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The Role of Sovereignty (*Ḥākimiyya)* in Islamic (Qutbian) Thought: A Comparison with Christian (Hobbesian) Tradition

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Abstract
This essay will examine the theological basis of Thomas Hobbes' *Leviathan* and whether or not such a politico-religious framework is amenable to a conceptualization of an Islamic state. To proceed with this comparison, I will discuss points of similarities and differences between Hobbes' Christian Commonwealth and the articulation of Islamic government in the writings of Sayyid Qutb, especially through an analysis of their use of the concept of *Sovereignty* (or *Ḥākimiyya*), or the *Sovereign.* Sayyid Qutb was an Islamic theorist and author who lived in the 20th century and presented a modern perspective on the social and political role of Islam. Thomas Hobbes lived during the English Civil Wars in the 17th century and was inspired by the idea of a Christian Commonwealth that could yield the power to unify all Christians and prevent more violence. Both Hobbes and Qutb provide comprehensive frameworks for what a Christian or Islamic polity could look like, and can thus be put in conversation with each other.
Keywords: Thomas Hobbes, Sayyid Qutb, sovereignty, political theory, religious state

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1. Introduction

This essay will examine the theological basis of Thomas Hobbes' *Leviathan* and examine whether such a politico-religious framework is amenable to a conceptualization of an Islamic state. To proceed with this comparison, I will discuss points of similarities and differences between Hobbes' Christian Commonwealth and the articulation of Islamic government in the writings of Sayyid Qutb, especially through an analysis of their use of the concept of *Sovereignty* (or *Ḥākimiyya*), or the *Sovereign.* To be clear, the feasibility of an "Islamic state" is not one that is agreed upon by Muslim scholars; instead, it seems to be an idea that has gained currency in the modern period, as a reaction to Western impositions on the Muslim world. Nevertheless, there can be found a strong defense in Islamic tradition of a government based on Islamic principles, such as the one found during the time of the founding of Islam in the 6th century CE (Watt 1977). Sayyid Qutb was an Islamic theorist and author who lived in the 20th century, and presented a modern perspective on the social and political role of Islam. Both Hobbes and Qutb provide comprehensive frameworks for what a Christian, and Islamic polity could look like, and can thus be put in discussion with each other. Both thinkers push back against Enlightenment ideals of secularism as the only path to achieve a tolerant and peaceful state.

The question of how religion and politics can co-constitute each other is an enduring one that is being grappled with anew with the politicization of religion by fundamentalists, whether in the US or in the Middle East. In truth, it seems that no religious scripture, whether the Bible or the Qur'an, is sufficient to provide the constitutional, legal and social framework for a political state. Thus, there is no one "Christian Commonwealth" or "Islamic state," but many different conceptualizations. There are also religious scholars who posit that religion has no place in politics and should be relegated to the private sphere. In fact, as will be shown, Hobbes himself does not seem to prioritize Christian beliefs over political ones, and so his theory of a religious state may not be as benign as it is presented. And Qutb's concept of sovereignty does not distinguish between the political and the theological, which may present analytical problems (Pasha 2018, 1). It is important to place both Hobbes and Qutb within this larger context as two particular understandings of the convergence of religion and politics; they are by no means authoritative.

2. Sovereignty

The idea of sovereignty is a concept that also has variant definitions. Our modern day understanding of the idea of "sovereignty" is one that refers to supreme

power. It is closely aligned with the birth of the modern state and is strengthened by moments in history, such as the Peace of Westphalia in 1648, which partitioned the world into "sovereign states" (Brodie 2014, 11-12). For Hobbes, the notion of sovereignty finds its embodiment in the all-powerful capacity of the Sovereign, who represents the head of Leviathan, or the Christian Commonwealth. Referring to this "Mortal God," Hobbes says,

> For by this authority, given him by every particular man in the commonwealth, he hath the use of so much power and strength conferred on him that by terror thereof he is enabled to conform the wills of them all to peace at home and mutual aid against their enemies abroad. (Hobbes 1994, 109)

For Hobbes, the idea of sovereignty is representative of the supreme authority of an individual to coerce others into submission and obedience, by threat of force. This is similar to the realist understanding of sovereignty as built on power that is prevalent in international relations today.

