



Democracy In Islamic Politics (Historical Review of the Election of the Head of State in Islam)

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Abstract

Muslim scholars are still debating democracy in Islam. Some of them reject democracy because the essence of democracy is the sovereignty of the people. At the same time, siyasah syar'iyah (Islamic politics) is the sovereignty of Allah with its various provisions. Others argue that some of the substances of democracy are the same as the essence of Islamic politics, which have existed before democracy itself began to be hot in the discussions of political experts today. One form of democracy is the election of leaders. In the history of Islam, the appointment of leaders can be made in several ways, namely through nash (holy books), deliberation of ahlul halli wal 'aqd, wilayah al 'ahd, and coercion. The method of selecting leaders was implemented in the election and appointment of Khulafa ar Rasyidun as Caliph.

Keyword: Democracy, Islamic Politics, and Caliph

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Introduction

As-Siyasah As-Syar'iyah (Islamic Politics) brings humans closer to goodness and away from damage, even though the information about them was not prescribed by the Prophet Muhammad and was not revealed through revelation (Jauziyyah, n.d., p. 26). The Messenger of Allah, SAW was a religious political leader. The legality of his religious leadership was obtained from Allah SWT, and the legitimacy of his political leadership was obtained from his supporting community (Ghazali, 2002, p. 174). His life can be a beautiful example of how the task of preaching, legal obligations, and governance can harmonize. He is known as the Head of State, a judge who decides all matters, a warlord, and a reference for every believer in every dispute (Khalid, 1985, pp. 7–9).

Some Islamic scholars argue that politics leads to hypocrisy and lies. Politics is a matter that must be avoided (Samuddin, 2013, p. 45). A politician is considered to be able to fight his enemies, and sometimes his supporters. They can also make false promises that can move the hearts of their people to believe (Ibrahim, 2011, p. 12) ibraim. Imam Shafi'i, put politics as a branch of sharia:

السياسة جزء من اجزاء الشريعة وفرع من فروعها

"Politics is part of the sharia and one of its branches." So, in politics, there is open space for ijthad, because Islam is the source of inspiration, the incarnation of Islamic politics is not fixed, single, and monolithic. Politics is a means because the real goal is a just, prosperous, and prosperous life. (Syierazi, 2017)

One of the quite controversial discourses for Muslim Intellectuals related to Islamic politics is democracy. Democracy is a foreign thing that does not come from the Islamic world (Samuddin, 2013, p. 166). Democracy comes from the Western world which has historical roots and a worldview that is different from the Islamic world (Hidayat, 2015, p. 405). The controversy among Muslims cannot be separated from the fact that there are many

variations in the interpretation of Islamic religious texts, especially the Qur'an and Hadith, as well as differences in response among Muslims to modernity.

Methodologically, comparing Islam and democracy is not appropriate, because Islam is a religion and a message that contains principles that regulate worship, morals, and human transactions. While democracy is only an idea or outlook on life that prioritizes equal rights and obligations and equal treatment for all citizens. (Jalil, 2020, p.431).

Method

The author uses historical methods (Soekanto, 1986, p. 260) and political approaches to explore the concept of democracy in Islamic politics, the views of Fiqh scholars on democracy, and the practice of electing leaders in Islam as part of democracy. The data source used is secondary data in the form of materials obtained through document study or literature study. Data selection is done during the collection process, where researchers focus on information that is relevant to the research theme. Researchers ensure that the data collected has the appropriate context. Information that has no direct relationship to the research context is usually set aside (Solikin, 2021, p. 122). This type of research is qualitative research, namely qualitative data about the object expressed in sentences, the processing of which is carried out through a critical, analytical/synthetic and thorough thinking process (logic) (Arnia & Siddiq, 2022, p. 39).

The steps taken were first to identify sources of legal material, namely books about Islamic politics, plus several articles related to the themes the author discussed; second, inventorying the material according to its classification, namely Islamic democratic politics in Islam, the system of electing heads of state in the history of Islamic politics; third, record and cite legal materials based on the classification of the source of the legal materials and the order in which they were obtained, and fourth, analyze the legal materials obtained according to the problem and research objectives (Muhaimin, 2002, p. 65). The data analysis technique that the author uses is descriptive analysis to provide an overview or explanation of democracy in Islamic politics, the views of Fiqh Ulama on democracy, and the practice of electing leaders in Islam as part of democracy without justifying it (Nugroho, 2020, p. 93).

