

The Concept of Collectivism in Relation to Islamic and Contemporary Jurisprudence

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Abstract: The main aim of this paper is to provide an introductory discussion of the issue of the human need for a Social symbiosis and Collectivism in the contemporary global community and of the constructive role that religion could play in delivering this global need. There are many ways to categorise ideologies and religions, but the most constructive is one between collectivism and individualism. In the matter of collectivism and Islam, these worlds are misinformed and misguided; it is always at great pains to prove that Islam contains within itself the elements of all type of contemporary social and political thought and action. It can well be understood by separating the paranormal and transcendental aspects of Quran from those dealing with the human affairs, both individually and collectively in an organic social structure including the sacred guidelines for the ruler and the ruled.

This paper will, however, be examining the issue at hand mainly from the perspective of the Islamic Jurisprudential philosophy and contemporary jurisprudence.

Keywords: Individualism, Collectivism, social symbiosis, positivism, natural law, jurisprudence, Sharia and Islamic Philosophy.

INTRODUCTION

The Quranic view of Social symbiosis and collectivism has encouraged many Islamic thinkers in different ages to offer a philosophical and scientific understanding of it. Undoubtedly, the theme of mutual interdependence in human society has been a popular one in classical Islamic philosophy. Whenever Islamic philosophers then discuss the subject of human society or human civilization, it is incumbent upon them to dwell on the idea of mutual interdependence as a basis of human social organization. They emphasize the point that human beings are mutually interdependent for their physical needs such as food, shelter, and defense or protection from external danger. This means that mutual cooperation is necessary to the human species, the result of which is social civilization based on collectivism.

While discussing the very concept of social symbiosis and collectivism, what at first strikes the mind is the composite structure of those norms which buttress up the society at various levels. To speak negatively, it is essential to be much vigilant about those problems in the social hierarchy that are apt to cause dissension and that ultimately might snowball into a major social disturbance. Most of such problems always remain outside the effective authority of sovereign power and its coercive instruments. Discussing the Islamic philosophy in this context, Ameer Ali says:

The grand and noble conceptions expressed in the Koran of the power and loves of the Deity surpass everything of their kind in any other language. The unity of God, His

immateriality, His Majesty, His Mercy, form the constant and never-ending theme of the most eloquent and soul-stirring passages. The flow of life, light and spirituality never ceases. But throughout there is no trace of dogmatism. Appeal is made to the inner conscience of man, to his intuitive reason alone (Syed Ameer Ali, 1997) .

The main aim of this paper is to provide an introductory discussion of the issue of the human need for a Social symbiosis and collectivism in the contemporary global community and of the constructive role that religion could play in delivering this global need. It is realized that the perspective of Islamic jurisprudence on this question is little known to many non-Muslims, even though it is important in its own right, thus meriting a serious study by scholars.

ISLAMIC PHILOSOPHY ENTRENCHED IN AN IN-TERMINABLE PROCESS OF SOCIAL SYMBIOSIS

It is a common knowledge that social order is always amenable to change. The wealth may change hands, the giver of yesterday might be the taker of today and the son of today is likely to be the father of tomorrow. Therefore, the status of individuals always undergoes social transformation but the values that govern them are always the same. The obligations shift from person to person but for a living society they must always be in a concrete form and not embedded in some incomprehensible philosophical abstractions. Equally important for their effective observance must be the notions of the reward and punishment in a manner that directly appeals to the inner and saner sense of human understanding.

A general idea of what social ideals must be the basis of an organized and civilized society may be gathered from the many verses of Quran:

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'Thy Lord hath decreed that ye 'worship none but Him and that ye be kind to parents, whether one or both of them attain old age in thy life. Say not to them a word of contempt, nor repel them but address them in terms of Honour (Qur'an, 17:23).

These are among the (precepts of) wisdom, which thy Lord has revealed to thee. Take not with Allah, object of worship, lest thou shouldst be thrown into Hell, blame-worthy and rejected(Qur'an, 17: 39).