For Qutb, this idea of human sovereignty is insufficient to describe Islamic governance. Using verses of the Qur'an, he shows that in Islam, *Ḥākimiyya* is "the Sovereign of sovereignty. *Ḥākimiyya* is the characteristic of divinity Whose rule is immediate, and Whose commands, as in the Qur'an, embody the law and constitution of the nation of Islam" (Khatab 2006, 28). Qutb's understanding of sovereignty places power only at the hands of God, and this power is then entrusted to an Islamic government, which can interpret it and legislate under the authority of God. This difference in Hobbes' and Qutb's conceptualizations of where sovereignty is to be situated in a religious state, whether in the hands of an earthly ruler or with God, accounts for many interesting points of comparison in their respective visions of government. Both see their respective Sovereigns as having absolute authority, but while the Hobbesian subject submits to the Sovereign, or "God's lieutenant," out of fear for his own self-preservation, the Qutbian subject submits to the ruler of an Islamic government out of spiritual love and obedience, and is well-aware that ultimate sovereignty belongs to God. Thus, in the Qutbian state, *Ḥākimiyya* is part of a natural law of divinity, the ruler is subject to laws and the ethics of justice, and must work through *shura* (consultation) with the Muslim community. For Hobbes, on the other hand, the Sovereign must use reason over natural law, is above the restraints of law and justice and is wholly independent in his decisions.

2-1. Sovereignty from Above: Authority over Subjects

Both Hobbes and Qutb view their respective Sovereigns as having absolute authority over their subjects. For Hobbes, this authority is derived directly from God, and the Sovereign plays the role of God's vicegerent on earth. According to

Hobbes, "[Since] our Saviour hath denied his kingdom to be in this world, seeing he hath said, he came not to judge, but to save the world, he hath not subjected us to other laws than those of the commonwealth" (Hobbes 1994, 355). Hence, only the Sovereign is given divine power to establish laws and to rule over a Christian Commonwealth, until the second coming when Christ will resume his earthly throne (Hobbes 1994, 313). Hobbes further states, "It is impossible a commonwealth should stand where any other than the sovereign hath a power of giving greater rewards than life, and of inflicting greater punishments than death" (Hobbes 1994, 301). In Hobbes' Christian Commonwealth, the Sovereign has absolute power over his subjects not only in this world, but in the Hereafter.

In Qutb's political theory, sovereignty is only to be placed in God's hands. He says,

> Neither the elected president nor his consultants or advisers are divine or divinely chosen. The point then is that the government in Islam legitimizes its authority not through the result of election but through its activity to facilitate the application of the law of the sovereignty (*Ḥākimiyya)* of Allah. (Khatab 2006, 35)

In this case, there is a split between the source of *Ḥākimiyya*, and its administration. *shariʿa,* or the application of law, is the other side of *Ḥākimiyya*, and it is established based on Islamic traditions, as well as schools of *fiqh,* or jurisprudence. According to Qutb, Islamic *shariʿa* is

> everything that God has prescribed to order human life. This takes the form of the fundamentals of belief, the fundamentals of government, the fundamentals of behavior and the fundamentals of knowledge. It takes the form of the creed and the conception and all the components of this conception. It takes the form of legislative decisions and it takes the form of principles of ethics and behavior. It takes the form of the values and standards that rule society and by which people, things and events are evaluated. Then it takes the form of knowledge in all its aspects and of all the fundamental principles of intellectual and artistic activity. (Qutb 1995, 298)

Qutb also describes *shari'a* as relying on "clear codes, the conscience of the judge and society's observations of its injunctions" (Qutb 1993b, 126-7). *Shariʿa* is thus mutually enforced by the ruler and the ruled, and is intended to convey the *spirit* of Islam, as depicted in the Qur'an and *Sunnah* (traditions of the Prophet). While *Ḥākimiyya* belongs to God, the application of His sovereignty takes place through *shariʿa,* to be decided through a dialectical process within the Islamic community.

