

## Islam and Democracy: Muslim Intellectual Responses

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**Abstract.** *The article highlights the intellectual response of contemporary Muslims on the philosophical construct and relational concept of democracy and shura. This was traced from selected writings of its advocates that discussed the philosophical and epistemological background and current democratic situation in the Muslim countries and its fundamental relations with Islamic political aspiration and its historical manifestation and scientific backdrop. The intellectual debate pertinent to the idea of democracy and its compatibility with Islamic principles were rigorously developed by Muslim activists and democrats represented by Rachid Ghannouchi, Ahmad Raysuni, Fazlur Rahman, Anwar Ibrahim, Siddiq Fadzil, Nurcholish Madjid, Mustafa Akyol, etcetera. The study is based on qualitative approaches using descriptive and analytical techniques. The finding shows the dynamic force of ideas formulated on the theoretical framework of democracy reinforced with textual evidence and in line with Islamic political principles (siyasah shariyyah) and its universal ummatic ideal (pax-Islamica). Its underlying structure was built upon universal ethical values that formed the basis of state ideology. It positively embraces its values and ideals projected in the context of the nation-state, which upholds a sublime vision towards shaping a sustainable, just and liberal order. Its approaches were in line with the principle of shura and constitutional ideas aiming to safeguard the fundamental aspirations of the people and their legitimate rights and interests and their collective voice.*

**Keyword:** *Democracy, shura (mutual consultation), Islamic state, civil society, maqasid sharia*

## INTRODUCTION

The notion of democracy, a political system based on representation, is fundamentally in line with the foundations and core principles of the maqasid and maslahah doctrines of freedom and the ideology of law and sharia. While in principle, the democratic ideals of freedom, human rights, rule

of law and people's power do not contradict the universal Islamic worldview that advocates the values of equality and freedom.

According to Mustafa Akyol in his book *Islam without Extremes: A Muslim Case for Liberty* (2011) the series of revolutions against long-standing dictators in Tunisia, Egypt, and Libya in early 2011 highlighted his premise that Muslim societies need an argument not only for democracy, but also for liberalism.

In his article "Islam and Democracy" (2013), Mohammad Hashim Kamali envisages that democratic systems of government are generally supported by Islam, yet Muslim scholars differ in their assessment of democracy and institutions from the standpoint of Islamic principles. This view, however, has found its footing, this is because, democracy is about human rights and freedoms, the rule of law, representation and government participation, separation of powers, and equality before the law. Rights and freedoms are manifestations of human dignity that must be protected from the forces of state mobilization. Institutionalization is also an instrument of limiting, structuring, and dividing power between the various organs of the state.

A brief examination of the loose literature reveals a significant amount of writing on the relationship between Islam and democracy. This is highlighted, among others, in an article written by Zaid Husaini Kamis et al. (2021) which highlights the ideas of democracy formulated by Tunisian thinker Rachid Ghannouchi. In its efforts to harmonize Islamic values and principles with the demands of democracy and freedom, his party *Harakat al-Nahdah* was willing to participate in the electoral process in Tunisia to form a kingdom and submit to the legitimate democratic process. His struggle has opened a new chapter in the modern history of Islam in the Middle East and North Africa after the Jasmin Revolution with the realization of a parliamentary democracy in a system of government that guarantees freedom of voice and opinion and gains popular mandate and support.

This finding is strengthened by Mohd Zaini Mohd Zain and Hussain Mohamed (2005) in their article on the challenges of Islamic politics and the enforcement of democratic practices in Malaysia and Indonesia which face significant opposition due to political and power politics, geopolitical factors, and guarantees of freedom in the electoral process.

Theoretically, the development of democracy in the 21st century is highlighted by Tauseef Ahmad Parray (2024) in his recent work that traces the fundamental theories related to Islamic and democratic issues from the texts of the Qur'an and hadith and from the works of renowned scholars on their clashes and parallels with Islamic principles. His discourse is built around key

concepts/operational democratic institutions, such as Shura (negotiation), Bay'ah (oath of allegiance) and Mithaq al-Madinah (the institution of Madinah).