Result

1. Democracy in Islamic Politics

Since the leadership of the Prophet Muhammad SAW and al-Khulafâ' al-Râsyidûn, the political map and state system have undergone very significant changes. The system of government that was initially democratic with shura as a way to elect a leader has changed in the hands of the leaders of the dynasties after the time of al-Khulafâ' al-Râsyidûn. The system of government as mentioned last also changed along with the contact of Muslims with the Western world. The West has more or less given a pattern to the political map of Muslims (Waluyadi, 2014, p. 157).

Etymologically, democracy comes from Greek (*demokratia*). Consisting of two words, demos which means people and kratos or kratein which means power. So the basic concept of democracy is the power of the people (hukmu as-sya'b or government of rule by the people) (Samuddin, 2013, p. 163).

According to Joseph Schmitter, democracy is an institutional plan to achieve a political decision in which individuals gain the power to decide the way of competitive struggle for the people's voice. Philippe C. Schmitter argues that democracy is a system of government in which the government is held accountable for their actions in the public domain by citizens acting indirectly through the competence and cooperation of elected representatives (Fuadi, 2010, pp. 2-3).

As previously mentioned, that democracy was born in Greece in the 5th century BC, and was redesigned by European intellectuals after the Renaissance, due to a long conflict

between intellectuals and churchmen. Thus, democracy is a Western concoction built on secularism, namely the separation of religion from the state, and the broadest possible freedom of the people in religion (freedom of religion), opinion (freedom of speech), ownership (freedom of ownership), and behavior (Basri, 2015, p. 2).

Democracy is a new concept in Islamic political discourse, Muslims have only been acquainted with democracy since the beginning of the last century, namely after the clash of cultures between Islam and the West, starting from the era of colonialism and imperialism, then followed by technological advances that allow everyone to access various information from all corners of the world in a relatively short time. (El Fadl, 2004, p.53)

Muslim scholars discuss the issue of Islam and democracy using two approaches, namely normative and empirical, which ultimately give rise to differences of opinion in responding to this discourse. On the normative level, they question the values of democracy from the perspective of Islamic teachings or return to the text of the Qur'an. While on the empirical level, they analyze the implementation of democracy in political and state practices (Anwar, 1995, p.122).

In discussing Islam and democracy, they are divided into three groups (Mahalli, 2003). The first group rejects democracy and all its instruments. Their reason is that the essence of Islamic law directs its ummah to worship Allah, and the sovereignty of the law rests with Allah. In contrast to democracy, the right to make and determine laws lies in the hands of the people (Zuhayli, p. 17) Apart from that, democracy is also considered a heretical teaching (Ali, 2018). Most of the results of the majority vote called for by democracy place someone incompetent in managing the affairs of society and the state so that those who play a big role are his subordinates who could lead the state into the abyss of destruction according to their interests and desires (Al-Ashqalani & Hajar, 1986, p. 59). The next reason is that in democracy there are lies in the name of "People's sovereignty" and the law of the majority. In reality, the role in shaping public opinion to make decisions is the media which is controlled by capitalists. So it is not surprising that the rise and fall of political power is determined by a minority group that has abundant assets and controls the media (Samuddin, 2013, pp. 174–181).

Sayyid Quthb said that any idea of sovereignty in the hands of the people is impossible. According to him, such a thing is a violation of God's power and is a tyranny of some people over others (Kamil, 2002, p. 48). Meanwhile, Ali Benhadj (a figure from the Islamic Front du Salut (FIS) in Algeria) emphasized that the concept of democracy must be replaced with Islamic principles of government and rejected the democratic system which he considered to be nothing more than a Western tool (Thaha, 2005, p. 42).

