

The Role of the Office of Governorship under the Holy Prophet (ﷺ) and the Orthodox Caliphs

Muhammad Daniyal Khan

Lecturer, Department of History, University of Peshawar, Peshawar

Email: daniyalkhan@uop.edu.pk

ORCID: <https://orcid.org/0000-0001-9568-836X>

ABSTRACT

This research was focused on the role of the governors and their comparative analysis during the first two significant phases in the Islamic polity; the Prophetic period combined with the pious caliphatic period. Being purely an historical theme, both analytical as well as descriptive methods have been followed. The literature of this research paper which has been scrutinized for this study contained its origin, different dimensions, transformations, functioning, importance and other paradigms. The office of governorship was the centerpiece of the system. Its significance and need increased manifold with the transformation of initially tiny state into a great-civilized system of governance. The function of governor, therefore, changed in many ways according to the new and novel political, religious, cultural, and economic dynamics of the time. Throughout the era of the Holy Prophet (ﷺ) and orthodox caliphs (رضي الله عنه) efforts were made to streamline, systematize and regulate the administrative infrastructure of the newly established Islamic Polity.

Keyword:

Wali (Governor), Pious Caliphate, Umayyad, Al Mawardi Theory

Introduction:

Wali (Governor), is the office of the governor that implies an arrangement, exercise, and administration of the delegated powers through the governor or *wali*. The Holy Prophet (ﷺ) or the pious caliphs (رضي الله عنه) appointed governors to represent them, or the central Islamic authority in different territorial tracts conquered at that time. The term, therefore, encapsulates not only the governor's powers, but also his authority and jurisdiction on the region brought by the Islamic army under the Islamic government's control. Therefore, the term demonstrates judicial as well as theoretical underpinnings. After the fall of Makkah and the subjugation of the Peninsula, the Holy Prophet (ﷺ) had appointed governors, under the

designation of Amir (chieftain) for all the chief cities and provinces. The title was continued by Hazrat Umar (رضي الله عنه), who may be regarded as the practical founder of the political administration of Islam. He divided the conquered lands into compact governorships to enable his lieutenants to develop the resources of the countries in charge. Throughout the era of the Holy Prophet (ﷺ) and Orthodox Caliphs (رضي الله عنهم) efforts were made to streamline, systematize and regulate the administrative infrastructure of the newly established Islamic Polity. The office of governorship was the center piece of the system. Its significance and need increased manifold with the transformation of initially tiny state into a great-civilized system of governance. The function of governor, therefore, changed in many ways according to the new and novel political, religious, cultural, and economic dynamics of the time. This research article will assess and evaluate different dimensions, importance and functions of governor and his office during the Prophetic and Orthodox Caliphs.

Governorship under the Prophetic Epoch

The Muslim historians, political scientists, and jurists have vicariously commented upon the concept of governorate and governorship in their theoretical understanding of the Islamic constitutional evolution, ranging from the Prophet Hood and Caliphatic period to the final establishment of the minor principalities and kingdoms. For administrative setup the Holy Prophet (ﷺ) enjoyed all the executive powers as the main executive authority having the function at hands to administer effectively from his capital, Madinah.¹ The main privilege of the executive authority was to take care of “the law and order after the welfare of the people within their jurisdiction”.² The Holy Prophet (ﷺ) made a distinction in appointing governors, collectors, and commanders of the military detachments and selected his envoys and ambassadors after the complete confirmation about their loyalty. After dividing the peninsula into five distinctive parts, he appointed *walis* or governors such as Attab bin Asid for Makkah, Yazid bin Abu Sufiyan for Taima, Amr bin al-Aas for Oman, Ala bin Hazrami for Bahrain, and Amr bin Hazm for Najran.³ When Yemen, too, fell to the Prophetic rule, it was divided into five smaller entities each having a separate governor.⁴

The governors were excellent administrators and loyal to the main secretariat receiving orders from “Mosque of the Holy Prophet (ﷺ)”.⁵ It can be stated that this was the first such administration laid down in the Arabian Peninsula as well as the entire world, having religious and socio-economic structure amalgamated and merged with each other.