2-2. Sovereignty from Below: Subjection of Subjects

In *Leviathan*, subjects submit to the Sovereign out of fear for their lives. As we know, life in Hobbes' state of nature is "solitary, poor, nasty, brutish, and short" (Hobbes 1994, 76). Subjects thus come together for their own self-interest and willingly give over their freedom to a Sovereign who will be powerful enough to protect individuals from the violence that is inherent in human nature. But Hobbes says that the covenant must be maintained by the threat of violence as well:

> The force of words being […] too weak to hold men to the performance of their covenants, there are in man's nature but two imaginable helps to strengthen it. And those are either a fear of the consequence of breaking their word, or a glory or pride in appearing not to need to break it. This latter is a generosity too rarely found to be presumed on. (Hobbes 1994, 87)

For Hobbes, this voluntary submission to the absolute rule of the Sovereign leads to a definition of liberty imbued with negative ontological significance —"liberty, or freedom, signifieth (properly) the absence of opposition" (Hobbes 1994, 136). Furthermore, "fear and liberty are consistent" (Hobbes 1994, 136) and "liberty and necessity are consistent" as well in Hobbesian political theory. He elucidates on this negative conceptualization of liberty as follows: "Generally all actions which men do in commonwealths for *fear* of the law are actions which the doers had *liberty* to omit" (Hobbes 1994, 137, original italics). Men have liberty to the degree which they are enticed by fear to submit to the Sovereign, for their own self-interest.

For Qutb, Islamic government requires subjects to submit to the ruler as a duty, out of love and obedience, to God. There is emphasis in Islam on worship of God and obedience to Him as being the primary purpose of man's life on earth. The word Islam itself means submission and obedience to God. For a Muslim, worship penetrates into all aspects of life: "Qutb's view is simply that true worship is (i) submission to Allah alone in the conscious; and (ii) every action in this life must be physically and mentally fulfilled as an act of worship" (Khatab 2006, 53). For Qutb, obeying a political ruler must also be a means to the worship of God, and not man. This brings forward a radically different view of liberty and freedom from Hobbes. Qutb says,

> The most specific divine quality is *Ḥākimiyya* (sovereignty), so that those who legislate for the people represent the Divinity and reflect its attributes. In this case [of secular government], the people are servants of those individuals rather than of Allah, and their creed is also the creed of this individual, not the religion of Allah. The People are servant of the people. However, when Islam recognizes *Shariʿa* as the right of God, it liberates the people from the rule of another human,

> and is equal in this affair with all people before the Lord of all people […]. (Qutb 1992, 1256, Arabic omitted)

For Qutb, liberty is attained when one is no longer subject to man, but only to God, in Whose sight everyone is equal. When one submits to God completely, she achieves a freedom based not on individual self-interest, as in Hobbes, but based on the larger purpose of God's decree.

3. The Role of Reason

Due to these differences in their conceptualizations of sovereignty, and thus, liberty, there are major differences in the Hobbesian and Qutbian models of governance, especially as related to the compatibility of natural law with sovereignty, the role of laws and justice as a means of limiting the power of the executive, and the extent to which the state is governed in consultation with the subjects. For Hobbes, it seems that "natural law" must be reckoned with through the use of reason in order to live within the Christian Commonwealth. He says,

> I have derived the rights of sovereign power and the duty of subjects, hitherto from the principles of nature only […]. Nevertheless, we are not to renounce our senses and experience, nor (that which is the undoubted word of God) our natural reason. For they are the talents which he hath put into our hands to negotiate till the coming again of our blessed Saviour; and therefore not to be folded up in the napkin of an implicit faith, but employed in the purchase of justice, peace, and true religion (Hobbes 1994, 245).

For Hobbes, since God has given us reason, it is only natural that we employ reason to understand and re-interpret the aspects of natural law that are not conducive to our self-interest. Chapters 3 and 4 in *Leviathan* can be understood as an exercise in rationalizing religion in order to justify the Christian Commonwealth and the absolute power of the Sovereign, since it is difficult to obey both God and the civil sovereign (Hobbes 1994, 398). For Hobbes, natural law is quite compatible with rationality; indeed, the law of nature must be found out with reason (Hobbes 1994, 79). In this way, man must employ his rationality to understand nature according to his needs (of self-interest) above other motivations such as emotions or spirituality. Hobbes' metaphor of the "artificial man" (Hobbes 1994, 3) to represent the Christian Commonwealth, with the Sovereign as the head holding disproportionate power, illustrates a criticism of Western philosophy in which the rational mind (or "head") is given precedence over the rest of the body (representing emotion and other subjective forms of knowledge).