The relationship between democracy and the principle of shura is explained by M. Zainuddin (2002) in his article that looks at the context and implementation of democracy in Muslim countries by comparing Western concepts and approaches represented by Samuel Huntington and Francis H. H. (2002).

Fukuyama with Islamic doctrine and its societal elements such as al-syura, al-'adalah, al-amanah, al-mas'uliyah and al-hurriyah and their parallels with democratic principles. This theme was also highlighted by Umar Nasaruddin (2002), Hamidah Tutik (1999), Madani Malik (1999), Nurcholish Madjid (1998), Mgs. A. Defrizal et al. (2020), Arif Zulhilmi (2022) and Lalu Yoga Vandita & Hirmayadi Saputra (2024) in their extensive discussions on legal perspectives, social and political structures and the role of democracy in the realities of a globalized world.

This article intends to provide a clear picture of the debate on the relationship between Islam and democracy based on the text of the Qur'an and Sunnah (Rumni Hafizah et al. 2024) and its interpretation by fuqaha and scholars who are muktabar and see the progress of the network and its institutionalization, transition and consolidation in the new era.

## **METHOD**

This study is qualitative in nature with a descriptive and analytical approach. Data and study instruments are obtained from related primary and secondary sources and processed technically, historically and empirically based on Fazlur Rahman's hermeneutic theory and his systematic contextualist and methodical perspectives on the text and ijihad. This is for synthesizing the study findings and drawing accurate conclusions and formulations..

## **FINDINGS**

Modern Islamic history recognizes the concept of democracy as a political system recognized by its ethical norms and boundaries, and its experiences in Tunisia, Egypt, Indonesia and Turkey prove its resilience and efficacy as a reliable and historically tested basis and mechanism. Its practice is determined by a universal formula in a system that respects the principles of power isolation,

accountability, freedom, the principle of equality, and human rights (Mohd Rumaizuddin Ghazali, 2017).

In the historical context, democracy has created a strong basis and mechanism for stemming authoritarianism, corruption, oppression and arbitrariness, in addition to fostering the spirit of equality, integrity (Uthman El-Muhammady, 2007), plural values and liberal prospects (John L. Esposito & John O. Voll, 1999). This notion of democracy has been utilized by the European nation in creating its civilization in the age of enlightenment that respects the values and concepts of democracy. Liberal social concept (Mohd Rumaizuddin Ghazali, 2017) where his role was instrumental in changing it from the confines of feudalism to elitist rule (Azzam Tamimi, 2001: 10).

In his experience, democracy has expanded in the context of plurality with phenomenal developments in the Islamic world where this system can be strengthened by the doctrine of maqasid sharia and its application in the government system (Siddiq Fadzil, 2022). According to DS Anwar Ibrahim (2006), a democratic atmosphere is meaningful in nurturing a culture of dialogue and this is important in ensuring the efficacy of the political ecosystem. The pursuit of democracy among Muslims today is the most prominent and transformative feature of our time (Anwar Ibrahim, 2006).

## **DISCUSSION**

According to Mohammad Hashim Kamali (2013), broadly speaking, Islam recognizes most of these democratic values and takes an affirmative stand in protecting and realizing human virtues and maslahah, consultative governance committed to accountability (muhasabah) and justice. Islam advocates limited government, which is committed to the promotion of the goals and objectives (maqasid) of sharia.

Both Islam and democracy seek to realize human virtue and defend fundamental rights to life, personal safety, privacy and property. Sharia recognizes that this includes the right to education and employment, and individual eligibility for the necessities of life.