Taking cues from the Islamic governance's inception in Madinah during the early period of the Prophet Hood following the emergence of the central authority, supposedly governance, theological pedagogy got precedence over loyalties with temporal and theological powers rested with the Holy Prophet (ﷺ) himself standing as the pivot of the governance system.

It has been stated that the disputes have resolutions from either Allah or the Holy Prophet (ﷺ).⁶ This nuance points to the divine sovereignty and divinity of the Prophet Hood for reinforcing public belief in the superiority of the persona to ensure investiture of the authority in the central hands. From the pivotal point of Madinah, the Holy Prophet (ﷺ) started running his governance through his agents and officials called *umara*(chieftains) or *ummal*(plural of *Amil* meaning local public administrator) for two major state businesses; the collection of revenue in vanquished regions and assigning politico-military responsibilities to those or otherwise regions.⁷ Obviously, the Islamic period's initial phase was not marked with such modern complications that every official should have clarified duty rosters; the neologism of titularity, as well as official positions, continued cropping up with traditional duties getting strengthened until the caliphate system ushered an organized governance system. However, the Holy Prophet (ﷺ) was not averse to transformations corresponding to circumstances. Seeing the prevalence of manly tendencies to grab temptations posed by the power, the Holy Prophet (ﷺ) ensured leaving some rules of precedents as foundational principles as given by Al-Mawardi and found practically applied.

Theological fidelity, efficiency, and knowledge of the governance-cum-administration topped the prioritization in the appointment. This fact evinces itself in his selection of his followers having these three behavioral features with additional commands to exploit discernment in perception and maintaining laws they were assigned to enforce. He sent a message to one of his deputies, Himyar, in 9AH telling him that he had sent to the members of his virtuous family, who were faithful in religion and well-founded in knowledge and he was asked to treat them well.⁸ Prioritization list of appointments awarded age second place during the Holy Prophet's (ﷺ) time. However, a discrepancy occurred in this precedent when Thakif entered the Islamic fraternity, the Holy Prophet (ﷺ) appointed Uthman Ibn abi al-As, who despite his age difference, demonstrated an eagerness to theological learning, winning him the position.⁹

The Holy Prophet (ﷺ) also set a precedent for obedience to the governor. When he dispatched a message to the migrants, he put it into black and white that they should assist him, pay him proper homage by showing

acceptability to his commands, and demonstrate obedience as it is Allah's command. Abu Dharr Ghifari (رضي الله عنه) once testified that the Holy Prophet (ﷺ) ordered him to obey the commander even if he would have been an Abyssinian slave.

The Holy Prophet (ﷺ) also demonstrated an example of such an appointment when he appointed Surad Ibn Abdullah al-Azdi when he visited him with Azd, the deputy. He asked him to lead the believers from his tribe and wage *jihad* against the Yemeni infidels.¹⁰

It is almost unthinkable that setting evidential precedents for his successors, the Holy Prophet (ﷺ) did not leave examples for such officials' dismissals. Based on the public opinion and complaints, he recorded such a precedent for the move to go from titularity of such officials to applicability of the legitimization of the central authority. The dismissal of Al-Ala Ibn al-Hadhrami and his replacement with the appointment of Aban Ibn Said to Bahrain is a case in point as narrated by Ibn Sa'd. The Holy Prophet (ﷺ) wrote him to bring 20 men led by Abdullah Ibn Awf to which he complied. When, however, the deputy, Abdul-Qais's complained about his removal with the replacement of Ahan Said Ibn al-As, it demonstrates that such precedents set the stage for drawing two significant impacts that it was theological fidelity having underpinnings far deeper than the officials themselves deemed.¹¹ The theological fidelity, nonetheless, soon gave way to politico-social as well as economic and military factors, impacting the appointments and dismissals following the end of the pious caliphate and the inception of the dynastic Umayyad regime.