It is quite important to point out that these general guidelines regarding the morals were issued at the time when the establishment of Islamic state was still in the divine contemplation and had not manifested itself in the concrete shape. Meaning thereby that the above Qur'anic verses were revealed before *Hijra* and it was only the Prophetic vision of Mohammad who could visualize their real significance. In the contemporary language they can be termed as the broad outlines along which the future constitution of the governance of Islamic state, initially at *Medina* and subsequently wherever the adherents of Islam would reach, was to be unfolded in a phased manner. From *AI-Medina* the Islamic theocracy spread all over Arabia and, later encompassed the larger part of Western Asia and North Africa. The community of *AI-Medina* was miniature the subsequent community of Islam (Philip K. Hitti, 1986).

Most pertinent for this purpose was the clarity of the approach that the Islamic state is to adopt towards other religious groups that happen to constitute its populace. It is to be discussed in a threefold manner; firstly the policy of the state towards them, secondly the relations between Muslims and the rest, and thirdly the Divine sanctions about the tolerance and legitimacy of different religions other than Islam. It will be dealt with all aspects later on but at this stage it would be sufficient to quote a few verses from Qur'an in this context.

To every people have we appointed rites which they must follow; let them not then dispute with thee on the matter. But do thou invite (them) to thy Lord, for thou art assuredly on the right way (Qur'an, 22: 67).

It is not merely a system of positive moral rules, based on a true conception of human progress but it is also the establishment of certain principles, the enforcement of certain dispositions, the cultivation of a certain temper of mind, which the conscience is to apply to the ever-varying exigencies of time and place (Syed Ameer Ali,1997). Ameer Ali asserts.

The wonderful adaptability of Islamic precepts to all ages and nations; their entire concordance with the light of reason; the absence of all mysterious doctrines to cast a shade of sentimental ignorance round the primal truths implanted in the human breast,- all prove that Islam represents the latest development of the religious faculties of our being. Those who have ignored the historic significance of some of its precepts have deemed that their seeming harshness and unadaptability to present modes of thought ought to exclude it from any claim to universality. But a little inquiry into the historic value of laws and precepts, a little more fairness in the examination of facts, would evince the temporary character of such rules as may appear scarcely consonant with the requirements or prejudice of modern times. The catholicity of Islam, its expansiveness and its charity towards all moral

creeds, has been utterly mistaken, perverted, or willfully concealed by the bigotry of rival religions (Syed Ameer Ali,1997).

"Verily" says the Quran, *"those who are believers (the Moslems), and those who are Jews, Christians, or Sabceans, whoever hath faith in God and the Last Day(future existence), and worketh that which is right and good, - for them shall be the reward with their Lord; there will come no fear on them; neither shall they be grieved (Qur'an, 5: 69)"*

The same sentiment is repeated in similar words in the fifth Surah of Quran :48 and a hundred other passages prove that Islam does not confine "salvation" to the followers of Mohammed alone –*"To everyone have we given a law and a way And if God had pleased, He would have made you all (all mankind) one people(people 4 one religion) But He hath done otherwise, that he might try you in that which He hath severally given unto you; where fore press forward in good works. Unto God shall ye return, and He will tell you that concerning which ye disagree (Quran 5:48)"*

THE REAL CONNOTATION OF COLLECTIVISM - ISLAMIC PHILOSOPHY AND MODERN JURISPRUDENTIAL EXPRESSIONS

Collectivism is not something that can be achieved with a single process or action and nor is it something that depends on some specified human activities. On the contrary, it is the continuing deliberate process whereby each individual in a society realizes as a matter of habit that is developed by the intrinsic forces, his contributory role, being always aware what he is obliged to do and what he has been prohibited to do and moreover what reward he will get if he does one thing and what punishment, he will invite if he abstains from doing or does the other thing. Tom Kitwood has defined, 'the whole tenor of psychology is to suggest that concern for others begins, in the individual, in a special relationship with a very few significant persons, sometimes only one and usually no more than seven (Tom Kitwood, 1990).

No society can legitimately can itself civilized if a sick person is denied medical aid because of lack of means. Society becomes more wholesome, more serene, and spiritually healthier if it knows its citizens have at the back of their consciousness the knowledge that not only themselves but all their fellows have access to the best that medical skill can provide (Dorothy Wedderburn, 1996).

