



Revisiting the Compatibility of Islam and Democracy: A Reevaluation of the Concept of Shūrā

Amjad Hilal

Assistant Professor of Law, Department of Shariah & Law, University of Swat. Email: amjadhilalpsp@yahoo.com

Sami Ur Rahman

Associate Professor of Law, The University of Faisalabad.

Email: hod.dsl@stmu.edu.pk

Areeba Tahseen

Student of 8th Semester BPA- S3H- NUST. Email:

areebatahseen514@gmail.com

The discourse surrounding the compatibility of Islam and democracy has been subject to rigorous analysis and debate, often centering on the Islamic principle of shura and its correlation with democratic ideals. This research paper conducts a critical evaluation of these arguments to elucidate the intricate relationship between Islam and democracy. Contrary to assertions positing the inherent incompatibility of Islam and democracy, this study reveals that the notion of Shura's inconsistency with democratic principles is unfounded. This misconception stems from a superficial interpretation of these concepts, neglecting their nuanced semantics and historical backgrounds. Through a comprehensive analysis of shura and democracy, alongside their evolutionary trajectories, it becomes evident that they share fundamental compatibilities. Both frameworks prioritize consultation and deliberation, empowering the populace in the decision-making process. Nonetheless, a notable distinction arises concerning the principle of secularism. While both shura and democracy champion civil liberties and popular empowerment, a fundamental contrast emerges regarding the basis of governance. In Islam, sovereignty is exclusively attributed to Allah, whereas in Western democracy, ultimate authority rests with the people. In conclusion, this reevaluation underscores the inherent compatibility between Islam and democracy, emphasizing the convergence of their foundational tenets. By recognizing the subtleties and historical contexts embedded within these concepts, a deeper un-





Journament













derstanding emerges, facilitating constructive discourse and collaboration between Islamic and democratic societies.

Keywords: Islam, Democracy, Shura, Governance, Sovereignty, Consultation **Introduction**:

The notion of shura is said to be interrelated with democracy and both terms are interchangeably used for comparison to comprehend their interrelationship. There are distinctive opinions present on whether Islam and Democracy are compatible with one another or not. In this particular debate, there is great confusion in understanding whether Islam is compatible with democracy? Or is there any relationship between Islam and democracy?

According to Parray (2012), democracy as a literal expression is not a Quranic term or explained in the Sunnah of the Prophet (PBUH). However, the author implies that the Islamic inheritance, social and scholarly inheritance contain key ideas and pictures that show similarity with democratic ideas and perceptions. Numerous functional key ideas in Islamic practice give evidence that the Islamic arrangement of government is democratic in the real sense. Firstly, these ideas include the Khalifa who acts as the head of the state from the people and is elected by the people. Secondly, concepts like Ijma, Ijtihad, and Bayyah represent the significance given to solving issues through deliberation and mutual consensus of the public. Lastly, Howeidy (2010)² says that the Charter of Medina is interpreted to be a source of constitutionalism and is hailed as a "key point of reference for constitutionalism, law and order, cooperative leadership and democratizing change".

https://www.academia.edu/3015524/_Islamic_Democracy_or_Democracy_in_Islam_Some_Key_Operational _Democratic_Concepts_and_Notions

¹ Parray, T. A. (2012), Islamic Democracy" or Democracy in Islam: Some Key Operational Democratic Concepts and Notions, 2 (2): 66-70

² Howeidy, F. (2010), Islam and democracy; *Contemporary Arab Affairs*, *3*(3), 297–333. https://doi.org/10.1080/17550912.2010.494405

Some believe that the values of Islam are universal and that it is compatible with the modern concept of democracy. At the same time, there are people with different opinions in this regard who believe that theories of democracy do not fit with the Islamic concept of ruling a state. As stated by Nurhasan and Rohmah (2021),³ they see democracy to be an entirely human-made Western concept that cannot be integrated with the divine principles of Islam, and hence both these concepts are incompatible with one another. According to (A, 2013),⁴ people rejecting the compatibility between Islam and democracy usually differentiate it on the grounds of the literal meanings of each word as democracy is referred to as a complete system of governmental rule with distinctive and well-defined processes of electing representatives by the people. While, in the literal sense, shura is defined as a process of consultation and deliberation and has nothing to do with the political decision-making processes contrary to the very nature of democracy.