The Era of Orthodox Caliphs and the Role of Governors

It is an interesting analytical point that the caliphate governance in Madinah following the Holy Prophet's (ﷺ) sad demise lasted for such a protracted period to have consolidated legitimizing precedents set by the Holy Prophet (ﷺ) himself. The pious caliphs retained some appointments in some provinces but adopted the reverse policy in others. In one case, for instance, Hazrat Abu Bakr (رضي الله عنه) issued the command of the army of Osama bin Zaid bin Haritha as ordered by the Holy Prophet (ﷺ), saying that he knows that the lions would fall upon him. Hence, he would follow the Holy Prophet (ﷺ) at every cost.¹²

However, it is strange that the former governor Al-Ala, dismissed by the Holy Prophet (ﷺ) on public complaints, was recalled by the first caliph for the same post and that, too, in the same region.¹³ Similarly, he appointed Khalid Ibn Said as the public commander, removing him from his Yemeni governorship posted by the Holy Prophet (ﷺ) on Hazrat Umar's (رضي الله عنه) recommendation for his consensual refusal to pay homage to the caliph.

The caliph, instead, sent Yazid bin Abu Sufyan and others to consult Abu Obeida bin Al Jarah (Ubaida), asking them that he would be the public commander henceforth.¹⁴ These changes in the precedents not only lent legitimacy to the caliphatic edicts but also lent legality to those edicts in terms of consolidation of the central authority. It also reinforced the impression of the governor's authority and his appointment.

Seeing military aspects of the governorate integral to the legitimacy of the position, the Holy Prophet's (ﷺ) successor kept a permanent position for military purposes. The appointment of Khalid bin Walid to conquer Bankiya and Kasker is a case in point regarding legal discretion and the significance¹⁵ of public legitimacy in the eyes of the central authority. The control in Madinah, if apprised from this perspective, seems restricted to the general policy matters, leaving vast powers to the governorates to deal with immediate issues arising out of the governed territory.¹⁶

Similarly, some other appointments of the first caliph regarding Khalid as *amir ala l-ummara* (the head of the chiefs) of Syria¹⁷, extension in his tenure during the second caliph's reign, his dismissal, and then reappointment of Abu Ubaida for Syrian territory is another case in point.¹⁸ The second caliph made various military appointments such as Amr Ibn al-As for Egypt¹⁹ and Maisara Ibn Masruk for Rome, with the first detachment to the Roman Empire in 20AH.²⁰ With this detachment, the Muslims set upon the path of conquests with the determination to expand the borders for religious and economic benefits, which was the consideration for new governorates and their subsequent expansion. The act of official appointments needed urgency in this backdrop. For example, Al-Nu'man and Suwida were appointed for Iraq to benefit from the valley of the Tigris and Euphrates,²¹ while the governor of Basra, Utba bin Ghazwan conveyed it to the second caliph about war booty comprising precious stones and metals.²² Besides these strategies of pecuniary benefits, the second caliph also appointed various governors, specifically, adept in other issues such as theology, finance, or judicature. However, complete separation of authority was out of the question due to the availability of the expertise, though, sometimes an expert could lead two departments simultaneously such as theology or military. The second caliph deputed three separate officials for the Iraq expedition. However, in the case of Syria, the second caliph adopted entirely a different approach, appointing a single person to hold authoritative powers, Amir Muawia (رضي الله عنه) as Al-Tabari points out that Shurahbil bin Hassana and Amir Muawia were appointed for Syria and Jordan to lead the army and collect revenue²³. This shows that after almost a decade following the sad demise of the Holy Prophet (ﷺ) the appointment policy still faces inconsistency.

As far as new posts were concerned, sometimes governors themselves created such posts to second them as Khalid created the post of *ummāl* to have handy assistance at the hour of need. In such cases, the caliph did not directly use his authority. However, it happens that the caliph suggests a few names to the incumbent governor to select, as Tibri suggests, that even the second pious caliph enquired the great follower of the Holy Prophet (ﷺ) Sa'd bin Abi Waqqas that Allah has blessed victory of Iraq and Syria to the Muslims with the choice of three persons Khalid bin Urfuta, Iyad bin Ghunm and Hashim bin Utba for the appointment of a commander for Al-Jazira expedition, leaving the option for Sa'd to freely exercise his authority by selecting Iyad.²⁴ There are other examples where the *amir* wins the central authority's acknowledgment after appointing a governor. For example, the second pious caliph witnessed the sad demise of Abu Ubaida and acknowledged his appointment of Iyad with the delegation of Ubaida's powers, too.²⁵