On the other hand, the Qutbian model of Islamic governance emphasizes the role of religious belief over self-interest and rationality. *Ḥākimiyya*, or sovereignty,

is part of the natural law of the world and encompasses man's rationality. In fact, Qutb believes that man's reason is very limited in scope and depth without belief in an All-Knowing God (Khatab 2006, 66). Accordingly,

> The function of human intellect is limited in time and place, and it is therefore not the sole source of truth. The function of human intellect is obviously subject to human circumstances and environmental factors that characterize the transience of human affairs. Human intellect cannot provide a well-balanced system for human life or serve, in absolute sense, in place of the revelation (Khatab 2006, 86, Arabic omitted).

For Qutb, man is not able to understand the reason for his existence or his needs without his Creator and His teachings, through revelation. In fact, Qutb believes that it is man's innate spirituality, not rationality, which can help him understand and recognize God. For Qutb, "Allah endowed every human being to enable him to realize the sovereign Will, expressed in the nature of Man or in the nature of the surrounding universe" (Khatab 2006, 80). In light of the natural laws of God, human rationality plays a very limited and subjective role for man's life on earth. This changed perspective of rationality as something "objective"' to something "subjective" turns the Western philosophical assumption of rational superiority on its head.

Since rationality has been shown to be an insufficient basis for the building of an Islamic government, according to Qutb, *Ḥākimiyya* is understood as consistent with *Tawhid,* or Unity, of the universe. Qutb explains this Unity in the following way:

> *Tawhid* is that Allah is the Lord and Sovereign of people not merely in their beliefs, concepts, consciences, and rituals of worship, but in their practical affairs […]. There is no one in charge of the universe or even one's own affairs except Allah […]. This is why Muslims turn to Allah for guidance and legislation in every aspect of life, whether it be political governance, economic justice, personal behavior, or the norms and standards of social intercourse (Qutb 1995, 197).

One of the other central attributes of God, along with *Hakīm* (the Sovereign) is *Aḥad* (the One), which signifies God's singularity and unity with His creation. The concept of *Tawhid,* or unity with the creation of God, is a reflection of this attribute of God and is a core principle of Islamic thought. The idea of *Tawhid* may be compared to Hobbes' notion of the "law of nature," in that both are laws that govern man's natural state, or universe, although for Hobbes these laws are only accessible through our reason. For Qutb, the laws of nature, or *Tawhid,* are sacred and are not accessible to man's intellect, except through obedience to God. To summarize, *Ḥākimiyya,* or sovereignty, is harmonious with the natural law of unity, and contains man's reason.

4. Limits of Sovereign Power

Since Hobbes' Executive of government, or the Sovereign, is absolute, his powers are not limited by laws or normative notions of justice. The only rightful legislator in the Christian Commonwealth is the Sovereign, and all subjects are required to observe the laws which he has set out. However, he himself is not bound by them:

> The sovereign of a commonwealth, be it an assembly or one man, is not subject to the civil laws. For having power to make and repeal laws, he may, when he pleaseth, free himself from that subjection by repealing those laws that trouble him. (Hobbes 1994, 174)

It is evident that the Sovereign can change laws easily and is under no obligation to abide by them – or to unwritten codes of what is just and unjust. Hobbes says, "For when a covenant is made, then to break it is *unjust*; and the definition of Injustice is no other than *the not performance of covenant*. And whatsoever is not unjust, is *just*" (Hobbes 1994, 89). Just as he has a negative definition of liberty, it seems his definition of justice is more a negative characteristic than a moral code. Moreover, since it is only unjust to break a covenant, the Sovereign is exempt from such a possibility since he is the recipient of all his subjects' covenants and does not himself give up any freedom in a covenant. Hobbes states, "It is true that they that have sovereign power may commit iniquity, but not injustice" (Hobbes 1994, 113). The power of Hobbes' Sovereign is not hindered by laws or moral constraints.