However, these opinions are refuted by Tibi (1993),⁵ according to whom Islam achieved the concept of self-determination and popular sovereignty long before the Western conceptualization of democracy. He states that the concept of shura is not only limited to the process of consultation rather it is a complete system of government providing complete freedom and authority to the people in choosing for themselves. Tibi further states that if the modern notion of democracy means freedom provided to

3 _

³ Nurhasan, N., & Rohmah, S. N. (2021), Analysis of the Comparative Western Democracy, Pancasila Democracy, and the Concept of Shura; Study of the Book Manuscript "Democracy in Islamic Perspective by Ahmad Sukardja and Ahmad Sudirman Abbas", *JOURNAL of LEGAL RESEARCH*, 3(2), 253. https://doi.org/10.15408/jlr.v3i2.20620

⁴ A. (2013, July 23), *Difference Between Shura and Democracy*; Compare the Difference Between Similar Terms, https://www.differencebetween.com/difference-between-shura-and-vs-democracy/

⁵ Tibi, B. (1993), Major themes in the Arabic political literature of Islamic revivalism, 1970–1985: The Islamic system of government (al-nizam al-Islami), shura democracy, and the implementation of the Sharia as opposed to secularism (cilmaniyya). *Islam and Christian–Muslim Relations*, 4(1), 83–99.

https://doi.org/10.1080/09596419308720996

the people for the administration of people by the people and the well-being of people then Islam ought to be the first democracy to exist on planet earth. He clearly states that contrary to the concept of theocracy or monarchy Islamic rule is compatible with a democratic system, providing complete freedom to the people to choose for themselves, as it does not allow the succession of power through inheritance. However, the only distinction present is that freedom provided to the people must be limited within the boundaries of Shariah, the supreme law, and cannot go beyond its rules and regulations. Thus, we can deduce that Islam ought to be compatible with the democratic notion as it provides the right to self-determination, but this freedom must be limited within the boundaries of Shariah as eventually, ultimate sovereignty belongs to Allah Almighty. Let us have a detailed look at understanding the concept of shura and democracy in the modern world and how they relate to one another and where does democracy correspond to Islam and where does it differ?

Concept of Shura:

The term shura is defined as deliberation and mutual consultation among a group of people in any particular decision-making process ("The Concept of Members of the Shura Council, 2018). The practical implementation of shura is carried out by a shura council comprising of any group of individuals who have distinguished knowledge and expertise in matters of religion, and law, and are highly experienced regarding worldly matters, etc. Thus, the theorist argues that Islam is compatible with modern democratic processes because the notion of mutual consultation in shura is in agreement with the Parliamentary systems of governance throughout the world as it guarantees that a selected gathering of qualified people is endowed with exchanging

⁶ The Concept of Members of the Shura Council (Ahl Majlis al-Shura) in Islam: An Analytical Study towards the Members of the Malaysian Parliament. (2018). *Advances in Natural and Applied Sciences*, 1-4. https://doi.org/10.22587/anas.2018.12.7.4

their thoughts with the expectation to show up at an agreement through the process of consultation.

According to Al-Hibri (1992),⁷ each Muslim has a voice in the state. Likewise Islamic regulation wins regardless of whether it is being utilized by a customary Muslim against the head of state. A Muslim has an obligation, truth be told to right a wrong and to express reality. As per (*Shura | Meaning, Council, Democracy, & History*, 2021),⁸ the believers are exhorted to conduct their affairs "by mutual consultation. Tragically, this custom was immediately lost with the ascent of royal Islam during the Umayyad and 'Abbasid periods. The Islamic arrangement of government, which was left by the Qur'an and sunnah to the Muslims to create as per the directs of their age, customs, and necessities, and a couple of essential however adaptable more, vote-based divine principles, was rarely actually completely evolved. Both the Muslim state, no matter what its specific type of government is, its head of state is dependent upon the standard of Islamic regulation which is in light of the Qur'an and Sunnah. Islamic regulation lays on the assent of the Muslim individuals similarly the American Constitution lays on the assent of the American public. Thus, the processes of both shura and democracy show that Islam and democracy are much alike and similar.