Coming to Qur'an the following mandatory obligations:

Have We not made for him a pair of eyes? And a tongue and a pair of lips? And shown him the two highways? But he hath made not haste on the path that is steep. And what will explain to thee the path that is steep? (It is) freeing the bondman; or the giving of food in a day of privation, to the orphans with claims of relationship, or to the indigent(down) in the dust. Then will he be of those who believe, and enjoin patience,(constancy, and self-restraint) and enjoin deeds of kindness and compassion. Such are the companions of the right Hand. But those who reject Our Signs, they are the (unhappy) companions of the Left Hand. On them will be Fire vaulted over(all round) (Quran ,90:8 – 20).

The concept of collectivism in the political parlance is used to denote the collective action. It may be a campaign

for the collective social welfare or the treatment of the subjects by their sovereign as a single entity instead of their individual entities. The term is generally understood in contradistinction to individualism which is generally associated with Jeremy Bentham's *laissez faire* theory whereby he advocated the maximum individual freedom and the minimum state interference. As it laid emphasis on the individual liberties, with a strong claim that an individual is the best judge of his own interests, the reverse of this theory which spoke strongly in favour of the maximum restraints on this liberty by the state agencies was in the natural course to be understood as collectivism. Both the theories, though opposite to each other, related mainly to the economic affairs of the individuals: meaning thereby that whether the more affluent and the powerful sections of the society may possess the self-governing force in their dealings with the less fortunate and weaker ones or whether the state interference is inevitably called for to achieve this objective of social balance.

If central direction of all economic activity is still sometimes demanded by serious students, this is on the different and logical argument that only in this manner could the distribution of income and wealth between individuals and groups be made to conform to some *preconceived moral standard*. Apparently a good many idealist socialists would be prepared to tolerate a substantial sacrifice of material welfare if thereby what they regard as greater distributive or social justice could be achieved (FA Hayek: 1990).

Rudiger Bittner (discussing Rawls' theory of social justice) observes: 'Rawls distinguishes two kinds of moral demands, namely, to fulfill obligations and to fulfill natural duties. One enters obligations through voluntary action and they exist based on institutions, such as an assumed office or a socially common practice, like promising. Duties do not exist based on institutions or practices, and they are not first assumed through voluntary action. All obligations fall under a principle, that of fairness. It states that one is obligated to do one's part as institutionally defined if one has enjoyed the benefits of the arrangements in question and if the latter is just. On the other hand, there are many principles of duty, corresponding to the various duties of aiding the needy, avoiding unnecessary suffering, respecting others and so forth. Rawls takes the most important of these to be the duty of justice. It requires us to comply with just institutions whose rules apply to us and, if these institutions do not yet exist, to help them come into being (Rudiger Bittner, 1989). The imperative need for collective action and the high standards of idealism in social relations have been stressed by Dorothy Wedderburn in the following expression:

'No society can legitimately call itself civilized if a sick person is denied medical aid because of lack of means. Society becomes more wholesome, more serene, and spiritually healthier if it knows its citizens have at the back of their consciousness the knowledge that not only themselves but all their fellows have access to the best that medical skill can provide (Dorothy Wedderburn, 1996).'

Ian Adams elaborating about the social welfare society states that modern welfare state - Keynes's formula appeared to solve one of the most central and intractable of social problems, unemployment, which was a key to poverty and its attendant social problems. However, it was another liberal William Beveridge, who was to make this the basis of a

comprehensive welfare state, set out in his report "Social Insurance and Allied Services [1942]". Taking full employment as a basic assumption, Beveridge designed a system of social security that would protect every citizen 'from the cradle to the grave'. His vision was of a civilized society in which none would be denied the necessities of education, health care, work or decent housing because of poverty. That a society without fear in which all had the opportunity to develop to their full potential. It was only after the Second World War that these ideas were put into practice in Britain (Ian Adams, 1993). Law then emerges as the evaluation of the interests by the interweaving interests. Laski writes.