There is ample evidence to suggest that Islam envisioned a civil system of government, rather than a theocracy. This is because the head of state is chosen by the people through deliberation, election and the pledge of allegiance (bay'ah), which translates to modern times as a monarchy elected by popular vote in which the seat of power is subordinated to the people. Yusuf al- Qaradawi endorses democracy and the electoral process, which he likens to a testimony (shahadah) in which the people testify to the worthiness and trustworthiness of their chosen

candidate - and pledging shahadah is a collective obligation (fard kifa'i) upon the Islamic community. Political parties, according to al-Qaradawi, are platforms for organized participation in the affairs of government. It is also equivalent to the schools of fiqh, or madhhabs, which pious scholars have characterized as parties of law, highlighting the partisan position in legislation.

Regarding the issue that democracy is a Western rather than Islamic doctrine and that it carries Western values and views, al-Qaradawi replied that Islamic tradition and scholarship has maintained a relatively open profile in its acceptance of and contributions to the Islamic tradition to other civilizations. It has taken from other traditions what is appropriate and suitable to its own values.

In his theoretical analysis of Islam and democracy, Jeremy P. Barker addresses the issue of the parallels between Islam and democracy that have persisted for generations. According to him, Samuel Huntington's (1993) analysis is accurate when he says of the post-Cold War era, "in the politics of civilization, the peoples and empires of non-Western civilizations are no longer objects of history as targets of Western colonialism but accompany Western states as movers and shapers of history". While the Western powers, especially the United States, still exert great influence in global affairs, the focus of influence has shifted.

With the world becoming increasingly "flat", parallels within competing systems of thought are emerging as a more frequently debated topic. At the forefront of this debate is the alignment between Islam and democracy. In principle, there are points of commonality that allow Islam and democracy to coexist in harmony and this can be seen in the values that they share such as individual freedom, pluralism and power-sharing. These elements form a strong and valued basis in a democratic society in creating a climate of freedom that celebrates the diversity of ideas within a nation. Stemming from the knowledge of the free individual and his collective combination it has given birth to a dynamic culture that embraces all groups of people encouraging the proliferation of diversity of ideas, thoughts, and voices in the public sphere and ensuring the effective functioning of democracy.

This practice is in line with the core values of Islam which have a far-reaching impact in the establishment of a healthy democracy that recognizes pluralism, individual freedom, and human rights and maintains equality and justice in a humane kingdom. These values have been fully realized under the Islamic caliphate which was interpreted with an attitude of tolerance in celebrating pluralist and collective voices and ideas in society and maintaining freedom of religious beliefs culminating with the establishment of a convivencia in Andalus.

This restored culture of freedom has led to the restoration of other democratic principles and nuances that are in line with the Islamic belief system, cultural practices, and morals. In the practice of power, Islam has established a political structure based on a kind of executive power (al-sultan al-tanfidi), where political authority is devolved to the people and the monarchy exercises it on their behalf, rather than absolute power (siyadat al-hukm), which can overturn or cancel any law, or the right to change the principles of Islam and sharia.

The head of state does not have the papal power to absolve sins or to interfere with a person's religion. The civic character of his office is instead manifested in the legal principle of marriage that "the affairs of the head of state are bound to the public good (amr al-imama manut bi'l-maslahah)." The essence of leadership in Islam is expressed in the hadith that "the leader of a people is their servant" (sayyid al-qawmi khadimuhum)."

In principle this is represented not only in society but also in the practical power of the government in determining shariah-oriented policing (siyasah shar'iyah), which allows government authorities to deal with pressing issues and problems affecting the lives of the people through shariah-compliant ordinances and initiatives, albeit with some inevitable deviations from the established laws of the madhhabs and scholars. (Mohammad Hashim Kamali 2013).