However, Moussalli (1994)⁹ states that the difference between the Islamic concept of shura and Western democracy is significant as the first one is based on the principles of Hakkimiya of Allah Almighty. He states that the modern concept of democracy cannot be truly in agreement with the principles of shura as ultimate sovereignty is

⁷ A.Y.-H. (1992). Islamic Constitutionalism and the Concept of Democracy,

⁸ shura / Meaning, Council, Democracy, & History. (2021). Encyclopedia Britannica. https://www.britannica.com/topic/shura

⁹ Moussalli, A. S. (1994). Hasan al-Turabi's Islamist discourse on democracy and *Shura. Middle Eastern Studies*, *30*(1), 52–63. https://doi.org/10.1080/00263209408700982

provided not to the people but rather to Allah Almighty and the Quranic text. Thus, all activities and actions performed by the ruler including the executive, legislative, and judicial powers are bound to be limited within the Shariah boundaries of the law.

The emergence of a new superpower around the globe has facilitated the wide acceptance of democracy as a legitimate foundation for carrying out political processes across the world, therefore, Muslim scholars have focused their efforts on developing an Islamic democratic system. According to Al-Sulami (2007),¹⁰ the Islamic political order can integrate modern democratic perspectives and ideas but only after that the rules and regulations have been re-defined in the light of Shariah i-e, Quran, and Sunnah.

Historical Evolution of Shura in Islam:

In his book, Al-Sulami (2007)¹¹ implies that the concept of shura had always been present in Islamic histories such as from pre-Islamic times in Arabia where people used to decide matters through proper consultation of the appointed chief of the tribe with council members selected based on attributive qualities of bravery, generosity, and humility. In these times, the council was generally responsible for discussing matters of war and peace, trade, and social issues related to the social lives of the individuals. For instance, the author points out the example of the Kingdom of Saba, mentioned in the Quran, which had a dominant role in the affairs of the state, and hence this justifies the existence of a shura council in pre-Islamic times.

Significance in Light of Quran and Sunnah:

Al-Sulami, F. M. (2007). The West and Islam: Western Liberal Democracy versus the System of Shura (Routledge Islamic Studies Series) (1st ed.). Routledge, 81-86. https://doi.org/10.4324/9780203571675

¹¹ Al-Sulami, F. M. (2007). The West and Islam: Western Liberal Democracy versus the System of Shura (Routledge Islamic Studies Series) (1st ed.). Routledge, 37-50. https://doi.org/10.4324/9780203571675

Furthermore, he states the significance given to shura in the time of the Prophet (PBUH) and the rightly guided caliphs. According to him, the Quran has complemented the Ansar in verse 38 of Surah Shura as they used to handle their issues through proper consultation. However, the interpretation of how to apply and exercise the concept of shura in practical terms has been left to the people to decide in light of Shariah and their different periods and situations.

Moreover, the Prophet (PBUH) has reported in his hadith to solve matters in mutual consultation with jurists and worshippers rather than making a personal judgment without any consultation when confronted with an issue. Thus, it can be concluded that, in Islam, matters solved by mutual consultation are considered basic values of Shariah and it is compulsory to solve issues through consultation as it is forbidden by the Prophet (PBUH) to do otherwise. Scholars share no difference of opinion on the practice of the principles of shura as the Prophet (PBUH) himself consulted with his companions on multiple issues such as during battles, peace times, etc. However, scholars do disagree on the nature of deliberation.

Similarly, there is no doubt in the practice of shura during the time of rightly guided caliphs as principles of consultation were applied in the election of each of the four caliphs. Each one of them conducted their state affairs through consultation and deliberation with the Shura Council.

Concept of Democracy and its Evolution in the West:

According to (*Democracy - England*, 2021)¹² the term democracy refers to rule by the people. Democracy is an arrangement of government wherein regulations, strategies, authority, and significant endeavors of a state or other nation are straightforwardly or in a roundabout way chosen by "individuals" themselves. Talking about democra-

¹² democracy - England. (2021). Encyclopedia Britannica. https://www.britannica.com/topic/democracy/England

cy Parray (2012)¹³ says that democracy has different meanings for different individuals throughout different circumstances as the term demonstrates a set of goals and standards and a political framework, a component for administration, and a politico-lawful culture. For some, it may be a political framework that guarantees political balance and self-rule; for other people, it may be a framework that permits the presence of equivalent open doors and privileges. However, it took 3 revolutions in America, England, and France for democracy to evolve into its present modern form.