'To make the irrational luxury of a few the source of social prestige is to multiply in society every avenue of meaningless waste that it can exploit. We must set our canons of conduct by other standards.' 'For in politics the best means always the best possible; and prudence in the measurement of possibilities is the first virtue in a statesman.' 'No nation can hope to survive, no civilisation has ever survived, in which there is a permanent division of its people into rich and poor (Harold J. Laski, 1982).'

Highlighting the concept of the duties to neighbours which is the first step towards collective action and wherefrom the whole structure of social harmony commences, M.R. Griffiths and J.R. Lucas observe.

'Duties to neighbours- Three different sets of neighbours may be identified; the local community, the national state, and - perhaps - the whole of mankind. In addition, we can identify a non-personal neighbourhood, the environment, as being also a focus of concern (MR Griffiths and JR Lucas, 1996).'

The basic foundation of law has long been subject to some comprehensive debate. The writers like Hobbes concluded that it is the dread of each other that originally inspired the creation of the state and still continues to be the basis of organized social actions that emanate from the state agency. In a limited manner it may hold good. If we analyze the creation of the first Islamic state in Medina, the Hobbes' hypothesis may be justified. Before the arrival of the Prophet of Islam, the whole of Medina was continually afflicted by the tribal warfare that had made the life troublesome for the whole populace. In order to ensure peace, almost all the tribes agreed to install a common sovereign in the form of the Prophet Muhammad. However, once that phase was over, it was rather unrealistic, if we say that their continued harmony was based on the feelings of fear. J.S. Mill has highlighted this aspect of the foundation of the state in the following words.

'We may cite, in the first instance, those who assume as the principle of their political philosophy that government is founded on fear; that the dread of each other is the one motive by which human beings were ordinarily brought into a state of society and are still held in it. Some of the earlier scientific inquiries into politics, in particular Hobbes, assumed this proposition, not by implication, but avowedly as the foundation their doctrine, and attempted to build a complete philosophy of politics thereon. It is true that Hobbes did not find this one maxim sufficient to carry him through the whole of his subject, but was obliged to eke it out by the double sophism of an original contract. (J.S. Mill, 1987).'

THE MANIFESTATION OF COLLECTIVISM FROM VARIED STAGES OF ALTRUISM

Thus in the whole structure of social hierarchy, no category of persons is worthless and their worth is to be ascertained by the criterion as to what would have happened in the society if they were not there. Instead of looking down upon the labourers as belonging to the lowest social strata, the capitalist class must have the feeling that its entire capitalist structure could not have stood up, if they (labourers) were not in the society. In fact, in the absence of the working class, no such category as the capitalists could have been possible. No human being is complete and self-sufficient in this world and, therefore, howsoever great powerful, affluent or influential one might be, he cannot survive without the help of others. This help is not only based on the munificent gesture of the mighty towards the weak or of the wealthy towards the poor but it is equally applicable in the completely reverse situations also.

More dialectically, the recognition that increased prosperity of some can go with continued deprivation of others has also strengthened the argument for special commitment to those who are less favoured by the economic process. The socialist critique, which links with disparities in capitalism, remains relevant today, even though the particular socialist remedies have been much undermined by practical failures. The importance of looking for fresh institutional answers cannot be overstated, but the need for dealing with inequalities and deprivation remains as strong as ever (Paul Barker 1996).

Any community that actually attempts to make people equal in well-being would need a collective identification of what well-being is - of what makes one life better or more successful than another - and any collective identification would violate both the principles of ethical individualism. Since different people have very different ambitions and ideals for their lives, a community that based its entire system of production and distribution on a single, collective answer - for example, that a successful life is one with as much pleasure as possible - would hardly treat everyone with equal concern. And it would, in any case, violate the principle of special responsibility, which reserves that decision to individuals (Ronald Dworkin, 1996).

The human feelings of empathy and compassion always remain active if one is sensitive to the suffering and deprivation of others. This sensitivity, as a living human force can be developed only by the habit of deriving solace from those inferior to one.

