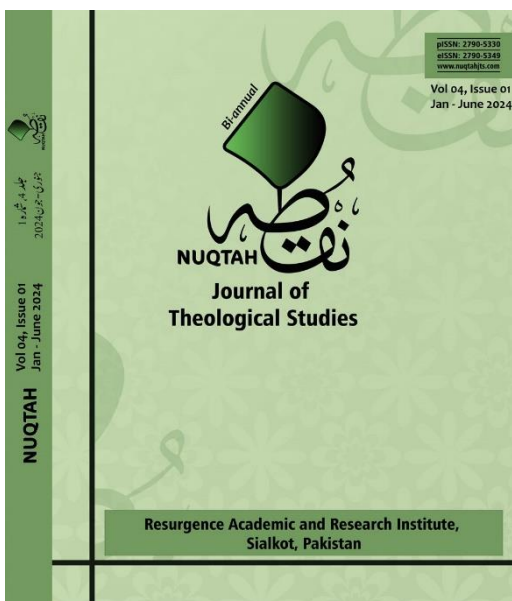




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A Comparative Analysis of Khilafat and Democracy in the Light of Islamic Jurisprudence

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A Comparative Analysis of Khilafat and Democracy in the Light of Islamic Jurisprudence

ABSTRACT

This research venture is based on the comparative analysis of the historical Caliphate system and modern democracy. The study evaluates the compatibility of the Islamic Caliphate system and its jurisprudence with the features of Western democratic norms. The study explores Islamic ideas of Shura (Consultation) in Islamic political thought and its key principles in both the Caliphate and democratic models. The role of Islamic law (Sharia), the selection of leadership, and the rights and responsibilities of citizens are incorporated as the main considerations. The study also used primary and secondary sources such as the Quran, Hadith, and prominent Islamic scholars' writings to investigate the core values and governance mechanisms advocated in Islam. Therefore, the findings of the study rely mostly on the convergence and divergence between these two debates regarding the suitable form of governance for the Islamic world.

Keywords: Khilafat; Democracy; Jurisprudence; Islamic Teachings

Introduction

The question of ideal governance and the relationship between politics and religion has been a debate of centuries especially when discussing the governance models in the Islamic world. The most prominent Islamic debates are the concept of the Caliphate (Khilafat) and democracy. These two debates also hold significant importance and sway in contemporary political discourses as well. The Caliphate is an Islamic terminology. The literal meaning of the term 'Caliphate' is 'Successor' which refers to the political system that emerged after the death of the Holy Prophet Muhammad (PBUH).¹ Since then, the Caliph has been considered as the successor to the Prophet Muhammad (PBUH) to serve as both the religious and political leader of the Muslim Ummah (Community) throughout the world.² The legitimacy of the Caliphate stemmed from its historical connection to the Prophet Muhammad (PBUH) and its commitment to upholding Islamic Law (Sharia Law). Moreover, the particular form of the Caliphate varied throughout history, with some periods categorized by strong centralized authority and others by a more decentralized structure. However, the core values of Islamic leadership, consultation (Shura), and adherence to Sharia remained constant.³

Democracy is a modern political system that is based on the principles of popular sovereignty, where citizens hold ultimate power. Democratic government derives legitimacy from the governed consent, expressed through elections and participation in the political process.⁴ Moreover, there are different forms of democracy, core elements include representation, political equality, and individual liberties.

The scholarly debates on this phenomenon raise a question on how these seemingly disparate systems, the divinely ordained Caliphate and the secular concept of democracy, align with Islamic teachings, however, the proponents of the Caliphate argue that Islam prescribes a particular form of government with the Caliph that serves as the guardian of Sharia and the embodiment of Islamic unity. Muslim scholars also point to the Quranic verses that emphasize the significance of following the commandments of God (Allah) and the example of Prophet Muhammad (PBUH).⁵ Further, Islamic scholars also cite the historical success of the Caliphate in uniting the Muslim world and fostering a golden age of Islamic civilization.⁶

Conversely, the advocates of democracy argue that Islam emphasizes consultation (Shura) and the importance of justice for all citizens.⁷ They contend that democracy with its main focus on popular participation and representation aligns better with these principles than the hereditary or elite-driven selection of Caliphs that often characterized historical Caliphates.⁸ In addition, they also point out the historical decline of the Caliphate and argue that a more flexible and adaptable system is necessary for the challenges of the modern world.

This research enterprise seeks to address the comparative debates on Khilafat and democracy as two different political systems. By analyzing different approaches to the debate, the study tries to address the key principles of the Caliphate and democratic systems to highlight the disparities and compatibilities while discussing the teachings on leadership, governance, and the rights and responsibilities of citizens. The application of the concept of Shura (consultation) is also taken into consideration to address this debate in light of traditional and modern political values.