During the early centuries, Aristotle described democracy as being ruled by the mob of the society and was termed negatively due to ingrained corrupt practices in the governmental system. However, democracy acquired a new set of interpretations and was termed as a form of a representative form of government from the people, by the people, and for the people. Throughout its evolution, the term democracy gained two unique translations. The first is the ancient participatory government system in which individuals used to administer themselves directly by rotation of workplaces among themselves. The second framework is known as the liberal system or modern democratic system in which individuals exercise their freedom of expression and choice by choosing representatives through competitive elections to represent them in the government. According to Al-Sulami (2007)¹⁴, the main features of liberal democracy being exercised in the West include:

1. Popular Sovereignty

2. Civil Liberties

Parray, T. A. (2012), Islamic Democracy" or Democracy in Islam: Some Key Operational Democratic Concepts and Notions,
67-70.
https://www.academia.edu/3015524/_Islamic_Democracy_or_Democracy_in_Islam_Some_Key_Operational_Democratic_Concepts_and_Notions

Al-Sulami, F. M. (2007). The West and Islam: Western Liberal Democracy versus the System of Shura (Routledge Islamic Studies Series) (1st ed.). Routledge, 26-36. https://doi.org/10.4324/9780203571675

3. Majority Rule

4. Elected Representatives

5. Competitive Elections

These dominant elements can be compared with elements of Shura to understand the compatibility present between both of these concepts and how they are not particularly alien ideas to one another instead both Islamic and democratic concepts can be integrated and applied in modern societies.

Comparative Study Between Shura and Modern Democracy:

The main purpose of comparing the principles of shura and modern democracy is to understand the relationship of similarities and differences present between both of these concepts and provide a justifiable answer on whether Islam and democracy are compatible with one another or not. Let us have a detailed look at these conceptions explained by Al-Sulami (2007)¹⁵ in his book:

1. Liberal Democracy in Comparison to the Shura System

Throughout the evolution of Western democracy, Christendom has played quite an influential role in the arrangement of the Western political system of governance as it had a more dominant role and power over the affairs of the state administration. However, after the revolution, these thoughts quickly adapted into ideas of secular states with predominant features of absolutism and natural law being prevalent in it. However, in Islam states are solely based on principles of religion such as Tawhid and Shariah, yet it does not compel a single religion to prevail in the society rather it provides freedom of expression and association to every citizen. Thus, the concept of a

Al-Sulami, F. M. (2007). The West and Islam: Western Liberal Democracy versus the System of Shura (Routledge Islamic Studies Series) (1st ed.). Routledge., 86-124. https://doi.org/10.4324/9780203571675

multi-religious society exists within an Islamic state, and this refutes the Western belief that freedom of expression is limited in an Islamic society which is against democratic principles. However, the main differences between the Islamic shura system and democracy are that Islamic states are based on religious principles regulated by Shariah and are by no means secular. Moreover, due to these reasons, ultimate sovereignty belongs to Allah Almighty, in contrast to Western Democracy, in which sovereignty and ultimate power belong to the people.

2. The Nature of the Constitution Prevalent in both Systems

Almost all Western societies comprise written constitutions with great emphasis given to the freedom of individuals to secure their political, social, and economic rights. It functions to limit the power of the authorities and provide a set of rights to the citizens of the state. Similarly, having a written constitution is an essential element for establishing an Islamic state, since the Prophet (PBUH) himself provided, the Charter of Medina, the first-ever written document on planet earth. This is deemed to be of necessary importance as it defines the rules, regulations, rights, and duties of the people living in the society. In short, it provides an obligation to obey the law which is fundamental for the exercise of the rule of law and ensuring justice prevails in society. However, these two concepts differ only based on religious affiliations as Muslims specify rules and obligations in light of religious commands, contrary to Western society, which does not affiliate state operations with religious values. Moreover, Western Constitutions can be amended based on the popular will of the people whereas in an Islamic state constitutional rules cannot be amended against the Shariah law as the operations of all three branches of a state are bound by the Shariah law.

3. Popular Supremacy in Comparison to Allah's Sovereignty

Sovereignty serves as a cornerstone in understanding the fundamental differences between Islamic and Western political systems, highlighting their distinct philosophical underpinnings and approaches to governance.

In the Western political tradition, the concept of popular sovereignty emerged as a response to monarchical rule and aristocratic privilege. It asserts that the ultimate authority of the state rests with its people, who have the inherent right to self-governance and to choose their representatives through democratic processes. This principle gained prominence during the Enlightenment era and was enshrined in documents such as the American Declaration of Independence and the French Declaration of the Rights of Man and the Citizen. In this framework, the legitimacy of government derives from the consent of the governed, and elected officials are accountable to the citizenry.

