, the infidels were clearly the enemies of Allah and all Muslims. So why should they be appointed as leaders?

According to al-Syaukaniy, the obligation to obey the leader also becomes invalid if the person concerned is immoral. Indications of immoral people are, the person no longer wants to remember Allah SWT, even though he enjoys the gift of Allah SWT every time. People who forget Allah certainly is in the path of lust, and in turn he chooses the path of shirk against Allah SWT.

Furthermore, the obligation to obey the leader becomes invalid, if he acts exceed the limit. People who transcend the limits here are, polytheists who love to destroy nature and never care to fix it.

Al-Syaukaniy then commented on life safety, safety of property ownership and religious freedom. According to him, what is meant by the prohibition of Allah SWT to kill someone's life is the soul created under the care and guarantee of the Islamic Shari'a teachings.

Whereas what is meant by the word *إِلَّا بِالْحَقِّ* here is, a right reason as an exception to the above prohibition. Outside of the above reasons, it is justified to kill someone's life. For example, people who are apostates, adulterers, cold-blooded murderers, and so forth.

Regarding the guarantee of the security of property ownership, according to al-Syaukaniy, it applies to all people and all property unless there is a syar'iy argument that allows the transfer and expropriation of these property. Even so, the takeover must be carried out correctly, not illegitimately. In short, something that is not permitted by the Islamic Shari'a to consume and possess it, means consumption and ownership is done in an innate manner.

Al-Syaukaniy argued that there was indeed no compulsion in embracing Islam. But the verse that points to the problem raises several opinions. First, the verse about *لَا إِكْرَاهَ فِي الدِّينِ* has been erased by another verse, so it is no longer valid. The proof is, the Prophet trying to make the Arabs embrace Islam through warfare. Likewise Allah SWT ordered the Prophet Muhammad to fight unbelievers.

Another opinion, as explained in the previous section, says that the above verse is not erased, it is addressed to the Jews and Christians. In this case, they were not forced to convert to Islam, provided they had to pay jizyah. Against pagans, they are given alternatives, embrace the religion of Islam or war.

Furthermore, al-Syaukaniy revealed about the ethics of palaver as exemplified by the Prophet with his friends. The ethics that was exemplified was, the friends asked permission from the Prophet as the leader of the palaver to leave the assembly because there is an other important thing. The point is, the palaver participants obey palaver etiquette. One of them is to respect the leadership of the assembly and to remind the leadership of the assembly to deliberate on the subject matter so that the deliberations are not too far off, and so forth. In this case the leader of the palaver can carefully consider whether the permit request is granted or not. Once again, the leadership of the assembly has the right to accept and reject the request depending on the situation, conditions and interests of the deliberation itself.

According to al-Syaukaniy, the discussion participants should be qualified people in their respective fields according to the subject matter that being discussed. For example, the subject matter being discussed concerns war and defense security, so the discussion participants must be warlords, generals and scholars who focus their research in the field of war and defense security.

Still in the matter of deliberation, al-Syaukaniy argues that one of the benefits of deliberation is to mature one's attitude and way of thinking. In a deliberation forum it is not justified to impose its will and ideas on others, especially in abusive ways. Lessons that can be taken from the discussion forum is that it is not good to always disagree with many people. In other languages, the person is always controversial.

According to al-Imam al-Syaukaniy, there is an individual inner satisfaction that is felt by each participant when different opinions in the forum end with an agreement. Each participant was relieved and each of them got something very valuable from the meeting. After the agreement is reached, it should be submitted to Allah SWT in the form of resignation or surrender to Him.

## IX. COMMENTS OF EXPERTS

The Qurthubiy seems to be more assertive than al-Syaukaniy in interpreting the term *خَلِيفَةٌ*. According to him, the term means the head of the Muslim government. However, there are similarities in the approach between the two in looking at the terms mentioned above. Both approach the concept from the aspect of leadership and government.