Thaba'thabai, an Iranian mufassir and philosopher, has a similar opinion. He stated that Islam and democracy cannot be united because of the principles of the majority. He also revealed that in its birth every major religion always contradicts the will of the majority, because according to him every human being often does not like what is fair and right, he quoted the verse of the Qur'an which means: "if the truth follows their own will, the heavens and the earth and their contents will surely be destroyed" thus according to him, it is wrong to assume that the majority's guidance is always fair and binding (Kamil, 2002, p. 49). The second group is those who accept democracy. They argue that in essence democracy does not conflict with Islam if democracy is seen from the principal or substance of democracy itself. It was Islam that first taught the things that exist in democracy itself so that the synchronization between the two was wide open (Hakiki, 2016, p. 7).

In this case, Yusuf Qardhawi argues that "Islam has preceded democracy in establishing the basics that are the core and foundation of it (democracy). However, Islam leaves the elaboration of its details to the ijihad of Muslims, according to religious principles, worldly interests, and the development of their lives according to the times and places" (Yusuf, 2001, p. 132) According to him, the democracy meant by Islam is not like democracy where it is believed that the people are the makers of laws that are not approved by Allah, however, it is a means of implementing guarantees for the values of justice, equality, and preventing the

tyranny of dictators. Apart from that, an analogy that might be appropriate in this case is about leading (in prayer). If in prayer the imam must be someone who agrees with the various terms and conditions, then likewise the leader is someone who must agree of course with the terms and conditions that have been determined by Allah in choosing the leader. The next reason is that Islamic sharia does not prohibit taking ideas, concepts, theories and alternative amaliyah from non-Muslim circles which can bring benefits to Muslims, as long as they do not conflict with the texts and rules of sharia (Rahman & Mubarakfuri, n.d., p. 288).

Both opinions from both groups need to be studied in depth. The first group that states that democracy is contrary to Islam needs a re-examination. Because there are many similarities between the teachings of democracy and Islamic law as previously mentioned. In addition, the wisdom of the Prophet Muhammad SAW did not leave a message about who would be the caliph after him is a sign that the leader after him was appointed and chosen by the people through deliberation.

According to John L. Esposito, the view that says Islam is not in line with democracy is because they view it from the perspective of the experience of Muslim-majority countries, namely the experience of kings, military and ex-military rulers who have weak legitimacy supported by military and security forces. A similar view was also expressed by Bahtiar Effendi, an activist at LIPPI and a political observer who stated that in general Islamic countries do not have adequate democratic experience, and do not seem to have the prospect of carrying out a transition process even to semi-democracy. The country that has experience with this system of government is Syria, where the president's son replaced his father to occupy his position, and there are many similar possibilities in the practice of Arab world governance. (El Fadl, 2004, p. 53, Iqlima, 2016, p. 77)

As for the opinion of the second group that agrees that democracy absolutely must be re-examined. All experts and political experts today agree that the core of democracy is the sovereignty of the people, while the core of Islamic law is the absolute sovereignty of Allah as the lawmaker. As for the matter of accepting concepts or things from non-Muslims, then religious and worldly matters must be distinguished. If it is related to religious and faith issues, the scholars agree it is forbidden. If it is only a worldly matter, then the law is permissible as long as it does not contradict the text and brings benefits to humanity (Samuddin, 2013, pp. 200–204).

2. History of Leader Election in Islam

One of the practices of democracy is the appointment of leaders. The head of state and government is held as a substitute for the function of prophecy and guarding religion and regulating the world. Appointment of the Head of State is obligatory according to *Ijma'* (Mawardi, 1989, p. 3). The majority of Ahlussunnah scholars are of the opinion that imamate is an obligatory or *farḍhu* matter (Taftazani, 2000, p. 142) and (Dahlawi, 2005, p. 110) Ibn Hazm said that all Ahlussunnah agree on the obligation to uphold the Imamate (Mawardi, 1989, p. 5), the ummah is obliged to submit to a just imam who enforces Allah's laws based on the sharia laws brought by the Messenger of Allah (Hazim, 1996, p. 87). This obligation is based on evidence from the Qur'an, Hadith of the Prophet, and *ijma'*.

