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June, 2010

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Available at: https://works.bepress.com/muqtedar_khan/17/
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A Political Philosophy of Islamic Governance

This article was published in the special issue The Roundtable, Vol. 9, Issue 2 (Institute of Political Economy, University of Asia and the Pacific, 2010).

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Islamists across the globe are agitating for some form of Islamic self-determinism. Some are seeking to establish Islamic states in Muslim majority states, some are seeking to establish a global caliphate, and others are fighting to break away from non-Muslim States. The underlying assumption of all these political movements is that Islamic sources postulate a blueprint for governance and being Muslim necessitates the establishment of an Islamic state. In this essay, I accept this premise in order to argue that a deeper understanding of Islamic history and sources will clarify that democracy is indispensable for Islamic governance and striving for democracy and striving for Islamic governance is one and the same thing. Therefore Islamists would better serve their cause and the cause of global harmony by working to strengthen democracy wherever they are, rather than seek separation for the sake of separation from and conflict with democracy.

The democracy deficit in the Muslim World has been mitigated by efforts at democratization in Indonesia, Malaysia, Pakistan, Bangladesh, and Turkey. Nevertheless, democracy is glaringly absent from most of the Arab world, and with the rise of political Islam in the region, the compatibility of Islam and democracy has become an important issue.¹ There are commentators in the West and in the Muslim world who share common interests in asserting that Islam and democracy are incompatible. Some Western scholars argue that Islam is incompatible with modernity, and in particular democracy, and insist that Muslims must either abandon Islam or reform Islam in order to join the “modern world.”² Some Muslim scholars and militants reject
democracy, arguing that it is contrary to the way of God (the Islamic shariah), and in their eagerness to reject Western cultural and political domination they also reject democracy, falsely believing that democracy is something uniquely Western. Fortunately, these arguments have been soundly rebutted. Many scholars have systematically demonstrated that Islam can co-exist with the democratic process, and by highlighting the presence of democracy in several Muslim countries and the presence of Muslims in the West and in other places like India where democracy is well established, have drawn attention to the fact that Islam and Muslims can thrive in democratic societies. The courage that the Iraqis and the Afghans have shown when they voted under fire from extremists to give democracy a chance to take root in their societies is testimony to the compatibility of Islam/Muslims and democracy.

The challenge for Muslim theorists today is to go a step further and show how an Islamic democracy may be conceived and what its constitutive principles and architectural features will be. In this brief essay, I will approach democracy from within Islamic thought and describe the broad principles of Islamic governance. In the debate on the compatibility of Islam and democracy, the idea of democracy has often been taken for granted and treated as a stable and uncontested idea; it is Islam that is approached from outside-in with a view to interrogate it to ascertain its ability to confirm to democratic principles. I shall adopt an inside-out approach. I will simply articulate what I find in Islamic sources as key elements of Islamic governance and readers will be able to recognize their fundamentally democratic nature.

Muslims can define good governance either on the basis of universal norms or through a parochial paradigm based on Islamic terminology. The end product in my mind is the same, since there is not much disparity between universal norms and Islamic values. The difference is in politics. If Muslims use contemporary universal language to seek self-determination and good governance, then their political activism may be received with less hostility from the rest of the world, but may have more difficulty in gaining legitimacy at home. But if they use Islamic language for seeking self-determination and good governance then they will enjoy instant legitimacy at home but will inspire insecurity and even opposition abroad, since non-Muslims worldwide have developed a fear and dislike for Islamist governments primarily because of the world’s horrific experience with the Taliban in Afghanistan, the clerics in Iran and Saudi Arabia.

**Key Elements of Islamic Governance**
Muslim theorists of the state argue that the essential Quranic principle of *Amr bil maruf wa nahy anil munkar*—“command good and forbid evil”—is the Islamic justification for the creation of an ideological state that is geared toward establishing the Islamic *shariah*. This principle is essentially drawn from the Quran [3:100, 3:104, and 9:710].

*You are the best of the nations raised up for (the benefit of) humanity; you enjoin what is right and forbid the wrong* [Quran 3:110]

Since what is good and what is evil, they insist, is articulated in the *shariah*, in order for Muslims to fulfill the duty to enjoin the good and forbid evil, Muslims must “establish the Islamic *shariah*.” This is the standard justification for the Islamic state and was essentially articulated by a now prominent medieval scholar, Ibn Taymiyyah. While one can always dispute whether the text of the Quran necessitates the creation of a state, the fact remains that a large segment of the Muslim population believes in it.

The question, then, that becomes paramount for Muslim political theorists, concerns the nature and consequences of the Islamic state. Will this state created to institute good and penalize bad become a tyranny of those who claim to know what the *shariah* is, or will it become a collective human endeavor in pursuit of the virtuous republic that will facilitate the “good life” and will also foster a culture of tolerance and compassion for different and even multiple understandings of what that good might be.

The key features of Islamic governance that I have found in Islamic sources, Quran and the Prophetic precedence (*Sunnah*) and contemporary Muslim discussions on the Islamic State are constitution, consent, and consultation. Muslims who seeks to implement the *Shariah* are obliged to emulate the Prophet’s precedence and given the rather narrow definitions of *Shariah* and Sunnah that most Islamist operate with, there is no escape for them from the three key principles identified here. While these principles need to be explored and articulated in the specific socio-cultural context of different Muslim societies, it is important to understand that they are essential.