Literature Review

This study is based on the comparative analysis of two opposing systems of governance – the Khilafat and democracy. Therefore, this study seeks to explore and review the existing literature based on the comparative analysis of Islamic jurisprudence and democratic norms. For this research venture, the work of political scientists and the most prominent academicians such as Ritonga (2020), Rambe & Mayasari (2021), Razi (2013), and Abdulkadir (2016) are reviewed.

According to the Ritonga, the Khilafat is assumed as a system where the leader implements policies mandated by a Consultative Assembly and is accountable to Allah and the people.⁹ This way, the decision-making process in Khilafat is democratic as it involves a consultative nature of debate.

However, democracy is seen as a system that holds human rights and is largely promoted in Muslim societies.¹⁰ This type of democracy is often characterized as an egalitarian system that ensures the maximum participation of intellectuals and religious scholars. This system was created and largely adopted by the Holy Prophet Muhammad (PBUH).

While Razi argues that Islamic norms are aligned with democratic features. These features include equality, justice, and consultation.¹¹ On the other hand, Abdulkadir is of the view that Islamic law supports a form of religious democracy that is different from that of Western liberal democracy.¹²

For Mayasari, the Quran and Sunnah are viewed to contain governance principles that can be reinterpreted in light of modern contexts.¹³ Therefore, the debate of these two opposing concepts revolves around on reconciling Islamic teachings with contemporary political systems while maintaining adherence to Sharia objectives.

Contextualization of the Main Concepts

The Concept of Khilafat

The term Khilafat is an Arabic word 'Khalifa' which means successor of the representative. In the Islamic world, the term refers to the leadership model established after the death of the Prophet Muhammad (PBUH). The Caliphate was intended to be a continuation of the Prophet Muhammad's mission that aims to ensure the implementation of Sharia (Islamic Law) and the maintenance of justice and unity among Muslims. However, historically, the Khilafat has been seen as a divinely guided institution with the Caliph who serves not only as a political leader but also as a religious one.¹⁴

According to Islamic tradition, the system of Khilafat represents principles of justice, consultation (Shura), and accountability. The first four Caliphs, known as Rashidun (Rightly Guided Caliphs), are often cited as exemplary models of Islamic governance. The rule of four Rashidun (632-661 CE) was based on consultation (shura) with their companions and maintained a close adherence to Islamic principles.¹⁵

The Umayyad dynasty (661-750 CE) later emphasized kinship to the Prophet as a criterion for legitimate leadership likely to compensate for their lack of precedence in converting to Islam. This led to the rise of the Shia branch of Islam which advocated for the leadership of Hazrat Ali and His descendants based on their lineal descent from the Prophet Muhammad's family.¹⁶

Moreover, by the 10th century, the orthodox Sunni majority acknowledged kinship as a factor, understanding legitimate leadership to inhere in descent from the Quraysh tribe of Prophet Muhammad. However, the Kharijites, an early Islamic sect, held that any pious Muslim could become Caliph and that believers must depose any leader who falls into error.¹⁷ The political system of Islam is based on three principles: Tawheed (Oneness of God), Risalat (Prophethood), and Khilafat (Caliphate).¹⁸

The Caliph's authority was largely epistemic, based on superior knowledge of religious and worldly affairs. The Caliphate ceased to exist as a functioning political institution with the Mongol destruction of Baghdad in 1258 CE. In the modern era, the Khilafat movement (1919-1924) was an agitation by Indian Muslims allied with Indian nationalism in the years following World War I.¹⁹ However, the concept of Khilafat continues to be debated and interpreted differently by various Islamic political movements and scholars. As noted by Al-Mawardi in *Al-Ahkam al-Sultaniyyah*, the Caliphate is a necessary institution for preserving religion and the administration of worldly affairs per Islamic law.²⁰

The Concept of Democracy

The concept of democracy, as a system of governance, emphasizes the sovereignty of the rule of law, protection of individual rights, and freedom of speech and choice. This system is characterized by a mechanism that includes free and fair elections, separation of powers, and checks and balances. However, the philosophical roots of this system can be traced back to ancient Greece, but its modern outlook from Western society has included various other significant political and cultural features.