Whereas the governor's salary is concerned, the second caliph had a clear precedent the Holy Prophet (ﷺ) left for them. For example, Iyad received a dinar and a sheep per day as his salary for leading the military at Hims.²⁶ The second caliph was also strict in several appointments such as of Ammar ibn-Yasir²⁷ following the dismissal of Sa'd²⁸ and then reappointed Al-Mughirah who stayed on that position until his death. He also made similar appointments, reappointments, and authorities of the governor *vis-à-vis* the central authority in the case of Bahrain and Basrah.²⁹

During the early period of the Holy Prophet (ﷺ) and the pious caliphate, some of the precedents left by the caliphs were new. The second pious caliph harboring resentment against Khalid, the great warrior, when he appointed Abu Ubaida as the governor, asked the former to return to the capital city immediately, considering him the political cynosure of the first caliph, though, he tolerated him during his reign. The first reason was his way of conducting battles and the second was that he killed Malik bin Nuwaira. It happened in 11AH/632AD that the first caliph dispatched Khalid against Tulaiha bin Khuwailid Asadi.³⁰ Following his defeat, Khalid turned towards Banu Tamim among which a sub-clan led by Malik bin Nuwaira was against other clans, who surrendered along with Malik. However, Khalid act in a way that seemed inappropriate, the report of which reached the caliph who ordered accountability and received the pretext that confusion of misunderstanding led to that incident.³¹ The confusion arose over the interpretation of the words of the caliph which means the provision of warm clothes for the prisoners of war but was interpreted as their killing which invited only a little rebuke from the first caliph despite strong protestations from the would-be second caliph.³² The second caliph also

asked the first caliph about the killings, though, the second caliph denied this reason behind his dismissal, saying that he was transforming into a mythical figure in the public eye, the reason that he removed him from his post. There is even likelihood for his removal for his fondness for *jihad*.³³ This dismissal shows that there was a theological distinction in the prophetic period and the caliphatic period in terms of dismissal, for some changes occurred in the appointments too which could be reasoned the requirements of the expansions of the empire at an unprecedented speed.

Although there is no such example of dismissal during the period of the Holy Prophet (ﷺ) that it could be set as a precedent but in the evolution of the political theory, it merits mention, for adultery is a sin in Islam. The second caliph dismissed Mughirah bin Shu'ba (رضي الله عنه), who was appointed to Basra, and he was replacing him with Abu Musa al-Ashri (رضي الله عنه). A dispute between the first caliph with Abu Musa resulted in his dismissal. It was reported by his opponents in Basra that they witnessed an altercation between the governor and a Bedouin lady, which led to a serious brawl when he led the prayers over which Hazrat Umar (رضي الله عنه) sought an explanation. Finding unsatisfactory response and established accusations, the second caliph somewhat changed the Holy Prophet's set precedent about the personal integrity of a person as in the case of his wife regarding Ziyad's flawed witnessed testimony, Hazrat Umar (رضي الله عنه) rejected his argument³⁴ on the ground that witness be heard again, releasing the accused but with dismissal from the post.

Theological fidelity was a reason for an appointment since the time of the Holy Prophet (ﷺ). It was also a *raison d'être* for dismissal in various cases. For example, the dismissal of Sa'd bin Abi Waqqas (رضي الله عنه) from the post of the governor of Kufa was based on the public grievances about his incompetency in leading prayers.³⁵ It was because, on account of his initial conquest of Kufa and various adjoining areas, Bedouin jealousy burgeoned to the point of alleging him dishonesty in grabbing war booty. The old accusations of showing low martial spirit on the battlefield during the Qadisia Battle also resurfaced with renewed vigor. Despite no evidential provision regarding the public complaints, the caliph found him guilty of cutting short his daily prayers and deposed him from his post, making it a cognizable offense liable to be unpardoned.³⁶ In other words, theological fidelity was an unpardonable offense for such a high post.