About the term *أُولُو الْأَمْرِ*, Muhammad Abduh as quoted by Professor H. Abdul Muin salim, formulates it as *أَهْلُ الْحَلِّ وَالْعَقْدِ*. He added some elements in it, the commanders and military forces for example, the emirs and figures who became the foundation of the people's hopes.

About the term *خَلِيفَةٌ* and *إِمَامٌ* according to Ibn Khaldun, although the two terms are different words, but the is the same. In this case, the word *خَلِيفَةٌ* and *إِمَامٌ* are interpreted as the successor of *صَنَابِجُ الشَّرِيعَةِ* to protect and develop names while controlling the politics of government. Henceforth the term *إِمَامٌ* in the above sense is held consistently by the Shiites so that they never use the term *خَلِيفَةٌ*.

In the debate about who actually has the right to take the *خَلِيفَةَ* position after the death of the Prophet Muhammad, the Shiites took part. They argue that the position of head of state must come from the descendants of Aliy ibn Abiy Talib, should not be left to the path of others. In addition, in their constitutional theory, that *إِمَامَةٌ* has a royal and hereditary form. In other languages, the head of state must come from *أَهْلُ النَّبِيِّت*, namely the descendants of Aliy ibn Abiy Talib and Fatimah al-Zahra bint Rasulullah Saw.

Meanwhile the people *أَهْلُ السُّنَّةِ وَالْجَمَاعَةِ* argued that the position *خَلِيفَةَ* must be held by the Quraysh people, not to be surrendered to other tribes. On the contrary the people *خَوَارِجُ* argue that the position *خَلِيفَةَ* is not the monopoly of the Arabs. According to them, anyone can be a leader if he can provide his ability.

Strictly speaking, as long as there is the ability to lead, anyone can become *خَلِيفَةَ*. In addition, according to them, the position *خَلِيفَةَ* should not be passed down through generations, but must be through legitimate and democratic elections. In other words, the people *خَوَارِجُ* disagree that the position *خَلِيفَةَ* is practiced with the royal system.

Return to the Shiites. They argue that the right to *خَلِيفَةَ* position must be in the hands of the descendants of Aliy ibn Abiy Talib. Leadership succession among them runs mediocre. The *إِمَامَةٌ* alternately hold positions in accordance with the conditions they agree on. The succession began with Aliy ibn Abiy Talib, al-Hasan, al-Husein, Aliy Zainal Abidin, Muhammad al-Baqir, Ja'far al-Shodiq, Musa al-Kazim, Aliy al-Rida, Muhammad al-Jawwad, Aliy al-Hadiy, al-Hasan al-'Askaniy, and Muhammad al-Muntazar. Thus the Shiites saw the problem *إِمَامَةٌ* as a very important issue for the Muslims.

In the previous section, the opinion of al-Imam al-Syaukaniy has been explained about the three conditions that must be owned by a leader. The third requirement is that the person must have extensive knowledge, be able and have the trust to Allah SWT. The three terms are further elaborated by al-Farabiy as follows:

1. The limb must be perfect;
2. The power of understanding must be good;
3. Intellectual power must be high;
4. The way to express his opinion must be interesting;
5. Love science;
6. Steer clear of greed and temptation;
7. Love honesty;
8. Has a great and virtuous soul;
9. Love justice;
10. Having a strong and istiqamah spirit;
11. Not looking at the importance of wealth;
12. Respond to justice.

From the description above, it can be concluded that, some requirements that must be fulfilled by someone to become a leader can be formulated as follows: First, the person must have the faith and piety that he proved in his daily actions. Second, the person must have commitment

and concern for the fate and benefit of the people. Third, the person must have extensive knowledge of the intricacies of government that are relevant to the implementation of political tasks.

In addition to the obligations that must be fulfilled to the people they lead, the leaders also have rights to their people. In this case is the people's loyalty to him. The loyalty and obedience of the people was manifested in various attitudes, like they obedient and loyal to the policies and obeying the rules and regulations. Then they must be willing to help him in all the efforts and benevolence programs that he proclaims and are willing to sacrifice his life and body to defend his position.