The word 'Democracy' is derived from the Greek words 'Demos' meaning 'The People' and 'Kratos' meaning 'Power'. This implies that democracy is a system of governance where power resides with the common population.²¹ The decline of classical democracies during the Middle Ages resulted in a shift towards monarchic and feudal rule which largely oppressed democratic ideals. However, the Renaissance era invoked the interest in classical ideas that led to the emergence of republicanism. The Renaissance political thinkers such as Machiavelli and Enlightenment philosophers like John Locke and Jean-Jacques Rousseau began advocating for

democratic norms such as individual rights and the social contract which diverted governments to seek the consent of the governed for the legitimacy of their authority.²²

The late 18th and 19th centuries marked a significant shift with the American and French Revolutions which brought the rules of representative democracy and universal suffrage. The American constitution established checks and balances to prevent tyranny. On the other hand, the French Revolution highlighted equality, liberty, and fraternity. These movements inspired democratic reforms throughout the world and led to the establishment of parliamentary systems and voting rights.²³

The 20th century marked a rise of democratic states especially after the Second Great War as the process of decolonization and the fall of authoritarian regimes led to the formation of new democracies. However, this period also witnessed the rise of populism and totalitarian regimes following economic inequality, social discontent, and external influences like foreign disinformation campaigns.²⁴

The modern-day world assumes democracy as a system of governance that ensures economic prosperity, political stability, and social justice. Moreover, this system is currently enshrined by various international covenants, agreements, treaties, and constitutions around the world that promote equality, social justice, governance participation, and freedom of expression, and empower the common masses in the political arena. Therefore, this system influences the global constitutions and nation-state systems.

The Comparative Analysis of Khilafat and Democracy

Ideological Foundations of Khilafat

On ideological foundations and principles, the Islamic political system fundamentally relies on the following key areas that aim to ensure a peaceful and just society:

Moral Governance (Justice System): The foundational principles on which the Khilafat and democracy can be compared include governance mechanisms and the potential for compatibility or conflict. As for the Islamic teachings on governance, the religion provides rich sources including the concepts of justice, welfare of the community, free education and health, rights to property and privacy, consultation, and equality.²⁵ The Quran stresses the significance of justice. It states:

“O you who have believed, be persistently standing firm in justice, witnesses for Allah, even if it be against yourselves or parents and relatives.”²⁶

Consultation (Shura): The next aspect of governance is the role of consultation (Shura). The consultation in Islamic jurisprudence is incorporated by the Caliphate as an important principle but historically its execution varied in different time and space. The most prominent Islamic scholars such as Ibn Khaldun and Al-Farabi once argued that the principles of justice and consultation in Islam can align with democratic practices and they adhere to the ethical and moral framework of Islamic teachings.²⁷ Therefore, in Islamic shura, all decisions are supposed to be made through collective deliberation that should address the community's interests.

Divine Sovereignty: Khilafat addresses that sovereignty is ultimately vested in Allah and the Caliph is His servant and representative on the earth. This divine concept of sovereignty is highlighted through adherence to Sharia which governs all facets of human life. In other words, absolute sovereignty belongs to Almighty Allah while the Caliph is supposed to act as the steward of the divine law with sacred trust.²⁸

Justice and Welfare (Maqāṣid al-Sharī'ah): The primary objective of Islamic state Khalifah to protect religion, life, intellect, property, and honor. Allah say: “Indeed, Allah commands justice, grace, as well as generosity to close relatives. He forbids indecency, wickedness, and aggression. He instructs you so perhaps you will be mindful.”²⁹

Ideological Foundations of Democracy

The ideological foundations of the democratic system are quite different from those of Khilafat. The democratic values ensure and mostly emphasize the materialistic approaches. Following are the key areas on which the ideological foundations of democracy can be addressed:

Popular Sovereignty: Democracy is based on the idea of popular sovereignty which implies that power is derived from the consent of the governed. In other words, the legitimacy of government derives from the consent of the populace (governed) with citizens having the right to engage themselves in every major and minor decision-making process of the government.³⁰

Therefore, the basic differences in this concept raise the question of the compatibility of Khilfat and democracy as two models of governance.

Rule of Law: The second most foundational principle of democracy is the rule of law which implies that all individuals and institutions are subject to the law irrespective of their caste, color, creed, and status. This principle aims to ensure accountability and equality before the law. Therefore, the democratic system institutionalizes consultation through the system of elections, parliamentary debates, and public referendums.³¹

Protection of Rights: Last but not least, the protection of rights is also considered as the basic source for the foundation of democracy. Modern-day democratic societies prioritize individual liberties, human rights, and the protection of minority interests. Therefore, democratic societies form a framework of governance that emphasizes individual freedom, equality, and the importance of civic participation.³²

Governance Structures

Khilafat Governance Structure

In the Islamic political system, the governance structure of the Caliphate is categorized into three major categories including centralized leadership, advisory councils, and religious legitimacy.