Another form of dismissal proving a precedent in the early caliphate era was laxity in morals such as breaking the code of the prohibition of drinking. The second caliph used to take such laxities seriously with the spirit of the rigorous imposition of legal penalties. It happened with Abu Huraira and Qudama bin Mazun when they were in Bahrain that Qudama

was dismissed for drinking and Abu Huraira for irregularities³⁷, though some of the accusations against Abu Huraira proved wrong later. Later, the second caliph dismissed Qudama bin Mazun for the “charge of tax-collecting and the military guard” as the caliph ordered the confiscation of “what he possessed”. In fact, this happened in quick succession that one was replaced with another.

Following the whole Mesopotamian Islamic embrace, some exceptional cases such as of Beni Iyadh emerged, who found refuge with the Roman Empire following their northern migration.³⁸ However, the second caliph, using his discretionary powers on fear of reprisals from that refugee tribe, demanded the Byzantine court to extradite them with failure for a tit for tat response to the Christian expulsion from the Muslim region.³⁹ The Byzantine Empire consented to the extradition request. The same happened with the tribe, Beni Taghlib, which after submitted to Walid bin Uqba, who sanguinely pressed upon this great martial race to enter the Islamic fold. However, this forced conversion infuriated Hazrat Umar (RA), the second caliph, who commanded his governor to leave them to stick to their religion with the argument that it was to be implemented only in the Holy Places, Makkah and Madinah, and not beyond the borders of these places. For causing disrepute to the religion for such forced conversions, Walid was dismissed from his post with a replacement with advice that tribes should be levied only the usual tribute at which the Christian tribes dispatched their emissary to the caliph demanding the same tax levied upon them to which the caliph accepted. Hence, the tribe of Beni Taghlib was given the privilege to stay Christian at “double tithe.”⁴⁰

The evaluation of inefficiency or efficiency is the sole prerogative of the caliph in the initial caliphatic phases based on the Holy Prophet's (ﷺ) legacy. It happened that when Jordan witnessed the rule of Shurahbil appointed by the second caliph, he immediately faced a replacement in the shape of Amir Muawia (رضي الله عنه) with the caliph's response to his query that he needs a powerful person for this post⁴¹ and understandably not a weak like him. The same is the case of Ammar bin Yasar, who was appointed as Kufa's governor but later dismissed for alleged inefficiency.⁴²

Calumny, or rumormongering has been another cause of dismissal disregard of the caliphatic investigation regarding the complaints about the problem/issue. For example, when Mughira spread rumors regarding the official obligations of Jabair bin Mutaim who was Kufa's governor, the second caliph replaced him with the former.⁴³ In fact, Kufa had the notoriety of the swift governors' replacements within the short span of a decade of the second caliph's ruling from 13-23AH or 634-644AD. The second caliph replaced six governors in quick succession, starting from Muthanna

replaced by Sa'd, to whom Abu Musa seconded, who was also replaced by Sa'd to whom Mughira replaced in 642AD.⁴⁴

These appointments and dismissals point to the policy of the caliphate followed by the third pious caliph (رضي الله عنه) at that time despite the declared factually official position that he followed and intended to abide by the precedents. The deviations from the official policy also explain that it has cost the caliph dearly, for he did not evolve the precedents set by Hazrat Umar (رضي الله عنه) further. His policy resulted in deep fissures in the applications and results, leading to the demonstration of the political acumen of both the second and the third caliph. Even his own wife once commented as in Maddudi's words that "If you act upon the advice of Marwan, he would leave you after you are slain. This person does not care for Allah, His fear or His love".⁴⁵

The changes in appointments and dismissals made by the third pious caliph caused discontent among certain segments of the masses resultantly witnessed a mass uprising in Kufa, Egypt, and Basra. The city of Kufa recorded its note of protest on previous occasions such as during the expulsion of Sa'id and the appointment of Abu Musa. Basra faced willful neglect after Abdullah bin Amir left as the caliph dithered on the appointment of the new governor.⁴⁶ Following the end of the term of Abdullah, the caliph appointed Said bin Hisham but Muhammad bin Abu Huzaifa refused to hand over the charge to him and started governing Egypt himself. It demonstrates that the caliph did not budge on his stand of ignoring public resentment against the behavioral lapses of his governors.⁴⁷ Hence, it led to outright insurrections, causing political anarchy forcing Hazrat Ali (رضي الله عنه), the fourth caliph, to seek political expedencies in the appointment of governors, abandoning the old system altogether. Therefore, he resorted to the removal of governors *en masse*, excluding Abu Musa on Ashtar's recommendations.⁴⁸