A person who carries out the functions of the caliphate, imamate and emirate in Islamic history, especially during the khulafaurosiddin era, is called a caliph, imam or amir. The meaning of the word caliph is a substitute, namely someone who replaces another person's place in several matters, (Dahlawi, 2005, p. 919) Caliph can also mean as-Suttan al-A'zam (the greatest or highest power), in English caliph, means deputy, successor, vicegerent, title for the supreme head of the Muslim Community, as the successor to the Prophet (Khalifat Rasul Allah) (Pulungan, 1994, p. 49).

Islamic jurists mention four ways or procedures regarding the mechanism of appointing the highest leader of the state, namely by nash, based on Ahlul Halli wa al 'aqd, wilayah al'ahd, and coercion. The following will be discussed further.

- a. Appointment of Imam based on Nash

ShiaImamiah said that the appointment of imams can only be done based on the text or election of the people. However, driven by their tendency to limit the imamate only to Ali bin Abi Talib ra., they criticized the electoral principle. They say it is obligatory for Allah SWT. Appoint an imam based on a text that is clear and explicit in its verses. They at length strengthened their views with many evidences from Naqli arguments (Zuhayli, tt:288-289), and 'aqli (Subhi, 1991, p. 79).

b. The appointment of Imams is based on Ahlul Halli wal 'Aqd

This method is the basis for the system of election and appointment of leaders according to Ahlu Sunnah wal jama'ah. If a leader dies, or is removed from his position, then Ahlu Halli wal 'Aqd should give a decision on the bai'at of his leadership.

People of Allah and the People of Justice are the scholars and capable scientists (ulama mujtahid), the leaders, and community leaders who represent the people in choosing an Imam. AlMawardi said that if there is no one to carry out the imamate, there must be two groups of people who come out to play their roles. First, Ahlu al Ikhtiyar (people who have the qualifications, competence, and capability to elect an imam) until they choose an imam to lead the people. Second, ahlu al imamah (people who meet the requirements, specifications, and qualifications to become an imam) until one of them stands as an Imam.

Among the requirements of Ahlul Halli wal 'Aqd are: first, al 'adaalah who fulfills the requirements; second, have knowledge that can be used by anyone who is entitled to serve as Imam; third, his views and wisdom are able to select and choose who is worthy of being a leader and most capable in taking care of the welfare of the community (Mawardi, 1989, p. 3).

c. Appointment of Imam based on 'ahd area (appointment by the previous Imam)

Fuqaha believes that the imamate may be formed based on wilayah 'ahdi or al 'isha' (testament, recommendation) if the waliy 'ahdi (crown prince) in question fulfills the requirements for holding the position of caliph and the dedication of the people. So, the regional position of 'ahdi is the nomination or candidacy of the previous caliph w. (Zuhayli, tt:29)

Based on the consensus of the Ulama, this is permissible and valid, based on what has been practiced by the previous Muslims, especially in the appointment of the Khulafaurasyidin. Namely, how the Caliph Abu Bakar As Shiddiq ra has entrusted the caliphate to Umar bin Khattab ra. Likewise, the Caliph Umar bin Khattab has entrusted the caliphate to Ahlu Syura' wal Jama'ah (a group of companions appointed by Umar ra). As for the obligation to fulfill the requirements to become a legitimate imam in the person of the waliyy al 'ahd, it has become an axiom or necessity, such as he is a figure who is honest, heroic, credible, sincere, and devoted to Allah, and wants good for the Muslims.

The fuqaha agree that the imamate should not be inherited from generation to generation. Ibn Khaldun said that if the intention and purpose of appointing the waliyy al'ahd (crown prince) is to maintain leadership and power so that it can be inherited by his children from generation to generation, that is not at all the intention and purpose of religion (Khaldun, 2004, p. 391). Ibn Hazm said that there is no difference of opinion among any of the Muslims that there should be no inheritance in the Imamate (Hazim, 1996, p. 167).

d. Appointment of Imam based on coercion

Imamate can be formed and achieved by force and domination because the person who succeeds in dominating becomes an imam without the process of allegiance or appointment from the previous imam, but by controlling. Sometimes leadership achieved in this way is also followed by the process of allegiance after that (Dahlawi, 2005, p. 111).

