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1

Hazrat Ali's Charter of Good Governance

When Hazrat Ali appointed Malik bin Ashtar as the Governor of Egypt he gave him a Charter for the Good Governance of his Province and its people. It is a long Charter and much as I would like to read the whole to you constraints of time do not permit me to do so. Permit me then to read those portions of this historic Charter as relate to the Code of Life, the principles of jurisprudence and the administration of justice.

A

"I order you Malik to always keep fear of God in your mind; to give priority to His worship and to give preference to obey his order over every other thing in life; to carefully and faithfully follow the commandments and interdictions as are given out by the Holy Book and traditions of the Holy Prophet (A.S). Because success of man to attain happiness in this world and the next depends upon these qualities and a failure to achieve these attributes brings about total failure here and hereafter."

B

"Remember Malik that amongst your subjects there are two kinds of people; those who having the same religion as yours and they are brothers unto you and those have other religions that yours and yet are human beings like you.

Men of either category suffer from the same weaknesses and disabilities that human flesh is heir to: they commit sins, indulge in vices either intentionally or foolishly and unintentionally without realizing the enormity of their deeds. Let your mercy and compassion to their rescue and help in the same way and to the same extent that you "expect God to show mercy and forgiveness to you."

C

"So far as your own affairs or those of your relatives and friends are concerned take care that you do not violate the duties laid down upon you by God and usurp the rights of mankind, be impartial and do justice."

D

"You must always appreciate and adopt a policy which is neither too severe nor harsh nor too lenient, a policy which is based upon equity and justice and which will be largely appreciated and liked. Remember that displeasure and disapproval of common men, have-nots and depressed

person more than overbalance the approval of important person; and displeasure of few big people will be excused by the Lord if the general public and the masses of your subject are happy with you. Remember, Malik! That usually these big personages are mentally the scum of human society, they are the people who will be worst to drag upon you during your moments of peace and happiness, and the least useful to you during your hours of need and adversity; they abhor equity and justice the most; they will keep on demanding more and more out of the State resources, and will seldom be satisfied with what they receive and will never be obliged for the favor shown to them; if their demands are justifiably refused they will never accept any reasonable excuse or any rational reason; and when time changes you will never find them staunch, faithful and loyal. While the common men, the poor and apparently the less important section of your subject are the pillars of Islam, they are the real assemblage of Muslims and the power and defensive force against the enemies of Islam, keep an open mind for them, be more friendly with them and secure their confidence and sympathy.”

E

“Collect and gather honest, truthful and pious people around you as your companions and friends. Train them not to flatter you and not to seek your favors by false praises. Because flattery and false praises create vanity and conceit, they make one lose sight of one's real self and one's duties.”

F

“The thing which should most gladden the heart of a ruler must be the fact that his state is being ruled on the principles of equity and justice and that his subjects love him. And your subject will love you only when their hearts are not sore against you. Their sincerity and faithfulness will be proved if they gather around you to support your Government when they bear your authority without considering it an unbearable burden on their heads and when they do not constantly wish your rule come to an end. So let them have as many justifiable hopes in you as they can and fulfill as many as you reasonably can. Speak well of those who deserve your praise. Appreciate the good deeds done by them and let these good actions be known publicly. The correct and timely publicity of noble actions and golden deeds creates more zeal in the minds of braves and emboldens the cowards and weaklings. You must know and realize the good deeds done by every single individual, so that the credit of noble deeds done by one may not be attributed to another. Do not underestimate and underpay the good work done, similarly do not overpay a work simply because it has been done by a very important person

and do not let his position and prestige be the cause of overvaluation of the merit of his work, and at the same time do not undervalue a great deed if done by a very ordinary person or a commoner. Let equity, justice and fair play be your motto.”

G

“So for as dispensing justice is concerned you have to be very careful in selecting officers for the same. You Must select people of excellent character, superior calibre and meritorious record. They must possess following qualification. Abundance of litigation and complexity of cases should not make them lose their temper. When they realize that they have committed a mistake in judgment they should not persist upon it or should not try to justify it. When trust is made clear to them or when right path opens up before them, they should not consider it below their dignity to correct the mistake made or to report upon the wrong done. They should not be corrupt, covetous or greedy. They should not be satisfied with ordinary enquiry or scrutiny of a case but scrupulously go through all the pros and cons, must examine every aspect of the problem carefully, and whenever they find doubtful and ambiguous points they must stop go through further details, clear the points and only then proceed with their decisions. They must attach greatest importance to reasonings arguments and proofs. They should not get tired with lengthy discussions and arguments. They must exhibit patience and perseverance in scanning the details, in testing the points presented as true and in sifting facts from fiction and when the true presents itself to them they must pass their judgments without fear, favour or prejudice. They should not develop vanity and conceit when compliments and praises are showered upon them. And they should not be misled by flattery and cajolery. But unfortunately there are few persons having such characteristic. After you have selected such men, to act as your judges, go through some of their judgments and check their proceedings. Pay them handsomely so that their needs are fully satisfied and they are not required to beg or borrow or resort to corruption. Give them such a prestige and position in your state that none of your courtiers or officers can overlord them or bring harm to them. Let judiciary be above every kind of executive pressure or influence, above fear or favour, intrigue or corruption. Take every particular care of this aspect because before your appointment this State was under sway of corrupt, timeserving and wealth-grasping opportunists who were lewd, greedy and vicious and who wanted nothing out of a state but a sinful consent of amassing wealth and pleasures for themselves.”