Hazrat Ali (رضي الله عنه) considered it right to remove former appointments, believing the capital city of Madinah should have the central authority. However, the ground happenings defied his idea. A follower of the Holy Prophet (ﷺ) advised Hazrat Ali (رضي الله عنه) to desist from the *en masse* dismissal and first win allegiance from Amir Muawia (رضي الله عنه), Ibn Amir, and other governors appointed by the third caliph, but his piece of advice flew to deaf ears.⁴⁹ Thinking judiciously or haphazardly to meet the requirements of the circumstances, Hazrat Ali (رضي الله عنه) replaced or tried to replace all the governors through his trusted companions but many of them met cold receptions at various places. For example, Ibn Amir retired but his successor, Uthman bin Hunaif took the reins of the province in his own hands in the name of the third caliph, dividing the public into three distinct factions; one favoring the

previous caliph, other the incumbent one, and the third waiting for new developments in Madinah.⁵⁰ The situation in Egypt was not different. The appointment of a sanguine governor, Qais bin Sad, was a judicious decision, for he pacified the public by feigning his alignment with the former caliph, while a powerful faction allied to the former caliph occupied Kharanba, a nearby district, demanding justice for the regicide. In the case of Yemen⁵¹, the former governor Yala bin Munyah, took all his treasures to Makkah after Ubaid Allah was appointed the new governor.⁵² The newly appointed governor of Kufa was rebuffed at the border, saving his life by escaping to Madinah.⁵³ This was the general situation prevalent at that time in the newly established caliphate after just a few decades.

However, the rebellious refusal from Amir Muawia (رضي الله عنه) and Abu Musa to Hazrat Ali (رضي الله عنه)'s dismissals and appointments for new governors merits exhaustive review. With the replacement of all previous governors appointed during Hazrat Usman's (رضي الله عنه) period, Hazrat Ali (رضي الله عنه) waited for an opportune time to replace Abu Musa. The time knocked at his door in 36AH/656AD when he appointed Amarah bin Shahab to Kufa. Facing resistance, Amarah withdrew, sensing public consensus about keeping Abu Musa the governor of Kufa. Seeing no way out, Hazrat Ali (رضي الله عنه) demanded his allegiance to which he favorably replied, warning the caliph about the prevalent public resentment.⁵⁴ However, when the time arrived for the Battle of Jammal (Camel) in 36AH, Abu Musa refused to urge the public at Hazrat Ali (رضي الله عنه)'s message, declaring it sedition. Then the caliph, after getting his response, immediately replaced him.⁵⁵ His successor successfully took charge of the office, demonstrating the success of Hazrat Ali (RA)'s party on that day.

The case of Amir Muawia turned into a complicated conundrum for Hazrat Ali (رضي الله عنه), ultimately costing him his caliphate. Sensing long hostility, Hazrat Ali (رضي الله عنه) shifted the capital city to Kufa from Madinah following the Battle of Jammal.⁵⁶ The turmoil subsided for a brief interval. The caliph also thought it sagacious to pay attention to the consolidation of his caliphate to seek resignation from other staunch and stubborn governors. The commanders and governors flocked Kufa to swear allegiance to him.

Erosion of the central authority started from the governorial rebellion. Once governors created anarchy, it led to resentment and finally conflict in the battle of Siffin 657 AD. When the conflict between the caliph Ali (رضي الله عنه) and Amir Muawia (رضي الله عنه), his governor ended in a stalemate, it led to a protracted correspondence between the caliph and the governor in 40AH/660AD leading to truce and consensus over territorial respect.⁵⁷ This meant a first round for a rebellious governor to win legitimacy from the caliph, the central authority after which Amir Muawia (رضي الله عنه) had free play in

Syria where he started ruling the roost. Though he was termed *amir ash-sham* (chief of Syria) during the period of the caliph, in the post-Hazrat Ali (رضي الله عنه) period, Amir Muawia assumed the title of the caliph.⁵⁸ Not only Amir Muawia (رضي الله عنه) outwitted Hazrat Ali (رضي الله عنه) in public politics but he also outmaneuvered him in the military paradigm. These two most important developments, the fissures in the central authority regarding the removal of that governor and the governor's open rebellion following public instigation against the central authority, led a heavy blow to the unity of the government and the legitimacy of the command of the central authority.