For Qutb, the executive of the Islamic state does not hold sovereignty, for that belongs to God alone. As a result, the executive is not considered infallible, and his power is limited by laws and norms of justice. Qutb says,

> Every government that is based on the principle that *Ḥākimiyya* belongs to none but Allah and them implements the *shariʿa,* is an Islamic government […] The obedience of the people is to be given only if, and as long as, the government recognizes that *Ḥākimiyya* belongs to Allah alone and then implements the *shariʿa* without any qualification other than justice and obedience. (Qutb 1993a, 82)

In the Islamic state, the ruler is only legitimized if he obeys the sovereignty of God with obedience and regard for justice. This is in stark contrast to Hobbes' Leviathan, who wields absolute power. For Qutb, the executive need not be obeyed if he departs from Islamic laws and constitution. Moreover, he is accountable to his subjects to act within the constraints of justice. Qutb says,

> Justice comes from the law itself […]. For correct application of this law, Islam relies on its clear codes, the conscience of the judge and society's observations of its injunctions. Every individual in the Muslim society is obligated to prevent injustice, to admonish the ruler whenever he exceeds his limits. (Qutb 1993b, 126-7)

A moral code of justice is required not only from the ruler but from each subject in order to place limits on the ruler. Thus, the executive is accountable both to Islamic laws and the expectations of the subjects, so that he may act in an equitable manner.

5. Role of Consultation with Subjects

For Hobbes, the Sovereign must act independently in all legislative capacities. Although he may appoint judges and counselors, he is not obligated to listen to them (Hobbes 1994, 180). For Qutb, the principle of *shūrā*, or consultation, is a vital part of Islamic government. Through an injunction in the Qur'an, he shows that it is mandatory as a form of civil worship alongside other requirements such as the paying of alms, or charity (Hobbes 1994, 29). For Qutb, "consultation (*shūrā)* is applied to all cases and affairs in which Revelation does not provide a specific method or the necessary guidance" (Khatab 2006, 29). Not only are subjects required to hold the ruler to standards of justice, as shown earlier, but they must also help legislate and advise the executive. While the Hobbesian Sovereign is wholly independent and governs over self-interested individuals, the Qutbian ruler works with his community in order to enact an Islamic government that is compatible with God's *Ḥākimiyya,* or sovereignty. This difference may point to the way that modern Western philosophy favours the individual over the community, and also leads to laws designed to protect the individual and his property.

6. Conclusion

This discussion of the differences between the ideals of a religious state proposed by Hobbes and Qutb has lent itself to an analysis of their different interpretations of Sovereignty, and its implications for various aspects of governance. Specifically, Hobbes places sovereignty in the hands of the Sovereign, who uses reason to master the laws of nature, and escape limits on his power placed by laws, justice and cooperative decision-making. The Sovereign rules through fear and appeals to the rational self-interest of his subjects. On the other hand, Qutb's executive does not claim divinity or yield absolute power, and sovereignty is placed in the hands of God instead. This leads to a conceptualization of liberty that is based on spiritual obedience to *Tawhid,* or the Oneness of God and His creation. Qutb's executive thus works as part of a natural law of divinity, is subject to the law and codes of justice, and must utilize *shūrā,* or consultation with subjects, as part of his rule.

These are only a few points of comparison between Hobbes' and Qutb's visions of a religious state. For further research, it would be fruitful to compare both writers' views on property, and the role of the Other who opposes the religious

state. For Hobbes, this seems to be the Catholic Church, while for Qutb, it is the *jāhiliyya*, or the West (Khatab, 2010; El-Jaichi, 2021). While these comparisons shed light on two models of religious governance, it must be kept in mind that these are theoretical projects that may not ever be feasible within current-day power structures. Nevertheless, they give lie to the modern assumption of secularism that religion and politics cannot be combined in a complementary way. Even more, they show that some of the broader themes between both perspectives, such as the tensions between rationality and revelation, and individual and community, are already a part of the fabric of world politics today.

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