### **The principle of Shura**

It is a fundamental need in the assembly of Muslims who want matters involving the public interest to be decided by consensus, namely based on the principle of deliberation and its legal norms. This principle is emphasized in many verses of the Qur'an, as explained by Fazlur Rahman about the problems of Muslims and their historical role in the formation of an Islamic state based on the principle of shura (Armajani, Jon 2015). According to Tawfiq al-Shawi (1992:20) democracy is essentially a version of Islamic shura, which has withered and its shoots are fertile in non-Islamic soil. In his book *Al-Shūrā: The Qur'anic Principle of Consultation, A Tool for Reconstruction and Reform* (Al-Shūrā: The Qur'anic Principle of Consultation, A Tool for Reconstruction and Reform) Ahmad al-Raysuni (2011) emphasizes this spirit of deliberation and awareness as a prerequisite in ensuring the upholding of social values and forces and their role in the progress and renewal of society.

In terms of his background, Ahmad al-Raysuni is the former chairman of the World Union of Ulema (2018-2022) based in Doha - replacing Sheikh Yusuf al-Qaradawi, and the holder of a doctoral degree in Islamic Studies from the Universiti Muhammad al-Khamis, Rabat, Maghribi. Born

in 1953 in the village of Awlad Sultan in the northern region of Larache, Maghribi, he is known for his works in maqasid thinking, which were much impressed by the ideas of Allal al-Fasi (d. 1974) founder of the Istiqlal party in Maghribi, Tahir ibn 'Ashur (d. 1973) and Abdullah ben Bayyah. He served in the Ministry of Justice, as editor of the newspaper al-Tajdid, and was a member of the Jamiyat al- Ulama (Islamic Scholars' Association) in the Maghreb, and a leader of the social movement.

The Unity and Reform Movement [MUR] (Al-Tawhid wal Islah) is one of the organizations within the Justice and Development Party (JDP), a political Islam-based party in the Maghreb that controls the kingdom from 2011 to 2021. Raysuni has produced several books and papers on al-Maqāsid in Arabic, some of which have been translated into English, Latin, Persian, Bosnian, Urdu and Malay, including Nazariyyah al- Maqasid 'inda al-Imam al-Shatibi; Madkhal ila Maqasid al-Shari'ah; Al-Fikr al-Maqasidi Qawa'iduhu wa Fawa'iduhu; Al-Ijtihad: al-Nas wal Maslahah wal Waqi'; Fiqh of Obeying the Leader, and others. He currently teaches Usūl al-Fiqh and Maqāsid al-Sharī'ah at the College of Literature and Humanities, Muhammad al-Khamis University, Maghribi. (Irma Nur Hayati et al., 2022)

Raysuni bases his understanding of shura on the verses from suras al-Baqarah (2:233), Al-'Imran (3:159), and Al-Shura (42:38), which outline its universal principles and practices and its importance in the organization of political affairs and the life of the people. He discusses the principle of deliberation as stated in the above three verses and examines its impact in supporting the political and social life of the community in all aspects of life based on the principles of justice and ihsan. The establishment of political values based on the practice of shura is also examined from the evidence derived from the traditions of the sunnah and the athar of the Companions and Tabi'in who outlined the principle of complete negotiation that was established in the early days of Islam in Medina and under the rule of the khulafa' al-rashidun. This principle of negotiation, inspired by Qur'anic verses, outlines the importance of deciding matters involving the public interest through deliberation, which is established in the following verses: "So if they wish to wean (before two years) with mutual consent and consultation, there is no sin on either of them" [2:233]; "And consult with them in the matter. Then when you have made up your minds, then put your trust in Allah" [3:159] and "Who controls their affairs by deliberation" [42:38].

The development and implementation of this shura system can have positive implications in realizing the spirit of democratic consensus and unity and strengthening the values of harmony, benefit and resilience in the spirit of freedom in achieving improvements in the life of the ummah.

In this book, Raysuni attempts to introduce and consider the key aims and practices of al-shura, tracing its historical development, in addition to exploring the ways in which the principle can be introduced, institutionalized and applied in Islamic society.