This noble principle of human behaviour finds one of its best expressions in the observation of Martin Bolt and David G. Myers: "The dissatisfactions bred by adapting to affluence are empowered when we compare our self with others. When climbing the ladder of success people look up not down. They pay attention to where they are going usually neglecting where they have come from. Such upward comparison further whets human appetites." (Martin Bolt and David G. Myers 1989) "Poverty" said Plato "consists not in the decrease of one's possessions but in the increase of one's greed (Martin Bolt and David G. Myers 1989)."

The social dilemmas can be solved only through process of participatory social choice, including open dialogues and

debates. The stakes include the ultimate ends, but also the practical means, and most importantly, the procedures through which these ends and means are assessed. Universal guidance, even by the very best of experts does not, in itself offer a solution (Paul Barker 1996).

The imperative significance of altruism in social relations, which means that one does not only realizes the needs of others but also makes positive efforts to fulfill them according to the means available, has been emphasized by all the writers and jurists who think that a strong social structure is a pre-requisite condition for the healthy growth of a society. The viability of a society depends on the extent to which one individual extends cooperation to the other.

'In order to avoid the unwelcome effects of inadequate cooperation, we are advised at least to appear altruistic to some extent. So that others can be sure of our own cooperation and will thereby be induced to cooperate themselves, however, we are also advised actually to internalize the rules of moderate altruism (Rudiger Bittner, 1989).'

Theodore Roosevelt has defined this human quality quite metaphorically 'We do not admire the man of timid peace. We admire the man who embodies victorious efforts: the man who never wrongs his neighbour: who is prompt to help a friend: but who has those virile qualities necessary to win in the stern strife of actual life. (Theodore Roosevelt. 10 April 1899).'

Coming to Qur'an, the following mandatory obligations lay down the basic principles of altruism in the hierarchical order. It is not only a universal guidance but a universal duty associated with faith - something that the adherents of Islam are to discharge, if they claim that they are really faithful and are sincere in escaping from the eternal chastisement.

'They ask thee what they should spend (in charity), Say: Whatever wealth ye spend that is good. Is for parents and kindred and orphans and those in want and for wayfarers. And whatever ye do that is good. - Allah knoweth it well' .(Quran, 2: 215).'

The ideas on mutual cooperation and altruism have already been laid down in Qur'an which ordains,

'So give what is due to kindred, the needy and the wayfarer, that is best for those who seek the Countenance of Allah, and it is they who will prosper.' (Quran, 30: 38).

The fabric of social life is exceedingly fragile, constantly in need of maintenance and repair. 'Its particular threads can be destroyed in the simplest of ways: through quarrels, betrayals, envy, neglect, individual arrogance - the direct effect of people acting upon one another (Tom Kitwood 1990).'

The whole foundation of altruism and empathy is based on striking a harmonious balance between the self interest and the welfare of the community to which one belongs. Those who negate completely the self interest are simply indulging in philosophical fantasies or an utopian thought that are impossible to realize in this world. No society can survive which does not allow the first priority to self-interest in the actions of an individual. There may be certain cases but they do belong to what may be described as mystic or monastic order, not to the common man.

However, it is most relevant that because of the presence of the heterogeneous elements in every society, its affairs are always governed by different norms: sometimes affection and altruism play the vital role.

So these hypotheses are treated as a revolutionary jump in the political field but they fail to highlight the basic forces which may command the voluntary exhibition of such munificent sentiments in the mutual relations of a society. So if we examine the Quranic injunctions, we find the right answer. It not only enjoins the mutual compassion and empathy but also appeals to the inner human instincts to follow these ideals and links them directly to the faith so that their compliance is rendered an easy task. Qur'an enjoins:

'Have We no! made for him a pair eyes? And a tongue and a pair lips?

And shown him the two highways ?' (Quran 90:8)

The whole of Islamic social, political, religious and spiritual structure is based on harmony which finds its echo in every Qur'anic mandate. Thus, Claudia Liebeskind, who has written from a totally misconceived angle that these concepts were taken from the Greek philosophy, says:

'New Concept of the body – Classical Islamic Theory saw the human body as an extension of the soul. Human being were microcosms mirroring the Universe, the microcosm. Both were considered to have a body and soul. The cosmic soul governed the universe, and the human soul the individual (D. Brandenburg, Islamic miniature Painting in Medical Manuscript, Editions (Roche), Basle 1984,p9). Cosmic forces affected the human being and so did other creatures. People were seen to live in harmony with the environment and were influenced by it. The concept of harmony and balance were central to Islam (Claudia Liebeskind, 1998).'

