

Principles of Islamic Governance

Summary

This document discusses the Islamic perspective on governing a society, with discussion questions to engage the audience. The basic argument is that there is no specific way of governing according to Islam. Instead, there are certain principles which should be adhered to: shura (consultation), mercy and justice, representative government, accountable government, separation of the judiciary from government, rule of law, and respect for minorities.

Introduction

‘When he laughed, respectable senators burst with laughter,
And when he cried the little children died in the streets’
(W H Auden, ‘Epitaph on a Tyrant’)

Discussion points: What does this tell us about tyranny? What does Islam say about tyrants?

Many books suggest that God has ordained a specific political system, i.e. the caliphate. A closer examination of the Quran and sunnah shows that there are general political principles rather than a specific system. These principles are discussed below.

Shura

Shura refers to a process of decision-making using consultation. It literally means taking honey from its ‘source’, suggesting that the decision-making process should have beneficial results, *islah* (Abdelgafar 2018). Arguably, this is the foundation of Islamic governance.

‘...Consult with them about matters [of public concern], then when you have decided on a course of action, put your trust in God: God loves those who put their trust in Him.’

(Quran, Surah Al Imran, 3:159)

This verse indicates that once a decision is made in this manner, then the community should be firm behind the decision and obey their leadership. Moreover, Al Raysuni (2011) points out that this verse applies to all leaders after the Prophet, as leadership is based on serving others.

Discussion point: Do contemporary political leaders serve others or do they expect others to serve them?

Historically, there have been two interpretations of shura: shura mulzima and shura mulima. Shura mulzima is whereby the result of shura must be implemented by the ruler. However, shura mulima is advisory and therefore it is up to the leader to decide if they want to follow the shura or not.

Discussion point: Do you think representative democracy is a way of implementing shura?

Arguably, shura mulzima is closer to democratic principles than shura mulima, as tyrants could pretend to practise shura mulima.

Rahma and Adl

Adl refers to justice, that is, treating people fairly and equally (Abdelgafar, 2018). Linguistically, it means putting things in the correct places, which results in creating balance. Therefore, Islam is concerned not just with criminal justice but also distributive justice, to provide benefits for society (Kamali, 2008). God mentions in many places in the Quran that one of the reasons for sending prophets and revelation was to establish justice on earth.

'We sent Our messengers with clear signs, the Scripture and Balance, so that people could uphold justice.'

(Quran, Surah Al Hadid, 57:25)

Justice should be applied in all our dealings with others, with no bias:

'You who believe, uphold justice and bear witness to God, even if it is against yourselves, your parents, or your close relatives and whether it be against rich or poor.'

(Quran, Surah An Nisa, 4:135)

Standing up for justice against yourself means admitting when you are in the wrong and not using lies to cover up what you have done. Also, according to the Quran, believers should endeavour to establish justice both on an individual and collective level. On a societal level we should stand up against injustices to others, such as racism, sexism, discrimination against people with disabilities, discrimination against people with mental health problems and all forms of bullying. Standing up against economic injustice is also important, for example the preferable treatment of the rich over the poor.

Basma Abdelgafar (2018) argues that rahma (mercy) is also a fundamental principle of Islamic governance. God's mercy is the attribute mentioned the most in the Quran. Moreover, the Prophet said, *'Show mercy on everything on earth so that He in the heavens will have mercy on you'* (Sunan Abu Daud).

Therefore, Islamic governance should be based on compassion and forgiveness.

Discussion point: How could a government today implement compassion and forgiveness?

Representative Government

The governing body is to be chosen. The exact method of choosing representatives has not been specified, with different methods having been used throughout history. The first four Muslim rulers, after the death of the Prophet, are known as Al Khulafa Ur Rashidun (Abu Bakr, Umar, Uthman and Ali, who were the closest companions of the Prophet). They were elected in different ways. Shaikh Sa'id Ramadan Al Buti explained how they were appointed.

Abu Bakr was nominated by Umar and this was accepted by the community, who gave him bayaah (allegiance). Before he died during his final illness, Abu Bakr consulted the people about who should be the next caliph, but they could not agree on someone so asked him to decide. Then he consulted prominent companions of the prophet and they all suggested Umar. So, he put this to the people in the form of a letter read out by Uthman and they accepted this.

After being fatally stabbed, Umar appointed a shura council of six prominent companions of the Prophet to appoint a caliph from amongst themselves. Two candidates were chosen, Uthman and Ali. One of the members of the shura council, Abd al-Rahman Ibn 'Awf, then went to consult the community for three days and nights. The vast majority said that Uthman should be the next caliph. Then it is related by Bukhari that he called for a meeting in the mosque of the Sahaba from the muhaajirin (those who emigrated from Makkah to Madinah) and the ansar (sahaba from Madinah) and the leaders of the army, along with Uthman and Ali. At this meeting, Abd al-Rahman Ibn 'Awf announced the result of his consultation to Ali, who then pledged allegiance to Uthman followed by everyone else present.

After the assassination of Uthman by rebels, these rebels told Ali that they wanted him to be the new caliph. However, he refused, saying that they did not have the right to choose the new caliph; this should be decided by the companions of the Prophet who fought at the battle of Badr. When these companions



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of the Prophet approached Ali and asked him to be the new caliph, he accepted and took their pledges of allegiance. However, a companion of the Prophet, called Mu'awiyah, rejected the appointment of Ali as the caliph as he believed that not all of the prominent sahaba had been consulted, since some were spread out away from Madinah. He led a rebellion against Ali resulting in the battle of Siffin. After this battle, both claimed to be the caliph. Soon afterwards, Ali was murdered in Kufa (he had transferred the capital of the Muslim lands from Madinah to Kufa). He had not chosen a successor.