Conversely, the Islamic shura system operates within a framework of divine sovereignty, where ultimate authority is attributed to Allah Almighty. This principle is rooted in Islamic theology, which emphasizes the absolute sovereignty of God over all creation. Within this paradigm, humans are viewed as stewards or vicegerents (Khalifah) on Earth, entrusted with the responsibility to govern according to divine guidance.

The concept of shura, or consultation, is central to the Islamic governance model. It entails seeking counsel and consensus among leaders and members of the community in decision-making processes. While sovereignty ultimately belongs to Allah, the implementation of governance is entrusted to human beings, guided by the principles outlined in the Quran and the Sunnah (the teachings and practices of the Prophet Muhammad).

One of the key distinctions between the Western notion of popular sovereignty and the Islamic concept of divine sovereignty lies in the source of authority. In Western democracy, sovereignty is vested in the people and is subject to change through electoral processes and constitutional amendments. In contrast, in the Islamic shura system, sovereignty is immutable and derived from divine revelation, providing a stable and unchanging foundation for governance.

Moreover, the reliance on divine texts in the Islamic shura system ensures that decisions are made following prescribed ethical and moral principles. While human interpretations may vary, the Quran and the Sunnah serve as authoritative guides, offering clarity and guidance in matters of governance, law, and society. This reliance on divine guidance distinguishes the Islamic approach to sovereignty from the secular frameworks prevalent in Western democracies.

Overall, the contrasting conceptions of sovereignty in Islamic and Western political systems reflect deeper philosophical and theological differences, shaping the nature of governance and authority in each respective tradition.

4. Civil Liberties

Civil liberties in the Western context are often perceived as being unrestrained and unconfined, particularly concerning fundamental freedoms like freedom of expression, association, and assembly. These freedoms are considered essential cornerstones of genuine democracy, facilitating the expression of individual ideas, thoughts, and political ideologies. Central to this framework is the unrestricted freedom of speech and press, enabling individuals to voice their opinions and engage in public discourse without fear of censorship or reprisal.

Conversely, in the Islamic shura system, freedom is conceptualized within the religious doctrine of Tawhid, which emphasizes the belief in the oneness of God. By adhering to Tawhid, individuals assert their allegiance to a singular divine authority, thereby liberating themselves from subjugation to any human authority. This theologi-

cal principle grants an individual the freedom to express their beliefs, engage in speech, and associate with others according to their understanding of truth and righteousness. Contrary to misconceptions about Islam's perceived intolerance, the concept of Tawhid underscores the notion that Allah Almighty grants individuals the autonomy to choose their beliefs freely. This theological stance aligns with modern democratic ideals, as it affirms individuals' rights to self-determination and personal autonomy.

In the context of civil liberties, the Islamic shura system embodies a framework that empowers individuals to make personal choices independently while also emphasizing collective decision-making through mutual consultation. This approach resonates with contemporary conceptions of genuine democracy, which prioritize individual freedoms alongside participatory governance and consensus-building within society. Thus, the Islamic shura system can be viewed as compatible with modern democratic principles, offering individuals the freedom to exercise autonomy in personal matters and contributing to collective decision-making through collaborative dialogue and consultation.

Conclusion:

To sum up, the argument that whether there is any relationship present between Islam and democracy or whether they are both compatible with one another or not? We can conclude that all claims about the Islamic concept of shura not adding up to the democratic principles of the modern Western world are incorrect. People claiming both these concepts to be incompatible with one another confuse these interrelated terms in the literal meaning of their words justifying that the concept of shura is limited only to deliberation and consultation processes on broad matters, contrary to the notion of democracy which entails a complete process of conducting state affairs through the provision of civil liberties. However, by going through the concepts of shura and democracy

and their respective evolution one can deduce that both these concepts are compatible with one another except for the matter of secularism. As discussed above both the shura and democratic system are similar in providing civil liberties and authority to the people to choose for themselves. However, the main distinctive difference is that the concept of ruling a state in Islam is based on religious grounds with sovereignty belonging solely to Allah Almighty, whereas, in Western democracy sovereignty and ultimate power are provided to the people of the state.