The caliphate can be formed and obtained by someone who successfully controls people who meet the specifications and requirements to become an imam, as was done by the caliphs after the Khulafa ar Rasyidun. If then the one who gets the power is someone who does not meet the specifications, criteria, and requirements as an Imam, one should not be quick to

oppose and overthrow him. This is because his removal cannot be done except through violence, war, and terror. This will contain a much heavier mafsadah compared to the expected benefit. Thus, obeying and submitting to him (the mutaghallib ruler/who gained power through force) is better than resisting in order to prevent bloodshed and to reduce slander and unrest that could disturb the peace of the general public.

Appointment of Khulafa ar Rasyidin

In this discussion is to emphasize that the bai'at of the ummah is the basis of appointment and promotion, not with texts, recommendations, and wills from previous leaders, coercion and domination, inheritance, and so on. This proves that the ummah can be freer in taking steps that can realize the common good, because the ummah will supervise and control the leadership and its responsibilities, so that none of them have the belief that their authority and power are obtained from Allah SWT, like the Prophet, whose words, actions, and decisions should not be challenged.

1. The appointment of Abu Bakr as Shiddiq ra

The election of Abu Bakr As Shiddiq ra as the first caliph after the Prophet Muhammad SAW took place in the form of a modern political conference in which there was a very sharp debate and discussion between the Muhajirin and the Ansar in the Saqifah bani Sa'idah shortly after the death of the Prophet SAW, before the burial of his body (Ali, 2018, p. 323). At that time, Umar bin Khattab ra was the first person to nominate Abu Bakr As Shiddiq ra as caliph, and it was approved by ahlu al halli wa al 'aqd and then all the Muslims pledged allegiance to Abu Bakar As Siddiq ra, both those who they agreed from the start, and those who, while still in the process of discussion and debate, did not agree (Zuhayli, tt:289)

In the appointment of Abu Bakr as caliph, there are several important things that must be considered, especially regarding the appointment of a leader: First, the Prophet SAW did not leave a clear text for determining who would be the caliph after him; second, the Bai'at of Abu Bakr As Shiddiq ra was successful through a mechanism of deliberation of senior companions from among the Muhajirin and Anshar; third, there is no requirement for a perfect consensus (unanimous vote), however, leadership is achieved through a mechanism of majority vote agreement; fourth, it is prescribed for a caliph from Ahlul halli wa al 'Aqd primarily, then followed by the bai'at of the Muslims in general; fifth, it is not required in the election of the caliph, the presence of all members of Ahlul halli wa al 'Aqd. Their absence does not affect the decision that has been made (Samuddin, 2013, pp. 100–102).

2. The appointment of Umar bin Khattab ra

The election of Umar bin Khattab, ra was based on his nomination by Abu Bakar As Siddiq ra in the form of a will and recommendation (al'ahd) to the Muslims after he had previously consulted with Ahlul halli wa al 'Aqd. The Muslims finally pledged allegiance to Umar bin al Khattab ra and agreed to have him as caliph replacing Abu Bakr As Siddiq ra

When Caliph Abu Bakar As Siddiq ra was sick, Umar bin Khattab ra acted as a substitute prayer leader for the Muslims. When he was ill, Abu Bakar As Siddiq ra bequeathed the position of caliphate to Umar bin Khattab ra, who served as the officer who wrote the will, namely Uthman bin Affan ra, after which the will was read in front of the Muslims, they acknowledged and obeyed it (Zuhriy, 2001, pp. 122–200).

Umar's appointment as Caliph contained several important points, including: first, he was allowed to determine who would be a particular person as long as he met the requirements of a leader; second, the necessity of deliberation between the Ahlul halli wa al 'Aqd before performing 'azam to determine whether someone will become caliph; third, the obligation to write an agreement (decree) for the chosen Caliph; fourth, the agreement (decision) is not enough, but must be accompanied by a pledge of allegiance to the chosen Imam (Samuddin, 2013, p. 106).

3. The appointment of Uthman bin 'Affan ra

The process of electing Uthman bin Affan ra, is a manifestation of shura in a clearer form. This is because Umar bin Khattab ra in this case did indeed form a shura committee consisting of six members, namely Ali bin Abi Thalib ra, az Zubair bin Awwam ra, Abdurrahman bin Auf ra, Utsman bin Affan ra, Thalhah bin Ubaidillah ra, and Sa'ad ibn Abi Waqash ra at that time Umar bin Khattab gave three days to the six of them to elect the Caliph and explained to them about the deliberation scheme, namely taking the majority vote.