After Ali's murder, the people of Kufa chose Ali's eldest son Hasan as the new caliph. Mu'awiyah rejected this and again rebelled, forcing Hasan to abdicate. Mu'awiyah was now the new caliph and started the Umayyad dynasty. Thus, the caliphate became a monarchy. This dynasty was followed by several other dynasties who took power including Abbasid, Mamluk and Ottoman (the latter was the last Muslim dynasty).

Discussion point: How do you think governments should be appointed in Muslim majority countries to represent the people?

Accountable Government

Early Islamic history shows that the caliphs were foremost in holding governors to account. Kamali (2011) gives the examples of the caliphs Umar and Uthman allowing people to approach them to complain about governors/officials during hajj season. Similarly, the caliph Ali used to make enquiries about the behaviour of his officials.

On being appointed caliph, Abu Bakr (RA) said: *'I have been entrusted with authority and I am not the best of you, if you see me doing well support me, and if not correct me. Obey me as long as I am obeying God, and if I deviate, no obedience for me is due from you'* (Osman, 2008, p. 266).

What does this show about his attitude to leadership? First, that leadership is a trust - it is not a means to pursue one's personal interests. Secondly, humility - Abu Bakr did not see himself as superior to anyone else.

Discussion point: Do contemporary political leaders have humility?

Thirdly, accountability - he said that the people had the right to correct him when he was wrong. The Quranic interpreter Qurtubi linked accountability to shura, stating that if a ruler does not consult with the community, then they should be removed from their position.

Separation of Judiciary from Government

To ensure that justice was implemented and that the rule of law was upheld, the judiciary was independent of the governing body. Traditionally, shariah courts dealt with all types of disputes, such as those involving ordinary people, farmers, shopkeepers, soldiers or government officials (Kamali, 2011).

Discussion point: The story of Ali (RA), the Christian and his lost shield and the implications for Muslim governance:

https://www.reddit.com/r/islam/comments/4qw3nv/the_beautiful_story_of_the_caliph_ali_ras_shield/

Rule of Law and Protection/Respect for Minorities

During his lifetime, the Prophet insisted on the principle that every individual in a community is equal under the law. Wealth and lineage should have no bearing on the application of law. For example, he said that if his beloved daughter Fatimah stole something, he himself would administer the punishment.



Islamic Society of Britain

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Osman (2008) points out that dhimma (the term used to describe religious minorities in a Muslim country) means promise and protection. Therefore, they are guaranteed 'security and protection' by Muslims. An example of this he gives is when the Prophet offered protection to the Christians of Najran in relation to lives, possessions, acts of worship and places of worship.

'We revealed to you the scripture with the truth that you may judge between people by which God has shown to you, and do not be a pleader for the treacherous.'

(Quran, Surah An Nisa, 4:105)

Kamali (2008) explains that the context of this Quranic verse was when a Muslim, Du'mah ibn Ubayraq stole a 'coat of mail' (type of light armour made of links of iron) and then concealed it in the house of a Jewish man whom he accused of stealing it. Du'mah ibn Ubayraq was supported by his tribe. The Prophet declared the Jewish man innocent of the theft and Du'mah ibn Ubayraq absconded. The Prophet did not favour the Muslim: he favoured justice.

Discussion point: <https://en.islamway.net/article/8165/omar-and-the-egyptian-unparalleled-justice>

Study the story of Umar (RA) and the Copt and discuss his understanding of the rights of a minority citizen. Compare this to the attitude of some Muslims towards minorities in majority Muslim countries.

In conclusion, Islamic governance is based on these eight principles, which we can use as criteria to evaluate how Islamic a government is.

References

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Handout

Shura: the Decision-making Process

- Refers to the process of using consultation to form decisions.
- Applies to all leaders after the Prophet Muhammad (pbuh).
- Once a decision is made, the community should be firm behind that decision and obey their leader.
- There are two interpretations of shura: shura mulzima (binding) and shura mulima (advisory).

Rahma and Adl

- Adl refers to justice - treating people fairly and equally.
- Examples of justice are admitting when you are in the wrong, and standing up against injustices such as racism, sexism, and discrimination against those with disabilities or mental health problems.
- Rahma or mercy is another principle of Islamic governance. God's Mercy is the attribute mentioned most in the Quran, so Islamic governance should be based on compassion and forgiveness.

Representative Government

The governing body is to be chosen. The exact method of choosing representatives has not been specified and different methods have been used throughout history. The first four Muslim rulers, after the death of the Prophet, are known as Al Khulafa Ur Rahidun (Abu Bakr, Umar, Uthman and Ali, who were the closest companions of the Prophet). They were elected in different ways.

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Rule of Law and Protection/Respect for Minorities

During his lifetime, the Prophet insisted on the principle that every individual in a community is equal under the law. Wealth and lineage should have no bearing on the application of law.

Quranic teachings and the example of the Prophet guarantee the protection of the rights of those who are not of the Muslim faith. Their lives, religion, honour and civil rights are protected.