According to him, this practice of al-shura has been sidelined throughout the Islamic world, the culmination of which is complex from a political and historical point of view. Although much has been written on the subject, In fact at best it is applied ineffectively and at worst it is beautifully ignored. Even today it is a hotly contested issue. With al-shura increasingly being associated with democratic inclusion in the decision- making process, the debate continues to be ignited with critics challenging responses that equate the principle with Western notions of democracy, while others claim that the principle enables a meaning that breaks the grip of centralized power.

In his investigation of these issues based on meticulous scholarship. Raysuni concludes that al- shura should be accepted as a way of life for all Muslims to protect their interests and as an important vehicle for reconstruction and islah, which he tackles from some interesting new angles, providing an extension to a field that has hitherto been little, if at all, examined.

The waves of protests against dictatorship now sweeping Arab countries are at once evidence of the failure of consultative and participatory governance and an opportunity at the same time for them to reclaim all their lost heritage that is so closely linked to their culture and Islam. Al-Raysuni's timely contribution reveals al-Shura's place in scripture, legal and historical precedents and the path of its revival in contemporary Islamic polity. His focus on pragmatic issues and the intersection between al- Shura and democracy highlighted, make his book a particularly interesting read on the subject.

It is a passionate advocacy for reviving and incorporating the principle of deliberation in all walks of life. His message is that the principle has a divine origin, and its application is as old as the creation of man himself. He actually regarded the principle as intrinsic to the process of creation itself, and not just a matter of mere doctrine. Furthermore, he had no objection to developing the principle by borrowing from (and further enriching) modern democratic theory and practice. 'Democracy,' he argued, 'needs us as much as we need it.'

There is much information supporting the principle of deliberation in Islamic legislative texts. It is explained on the basis of legal sources and principles derived from the Holy Qur'anic verses, events from the life of the Prophet (pbuh), and the example set by the caliphs al-rashidun. Numerous texts from the Qur'an al-Karim and the hadiths of the Prophet (pbuh) relate deliberation to all spheres of life: spiritual and material, individual and corporate.



According to him, al-shūrā is mentioned in the Qur'an and recommended in the practice of Prophet Muhammad (pbuh) and his companions. The basic principle is stated in two Qur'anic verses: 42:38 and 3:159 which specifically record the conversation of Allah (swt) with the angels regarding the creation of Adam and the future of his descendants on earth. Muhammad al-Tahir ibn Ashur specifies that God conducted this conversation to glorify and educate the angels, and to inspire imitation. The conversation, according to him, was meant to take place at the beginning of creation to provide guidance to mankind. Other examples from this category are Abraham's negotiation with his son (Ishmael) about the order he received from God to slaughter him (Surah Al-Sāffāt 37:102); the story of Queen Balqis who bullied others (27:29- 35); about the woman who advised her father to hire Moses, a trusted person (Qur'ān 28:26) and numerous other Qur'anic verses that establish the basis for negotiation in individual life: between husband and wife, between parents and children, and even in situations involving domestic disputes or divorce, indicating the goals and benefits that can be achieved through the practice of negotiation.

Whereas the importance of deliberation in lay circles is also explained in the same two Qur'anic verses, which mention those "who control their affairs [in matters involving the public interest] by deliberation" (Surah Al-Shūrā 42:38), and God's command to the Messenger of Allah (pbuh) to "deliberate with them in all matters pertaining to the public interest". (Surah Āl-'Imrān 3:159).

The importance and value of al-shūrā attributed to it in this verse explains the place of deliberation in Islamic life which calls for negotiations to be reached in any matter related to society, being an expression of God's mercy and compassion. It expresses the defining fundamental features of the lives of believing Muslims, where it is seen as a fundamental principle in Islamic kingship and leadership, and in the relationship between Islamic governments and those they govern. These systems and negotiation-related arrangements have been practiced by Muslims throughout the course of their history and form the fundamental and foundational elements of the religion of Islam.