The members of the deliberation committee held various deliberations for three days and nights. Abdurrahman bin 'Auf when deliberating with his friends, warlords, and community leaders in Medina, found that they agreed to choose one of two people, namely Utsman bin Affan ra, or Ali bin Abi Thalib ra, only the majority of the members of the shura and the Muslims tended to Utsman bin Affan ra, because they saw him as a gentler person and had many virtues and services for the community, he was also the one who prepared the al 'Ushrah troops using his own wealth and bought the ar Ruumah well which he then donated for the benefit of the Muslims (Zuhayli, p. 304).

Abdurrahman bin 'Auf was the first friend to pledge allegiance to Utsman bin Affan ra (Al-Ashqalani & Hajar, 1986, pp. 75–76) then followed by the Muslims. The oath of allegiance is the result of representation of the opinions of the people and the results of various deliberations carried out with the Muslims.

4. The appointment of Ali bin Abi Thalib ra

The great slander that led to the killing of Caliph Uthman bin Affan ra and the chaos that occurred in Medina resulted in various important events in Islamic history that had a very large and profound influence on the Caliphate of Ali bin Abi Thalib ra since he became Caliph. The caliphate he held did not receive agreement or unanimous vote as the previous caliphs did. The oath of allegiance carried out by Muhajirin and Ansar leaders was carried out to stop slander and protect Darul Hijrah (Medina) (Baqilani, 1957, p. 227). The method used in his allegiance was the al ikhtiyar method, or election as happened in the election of Abu Bakar As Shiddiq ra, because Utsman bin Affan ra did not leave a will regarding who would become Caliph.

One example of a historical concept applied to contemporary Muslim democracy is shura (deliberation). In Islamic history, shura is a principle of consultation applied by the Prophet Muhammad SAW and the Khulafaur Rasyidin as a method to achieve context in decision-making. This concept is adapted in the context of modern Muslim democracy as a framework for involving society in the decision-making process collectively and inclusively (Effendi, 2024, p. 69).

Conclusion

Scholars have different opinions regarding their views on democracy. In this case, they are divided into two groups. Some of them reject democracy and all its devices. The reason is that the core of Islamic law directs its people to worship Allah, and the sovereignty of Islamic law lies with Allah. This is different from democracy, where the right to make and determine laws is in the hands of the people. Democracy is also considered a teaching of muhdas (heresy). In democracy, there are considered to be lies in the name of "People's sovereignty" and the law of the majority. In reality, the media, which is controlled by capitalists, plays a role in shaping public opinion to make decisions. So it is not surprising that the rise and fall of political power is determined by a minority group that has abundant assets and controls the media.

Others accept democracy absolutely. The reason is that in essence democracy does not conflict with Islam when viewed from the principle or substance of democracy itself. Islam is the one that first taught the things that are in democracy itself, so that the synchronization between the two is wide open. Democracy as meant by Islam is a means of implementing guarantees for the values of justice, equality, and preventing tyranny in dictators. The next reason is that Islamic law does not prohibit taking thoughts, concepts, theories, and

alternative practices from non-Muslims that can bring benefits to Muslims, as long as they do not conflict with the texts and rules of Islamic law.

The procedure for the mechanism of appointing a leader according to history is by text, namely first, appointing an imam based on a clear and explicit text in His verses; second, election based on Ahlul Halli wa al 'Aqd, namely the election carried out by the Ahlul Halli wa al 'Aqd institution consisting of capable scholars and scientists (ulama mujtahid), leaders, and community leaders who represent the community in choosing an Imam; third, wilayah al'ahd, meaning the election based on the wilayah 'ahdi or al 'isha' (will, recommendation) where the waliy 'ahdi meets the requirements to hold the office of caliph and the allegiance of the community; and fourth, forced election. This research facilitates international dialogue on the relationship between Islam and democracy that can involve scholars, activists, and political leaders from various backgrounds to improve cross-cultural understanding and create a more inclusive model of democracy.

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