Al-Maududiy in commenting on political thought al-Syaukaniy reminded, that a leader is obliged to protect the basic rights of the people. These rights are:

1. Life safety;
2. Security and ownership of assets;
3. Maintenance of honor;
4. Maintenance of personal life;
5. Freedom to criticize;
6. Freedom of religion;
7. Security in religion;
8. Justice in law;
9. Accountability for only his actions, not for the actions of others;
10. Assistance to make ends meet;
11. Equity rights.

Regarding the palaver, if it is associated with political life then the institution provides an opportunity for the people to channel their political participation in the form of deliberations or meetings.

What was exemplified by the Prophet about palaver, can actually be used as a political tradition. If there are important state issues in particular and international world problems in general, then a leader should deliberate with his helpers. The material discussed are covering general problems which are not regulated in revelation.

Common problems that are not regulated in the revelation, for example, are regulations and legislation concerning general elections. To make these rules and regulations, all the people cannot be able to meet in a palaver. In this case there must be a certain number of people who carry out legislative duties as representatives of the congregation and the people above. The consequence is that the decisions produced by these legislative members are binding on everyone.

If we refer to surah al-Shura verse 28, specifically related to the word *"بَيْنَهُمْ"* which means "among them", then the word refers to the worshipers of the Muslims, both men and women. If we draw further, the consultative assembly or the legislature must really show its representative face. The assembly must represent all people, consist of men, mothers, scholars, intellectuals, technocrats, young generation, professional groups, and so on. In short, legislative members must be chosen with the widest possible right to vote.



Adding al-Syaukaniy opinion about the benefits of palaver, Ibn Taymiyah said that the benefit was to cheer up the hearts of colleagues and helpers of a leader. With palaver, they feel valued by their leaders and superiors. Besides that, through deliberation a lot of brilliant thoughts are obtained that are not obtained by someone, when perhaps the person concerned thinks alone.

## X. CONCLUSION

1. According to al-Imam al-Syaukaniy, the conditions of a person to be a leader are he must truly believe in Allah SWT and proven in daily actions. Unbelievers and hypocrites are not justified in appearing as Muslim leaders.
2. According to al-Imam al-Syaukaniy, a leader must protect the interests of the people, especially those involving the five principal interests. The five principal interests are: religion, soul, descent, wealth, and mind. The people have the right to demand comprehensive protection of the five principal interests to a leader.
3. According to al-Syaukaniy, basically a leader must be obeyed by his people. But obedience to a leader becomes invalid, if the leader behaves shirk to Allah SWT.
4. According to al-Syaukaniy, one of the characteristics of a democracy is the existence of palaver. The characteristics of palaver can be seen from giving and sharing opinions in one meeting. In the process of exchanging opinions, valuable pearls and brilliant thoughts will be obtained which are not found in thinking alone.
5. According to al-Syaukaniy, the material discussed includes general issues concerning war and peace, which concern the welfare and benefit of the people and others which are not regulated by revelation and the sunnah of the Prophet. As for the problems that have clear instructions in the revelation and sunnah of the Prophet no need to be discussed again.
6. According to al-Syaukaniy, to live in association and assembly, then what needs to be fostered by a leader is brotherhood based on the teachings of Islam. Brotherhood is synonymous with faith. Various disputes and quarrels that occur between fellow believers, the solution is to return to the teachings of Islam itself. The emphasis of completion is directed at an effort to raise awareness of each individual, that they are of the same descent and zuriat, namely Prophet Adam As. and his wife Siti Hawa.
7. According to al-Syaukaniy, in living in association and in groups, the fact that there are elements of different ethnic groups, races and customs, is unavoidable. Although different in ethnicity, race and customs, but the human group can be tied to one, namely Islam. In Islam there are no differences in ethnicity, race and habits. Everything is seen to be equal before God Almighty.

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