The injunction to the Prophet (pbuh) to participate in these negotiations also has a broad connotation which is interpreted in connection with decrees for which there is no explicit Qur'anic text and which have to be inferred based on quasi-appeal (qiyās), legal reasoning (istihsān), and reasoning based on the search for public good (istislāh). Ibn 'Abd al-Barr narrated that 'Alī ibn Abī Tālib once said: "I said, 'O Messenger of Allah, what is the What should we do in a situation where nothing has been revealed in the Qur'an and where we have no example from you to follow?' The Prophet (pbuh) replied, "Gather the wise believers (or the Prophet (pbuh) said, melazimi ibadah).

'Then deliberate among yourselves about the situation, and do not base your conclusions on the views of a single person.'" (Abū 'Umar Yūsuf ibn 'Abd al-Barr, *Jāmi' Bayān al-'Ilm wa Fadlihi wa mā Yanbaghī fī Riwayatihi wa Hāmlīhi*, 2/73)

In another narration quoted from Abū Hurayrah he observed, "Never have I seen anyone more inclined to delay his Companions than the Messenger of Allah (pbuh)." (al-Tirmidhī, chapter al-jihad) This principle has been recognized in legislation as reported in Ahmad's Musnad, the Messenger of Allah (pbuh) said to Abū Bakr and 'Umar, "If you two agree on a matter, I will not challenge any advice you give me." (Imam Ahmad, al-Musnad, 4/227, Ibn Hajar al-'Asqalānī, *Fath al-Bārī*, 15/284).

Ibn 'Umar also narrated that al-shūrā is used to establish the tradition of adhān, or the call to prayer (Sahīh al-Bukhārī, book of the call to prayer (kitāb al-adhān), and al-Tirmidhī, chapter on prayer (abwāb al-salāh), in which the Prophet (pbuh) consulted his Companions on the best way to call the believers to prayer, which was taken in the absence of explicit revelation, as a precedent for those who came after.

As a result, the fuqaha have formulated the implications of this deliberation which has wide application in the madhabs. In his work, *Ahkām al-Qur'ān* (2/41) Hanafī fuqaha Abū Bakr al-Jassās lists the benefits of al-shūrā in Islam: it provides clear determinations on situations not elaborated in the sacred texts through free reasoning; it highlights the dignified position of the Companions of the Prophet (pbuh), who are worthy of ijtihad and whose views are worthy of acceptance and following; and it justifies the use of human reason to reach judgments.

Meanwhile, Mālikī fuqaha Abū Bakr ibn al-'Arabī, in his scholarly work *'Aridat al-Ahwadhī fī Sharh Sahīh al-Tirmidhī* (7/206), states that the benefits of deliberation justify acting on something that is known; the truth is freed from false human desires; and one obtains the best possible outcome from human thought and reason.

According to Raysuni, in general, al-shūrā offers the following benefits: Determining the right and most righteous course of action; Releasing from the tyranny of prejudice and selfish desires; Preventing arbitrariness and injustice; Teaching humility; giving everyone his rights; promoting a climate of freedom and endeavor; building capacity for thought and design; increasing readiness for action and support; fostering openness and unity; willingness to bear undesirable consequences for good solutions. (Ahmad al-Raysuni, 2011)

## CONCLUSION

The conclusion is clear that there is harmony between the core values of democracy and Islam in terms of freedom, and the principle of representation whose development in Muslim societies has had a meaningful influence in upholding its universal aspirations and establishing its moral principles in realizing peace, freedom and public virtue. This integralistic relationship between Islam and democracy is achieved by a perceptive approach in counterbalancing the modern views put forth by its critics and proponents from the traditionalist and rationalist schools that have influenced current political understanding. In contextualizing the Islam-democracy discussion and its recent trends, it showcases the growing spirit of democratization in the Islamic world from various streams from the Arab world, India, and Southeast Asia. The religious, political, economic and social impressions drawn from this inclusive political philosophy show the difference between Islamic political thought and the Western democratic approach, which takes the ideal of shura as its intellectual basis and is the main source of democratic ethics in Islam, which provides values and impressions of the sanctity of the nature and ideals of Islamic governance and political goals.

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