An Assessment

From the simple beginning of the Islamic administration from Madinah to the vast Islamic caliphate, the precedents of the appointments, dismissals, and accountability have set examples for the theorists to trace the evolution and outline the duties and responsibilities of different administrative posts. It is important to distinguish the responsibilities and duties of the post of a governor through the lens of Constitutional Law as developed by al-Mawardi, tracing the factual evolution of these functions from the historical point of view, reviewing the Islamic historical sources. Al-Mawardi's specific distinction is between governors having specific and limited authority.⁵⁹

The roles of the post of the governor as delineated through the Mawardian constitutional theoretical lens as stated are seven. According to his theoretical perspective, a governor is responsible for.

- a. The organization, administration, deployment of military, and payment of salaries to the soldiers with the guidance from the caliph
- b. Administration of justice
- c. Administration of taxes, charities, and zakat
- d. Administration of justice and judges including but not limited to the appointment of judges
- e. Protection of theological underpinnings
- f. Dispensing punishments regarding the rights of Allah and men
- g. Leading prayers
- h. Arranging and heading pilgrimage to Makkah, waging war in border areas
- i. Dividing war booty as per Islamic commands.⁶⁰

Mawardian constitutional legal perspective makes a distinction between general and specific duties of a governor and specifies them according to the post and the person in question. However, he makes a distinction between an *amir* and an *amil*; in the case of the former, he

thinks that an *amir* is a holistically authoritative post, while the latter is the post for revenue generation as well as collection.⁶¹

Defining and outlining the exact responsibilities and duties of the governors of the initial Islamic Era is not only complicated but a very slippery issue. Al-Mawardi has defined and outlined all these powers, dividing them into specific and general, demonstrates his keen observation of Islamic History as well as his minute study of Islamic constitutionalism. His treatise demonstrates that the duties and responsibilities dependent on the persona of the governors; some were able to wield all the powers in them, while others have only some functions.

Suffice it to say that the duties and responsibilities of the post of the governor and their evolution owe much to the evolution of Islamic theology as well as the expansion of the republic. When the Islamic political philosophy of expansion with its humanitarian and philanthropist spirit extended its tentacles to its proximity and close regions, new posts required new commandments, new pieces of advice, new recommendations and innovative central authority, which must ensure that the powers and functions of this post correspond to the contemporaneous happenings of that time.

The governors had multiple responsibilities, military leadership and civilian administration. Not only were they responsible for localized recruitment for the army but also for its organizational setup, payment of salaries, maintenance of discipline, and appointments of battalion commanders, including reports of incidents, if any occur. The governors were also efficient and empowered to sign treaties, appoint their deputies, prayer leaders, mosque construction, and proliferation of Islamic teachings in the conquered regions.

In various provinces, the governors were appointed to be responsible for leading prayers and services including the Friday sermons, underlining the political manifesto of the central authority. However, in some cases as being the civilian-cum-military heads, they had subordinates to discharge their financial and administrative responsibilities. These specific appointments and specifications of their responsibilities and duties of the different administrative aspects demonstrate the sagacity of the central authority, which envisaged their expanding role in the expansion of the Islamic state.

Findings & Recommendations

1. From the research it has become clear that in the initial stages when the Holy Prophet (ﷺ) took control of the entire Arabian Peninsula, different

terms were used for different regional officials including *wali* which later became a legitimate and usable term in the Islamic polity during the Pious Caliphatic period.

2. The derivation of appointments, dismissals, and re-appointments demonstrate that theological indoctrination and finances were at the top of the prioritization in the Islamic polity during the Holy Prophetic Period.
3. The Prophetic, as well as the Caliphatic authority, derived legitimacy from public consensus to transfer the same precedent to the governors. However, the erosion of the Caliphatic legitimacy during the period of the fourth caliph led to the gubernatorial insurrections and insurgencies, causing erosion of the legitimacy of gubernatorial posts, too.

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