**Constitution**

The compact of Medina that Prophet Muhammad adopted provides a very important occasion for the development of Islamic political theory. After Prophet Muhammad migrated from Mecca to Medina in 622 CE, he established the first Islamic state. For ten years Prophet Muhammad was not only the leader of the emerging Muslim community in Arabia but also the political head of the state of Medina. As the leader of Medina, Prophet Muhammad exercised jurisdiction over
Muslims as well as non-Muslims. The legitimacy of his sovereignty over Medina was based on his status as the Prophet of Islam as well as on the basis of the compact of Medina.

As Prophet of God he had sovereignty over all Muslims by divine decree. But Muhammad did not rule over the non-Muslims of Medina because he was the messenger of Allah. He ruled over them by virtue of the compact that was signed by the Muhajirun (Muslim immigrants from Mecca), the Ansar (indigenous Muslims of Medina), and the Yahud (several Jewish tribes that lived in and around Medina). It is interesting to note that Jews were constitutional partners in the making of the first Islamic state.6

The compact of Medina can be read as both a social contract and a constitution. A social contract, an idea developed by English philosophers Thomas Hobbes, and John Locke, is an imaginary agreement between people in the state of nature that leads to the establishment of a community or a state. In the state of nature people are free and are not obliged to follow any rules or laws. They are essentially sovereign individuals. But through the social contract they surrender their individual sovereignty to a collective and create a community or a state.

The second idea that the compact of Medina manifests is that of a constitution. In many ways the constitution is the document that enshrines the conditions of the social contract upon which any society is founded. The compact of Medina clearly served a constitutional function since it was the constitutive document for the first Islamic state. Thus we can argue that the compact of Medina serves the dual function of a social contract and a constitution. Clearly the compact of Medina by itself cannot serve as a modern constitution. It would be quite inadequate since it is a historically specific document and quite limited in its scope. However, it can serve as a guiding principle to be emulated rather than a manual to be duplicated. Today Muslims worldwide can emulate Prophet Muhammad and draw up their own constitutions, historically and temporally specific to their conditions.

Consent

An important principle of the Constitution of Medina was that Prophet Muhammad governed the city-state of Medina by virtue of the consent of its citizens. He was invited to govern and his authority to govern was enshrined in the social contract.7 The constitution of Medina established the importance of consent and cooperation for governance.

The process of bayah, or the pledging of allegiance, was an important institution that sought to formalize the consent of the governed. In those days, when a ruler failed to gain the consent of the ruled
through a formal and direct process of pledging of allegiance, the ruler’s authority was not fully legitimized. This was an Arab custom that predates Islam but like many Arab customs was incorporated within Islamic traditions. Just as Prophet Muhammad had done, the early Caliphs of Islam too practiced the process of *bayah* after rudimentary forms of electoral colleges had nominated the Caliph, in order to legitimate the authority of the Caliph. One does not need to stretch one’s imagination too far to recognize that in polities that have millions rather than hundreds of citizens, the process of nomination followed by elections can serve as a necessary modernization of the process of *bayah*. Replacing *bayah* with ballots makes the process of pledging allegiance simple and universal. Elections therefore are neither a departure from Islamic principles and traditions nor inherently un-Islamic in any form.

The Quran too recognizes the authority of those who have been chosen as leaders and in a sense extends divine legitimacy to those who have legitimate authority.

*O you who believe! Obey Allah and obey the Messenger and those in authority from among you.* (Quran 4:59)

**Consultation**

The third key principle of Islamic governance is a very widely known concept and many Islamic scholars have advanced the Islamic concept of *Shura* as evidence for Islam’s democratic credentials. Indeed many scholars actually equate democracy with *Shura*.  

...and consult them in affairs (of moment). Then, when thou hast taken a decision put thy trust in Allah. (Quran 3:159)

[righteous are those] .. who conduct their affairs through [shura baynahum] mutual Consultation. (Quran 42:38).

Muslim scholars dispute whether the Quranic injunction for consultation is advisory or mandatory, but it nevertheless remains a divine sanction. Pro-democracy Muslims see it as necessary and those who fear democratic freedoms and prefer authoritarianism interpret these injunctions as divine suggestions and not divine fiats. The Prophet himself left behind a very important tradition that emphasized the importance of collective and democratic decision making. He said that “the community of Muhammed will never agree upon error.” Consultative governance therefore is the preferred form of governance in Islam and any Muslim who chooses to stay true to his faith sources cannot but prefer a democratic structure over all others to realize the justice and wellbeing promised in Islamic sources.
Conclusion

There is much in Islamic sources and Islamic tradition that is favorable to making democracy the vehicle for delivering the products of Islamic governance, such as social justice, economic welfare, and religious freedoms. I am convinced that Islam is not a barrier to but a facilitator of democracy, justice, and tolerance in the Muslim world. But for that to happen, Muslims must revisit their sources and re-understand them without a bias against things that they erroneously label as Western. Today the two major forces in the Muslim World are the moderates and the Islamists. The extremists, though loud are marginal. The moderates want democracy and the Islamists an Islamic state. It is time the Islamists recognize that democracy is the best vehicle for delivering the legitimacy justice that they seek.

Endnotes


4 For this line of reasoning, see Muntaz Ahmad, “Islam and Democracy: The Emerging Consensus,” Islamonline.net (May 6, 2002). On the World Wide Web: http://www.islamonline.net/english/Contemporary/2002/05/Ar


8 See Khaled Abou El Fadl et al., Islam and the Challenge of Democracy, p. 11.


10 See the Hadith collection Imam Al-Tirmidhi (4:2167).