Detaching economic life from religious life also came as the result of a historical process, an important event being the Church capitulating to Capital in no longer opposing interest (1495). Military life was detached through nationalism, fighting for the nation rather than for God. Gradually, religious life became a narrow segment of the human condition, as one segment after the other became secularized. Finally came the attack on faith itself, substituting reason through Enlightenment (Claudia Liebeskind, 1998).

The distinction which is frequently reiterated in Qur'an between the human beings is based on faith, i.e. the believers and unbelievers. It is in the same manner as a division in the modern state is made between its own citizens and the aliens the state can never afford to give the same facility to both and treat them at par with each other. If it is done, the very sovereignty of the state and its integrity may be jeopardized. Even in the smaller social units such a family, despite all the belief in the social equality, family members and outsiders cannot be placed on an equal footing. Thus, while on the one hand the believers are exhorted not to fall into disputes on the other a distinction is made between the believers and the hypocrites, based on their characteristics. The following verses of Quran command:

'And by Allah and His Messenger; and fall into no disputes, lest ye lose heart and your power depart; and he pa-

tient and persevering: For Allah is with those who patiently persevere (Quran, 8: 46). '

'The Hypocrites, men and women, are like: They enjoin evil, and forbid what is just and tighten their purse's strings. They have forgotten Allah: So He hath forgotten them, Verily, the hypocrites are rebellious and perverse (Quran, 9: 67)'

Islam, no doubt makes a distinction between the believers and nonbelievers but that distinction is made for ensuring the internal harmony within the Islamic society and not for discriminating against the adherents of other religions. Muslim rulers, who ruled according to the spirit of Islam, never showed any intolerance towards other faiths.

The best testimony to the toleration of the early Muslim government is praised by the Christians themselves. In the reign of Usman (the third Caliph) the Christian Patriarch of Mery addressed the Bishop of Fars named Simeoh in the following terms:

'The Arabs who have been given by God the Kingdom [of the earth] do not attack the Christian faith; on the contrary they help us in our religion; they respect our God and our Saints and bestow gifts on our churches and monasteries (Syed Ameer Ali, 1997).'

In every society, there is a certain amount a certain kind, 'alternation tolerance'. Remaining within the limits of this tolerance is what is generally termed 'normativity'. And, if normativity is the case, mutual recognition can also be the case. The self grants recognition to the shared meaning, recognition to the shared world, whilst claiming recognition for itself. (Agnes Heller, 1988) The basic connotation of such social tolerance has been stressed in Quranic injunctions.

CONCLUSION

The true nature of collectivism always arises when all the human cognitive faculties and loyalties are directed towards one single goal. If there is a division in the human character in regard to the external manifestation and internal convictions, a sort of double character comes into picture which in its turn leads to many social fallacies and spiritual hypocrisies.

That there must be the feelings of cooperation, compassion and altruism in society. If it is to survive as a viable political and social entity, has had no division of opinion. However, what must supply a natural stimulus to the members of a society to work for the fulfillment of these ideals has eluded unanimity at all times. It is generally conceded that the real inspiration for this purpose comes not from the gospels of morality but from the abstract notion of faith which link every action to something which remain incurable for human cognition. These abstract notions produce certain values which are commonly shared by all the members of that group. Once that social set-up or group comes into existence, then the emergence of the spirit of collectivism and the spontaneous compliance with it is the natural process.

The Quran insists that these ideals must have their consequences on the practical plane of collective human life. A true belief in our common human origin means that we should always be mindful of our status as members of a single human family. It also means that we should always be-

lieve in the universal ideal of the unity of humankind and human brotherhood. This ideal would serve as an excellent philosophical framework for the societal pursuit of the common good and social symbiosis in a pluralistic world through the progressive realizations of mutual acquaintance and understanding and mutual cooperation.

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