Characteristics of Islamic Governance: The Scholars’ Consensus

Can we prescribe a comprehensive definition of an Islamic State?

As we approached the task of defining the features of a present day Islamic state, it quickly became evident that while there are principles that represent the core elements of Islamic governance, there is more than one approach to constructing an Islamic state. Our group of scholars, hailing from different corners of Islamic legal and political thought, was itself representative of that multiplicity of perspectives. As Ghazi shared with the group, among the “various efforts to reinvigorate the role of Islam in communities and nations” are perspectives that emphasize the cultural or civilizational aspects of the Muslim ummah (such as Prime Minister Badawi’s Islam Hadhari in Malaysia), perspectives that emphasize jurisprudence under the leadership of a scholarly class (wilayat al-faqih – rule of the jurisprudent – in Iran), and those that emphasize the implementation of the Hudud (corporal punishments) as the barometer for instituting Islamic law. There are even perspectives, such as in Ghazi’s native Pakistan, which emphasize economic development over jurisprudence or instituting Hudud punishments – much to the chagrin of some elements of Pakistani society that would rather see the latter.

Are any of these approaches more correct than the others? The scholars agreed that multiplicity is a hallmark of the Muslim ummah. As Şentürk said, “We should allow for the existence of different modalities in a way that will reflect the richness of the Shariah, rather than seeking a single model everywhere in the world.” After all, as Ghazi shared, “The Prophet of Islam had a habit of giving different advice to different people in
response to the same questions, depending on their unique situations.” We should follow that example by recognizing that context shapes the judgment in a legal case. Larijani emphasized the evolutionary nature of this process, saying that “we should avoid talking about an Islamic government or an Islamic state as a finished or finalized product. The reality is that states are social structures that emerge out of different social contexts, following a specific evolution.” Therefore, he continued, “It is quite possible to envisage the emergence of different Islamic structures for governance, depending on unique social realities.”

While we therefore cannot prescribe any one perspective as the absolute standard of Islamic governance, we can articulate the minimum of what is agreed upon. Ghazi illustrated this point, saying that “if former Malaysian Prime Minister Ahmed Badawi, who advanced the notion of Islam Hadhari, and the spiritual leader of the conservative Pan-Malaysian Islamic Party, Nik Abdul Aziz, agreed to establish an Islamic state, then there would be many points of disagreement. But there would likewise be a minimum upon which they would agree.” “That minimum,” Ghazi said, “should be our product.”

The method of establishing this minimum as the essential foundation for Islamic governance is analogous to saying that whoever declares the shahada is a Muslim. For example, there are different interpretations regarding the necessity of wearing the hijab and different standards as to what constitutes halal food, but all agree that one must declare the shahada in order to become a Muslim. By establishing these basic and fundamental principles of Islamic governance, Larijani shared that, “societies can start evolving and create their own Islamic states.” In other words, when defining Islamic governance, “We should not fix the end; rather we should fix the beginning.”

**What makes a state “Islamic”?’**

It was natural, based on the traditional diversity of opinion in Islamic legal thought, that in our efforts to find consensus, our discussions began with passionate disagreement. What makes a state Islamic? Is it its official declarations? Its laws? The qualifications of its rulers? Its deliverables to its society? Or is it based on the outcomes, meaning that the state structures and laws have created a society that manifests the principles and ideals enshrined in the Qur’an and the Sunnah? The fundamental question underlying our discussions was: is the Islamicity of a state defined by what a government says about itself, by what it does, or by the society that it enables?