H

“Remember Malik! If a country is prosperous and if its people are well-to-do, happily willing

to bear any burden. The poverty of people is the actual cause of the devastation and ruination of a country, and main cause of the poverty of people is the desire of its ruler and officers to amass wealth and possession whether by fair means or foul.

They are afraid of losing their posts or position and sway rule, and want to make the most during the shortest time at their disposal. They never learn any lesson from history of nations and never pay any attention of the orders of God.”

I

“I want to advise you about businessmen and industrialists. Treat them well. And order your officers to follow the same policy. They may be local businessmen carrying on their trade in certain places, or those who send their merchandise from one place to another, there may, even be those import and export goods, similarly there may be industrialists and manufacturers as well as industrial labour or men engaged in the handicrafts, they all deserve sympathy, protection and good treatment. They all are sources of wealth to the country. They provide consumers goods. Most of these traders carry and convey these goods from across desert, seas and over open land and mountains; their consignments are brought from distant lands, often from places which are not easy to approach and where usually peace-loving people, not given to mischievous, disturbances and seditious fermentations. You must look after their interest and must protect them whether they are trading in your pities or towns or whether they are traveling over the countries conveying goods from place to place.

One more thing about these traders and industrialists. While treating them most sympathetically you must keep an eye on their activities as well.

You know that they are usually stingy misers, intensely self-centered and selfish, suffering from obsession of grasping and accumulating wealth. They often hoard their goods to get more profit out of them through creating scarcity and black-market. Such a condition is extremely injurious to the public on one hand and infamous to the ruler on the other.

You must put a stop to all such practices because the Holy Prophet (May the peace of God be upon his and his descendants) has explicitly prohibited such practices. Remember that trade should go on between the purchasers and suppliers according to correct measures and weights and on such reasonable terms that neither the consumers nor the suppliers should have to face losses. But even with all the sympathetic treatments according to them and with all the facilities provided for them if traders and industrialists carry on hoarding and black-market, then you must punish them according to intensity of their crime.”

J

“Then I want to caution you about the poor. Fear God about their condition and your attitude towards them. They have no support, no resources and no opportunities. They are poor, they are destitute and many of them are cripples and unfit for work. Some come out begging and some (who maintain self-respect) do not beg but their condition scream about their distress, poverty, destitution and wants. For the sake of God, Malik! Protect them and their rights. He laid the responsibility of this upon your shoulders. You must fix a share for them from the Government Treasury. Besides this reservation in cash you must also reserve a share in kind of crops etc, from Government grain-godowns of cities, in which such grains are collected as are cultivated on state-owned lands Because in this collation the share of those living far away from any particular city is equal to the share of those living near-by.

Let me remind you once again that you are made responsible to guard the right of poor people and to look after their welfare. Take care that the conceit of your position and of vanity of wealth may not deceive you to lose sight of such a grave and important responsibility of even minor errors of commission or omission with an excuse that you were engrossed with the major problems of the State which you have carried out diligently. Therefore, be careful of the welfare of poor people.”

K

“You should never overlook this fact that around the rulers there usually are certain privileged person (relatives and friends), they may often try take advantage of their positions and may resort selfishness, intrigue, fraud, corruption and oppression. If you find such people around you then do away with them (however closely connected they may be with you), immediately bring an end to the scandal and clear you surroundings of all such moral and spiritual filth.

You must never give lands in permanent lease with all proprietary and ownership rights (jagirs) to your friends and relatives. You must never allow them to take possession of the source of water-supply or lands which have special utility for the commune. If they get possession of such holdings they will oppress others to derive undue benefits and thus gather all the fruits for themselves leaving for you a bad reputation in this world and the punishment in the next.”

L

“Be fair in dispensing justice. Punish those who deserve punishment, though he may be your near relation or a close friend and though such an action may give you pangs of sorrow and

grief. Bear such a sorrow patiently and hope for the heavenly reward; I assure you that this will bear good fruits.”

M

“I beseech God by his Limitless Mercy and by His Supreme Might of granting us our prayer, that He may lead both of us to the Divine Guidance of achieving His pleasure, of successfully pleading our cases before Him, justifying our deeds before man, of gaining good repute, of leaving good result of our benign and just rule with ever-expanding prosperity and ever-increasing welfare of the State, and of meeting our ends as martyrs and pious persons, as our return is towards Him only.”