Centralized Leadership: The centralized government means that the Caliph holds important authority. The Caliph is authorized with the power to enact laws and policies that should be based on the Sharia Law.³³ On the other hand, the Sharia law is based on the holy Quran and Hadith. Islamic State divided into Imsaar (provinces) appointed on them wulat (governors) and ummal revenue collectors and they are accountable to the Caliph as we see in Khulafā' al-Rāshidīn.

Advisory Councils: The advisory council is a part of the democratic process. It implies that the Caliph has ultimate authority, but the advisory councils (Shura) are often established to provide counsel and represent the interests of various communities.³⁴

Bay'ah (Pledge of Allegiance): The Caliph would be chose through Bay'ah, a contract between the ruler and the ruled. It symbolized consent of the governed. As we see after the Prophet ﷺ's Departure from the world, Abū Bakr (RA) was selected by Bay'ah at Saqīfah bani Saidah³⁵ and mostly all Islamic Head selected by Bay'ah.

Accountability of the Ruler: The ruler accountable and not above the law, Allah's Messenger (ﷺ) said, "Surely! Every one of you is a guardian and is responsible for his charges: The Imam (ruler) of the people is a guardian and is responsible for his subjects..."³⁶. The Islamic government ruler accountable and not above the Islamic law.

Religious Legitimacy: Finally, the legitimacy of authority in Islamic governance is directly linked with religious endorsement. The Caliph's authority is legitimized through religious validation and often requires adherence to Islamic law in governance. Therefore, in Khilafat, the legitimacy of governance is sought from spiritual sources not from the governed.

Democratic Governance Structure

The democratic governance structure is typically based on the concept of elected representatives, separation of powers, and civil society engagement. This is how the democratic system is compatible with the Khilafat governance structure.

Elected Representatives: This principle holds a significant role in a democratic system. This democratic norm allows the common populace to elect their representatives to make decisions on their behalf to represent and protect their interests.³⁷ Therefore, it emphasizes the concepts of accountability and responsiveness in society.

Separation of Power: To promote accountability, and fair play in politics, and avoid giving absolute powers to one body, democratic societies established separation of powers. This feature is a division of government into three major branches including the Legislative body, Execution body, and the Judicial body. Each body has its powers and can be exercised among them to maintain the balance of power, prevent concentration of power, ensure checks and balances, and avoid the emergence of authoritarianism.³⁸

Civil Society Engagement: One of the remarkable principles of democracies is the engagement of civil society in political affairs. Modern-day democracies encourage and involve maximum participation of civil society organizations and common masses in the political process. This helps to promote diverse voices and interests in society.³⁹

Insights on Caliphate and Democracy

The Rightly Guided Caliphate is connected to divine revelation, and if democracy is based solely on the consensus of human opinion, then there is a huge difference. If the Caliphate or government operates according to the teachings of the Creator of the universe and the teachings of His prophets, especially practice of the Prophet Muhammad (peace and blessings of Allah be upon him) Globally and for all time, then there is no room for error because there is unity in the inspired teachings, they are a beacon of light and show the right path for humanity. It has a well-organized, vertical, universal system that protects humanity from going astray. If we talk about democracy that is based solely on human public opinion or the opinion of the ruling class and is governed by ignoring divine teachings, then we see several shortcomings in it. First of all, its teachings are based on human experiences let's say, governance is carried out taking into account human observations and experiences. There is a strong risk of error in this. For example, a cunning ruling class can use its power and cunning to shape public opinion by deceiving. This is something that we see in our observations, which in today's era can be called social engineering, through which opinion is shaped through financial and human support. Here, the practice of buying, selling, and blackmailing people to rule has been evident in every region for centuries, especially in the modern era. The power of the people is certainly there, and this passion is present in humans, but the ruling class has been exercising its arbitrariness to a considerable extent, a recent example of which is the atrocities committed by Israel and its allies against the Palestinians. Another shortcoming of democracy is that it is difficult for everyone to agree on a single opinion on any issue. Even if they do agree, there are various negative and positive interests at work behind the scenes. If a consensus is formed on a matter and it is in opposition to religion, it is just a matter of desire. If it is based on human observations, it may be effective to some extent for some time, but with the changing times and the desires of humans, there will be a lack of stability in governments. Giving one's opinion on a matter that is far beyond the reach of human reason and making laws based on that opinion and enforcing it will be considered sheer foolishness and ignorance, the acts of worship, Punishment for good deeds and reward for bad deeds, such as morality, bad habits in private life, are things that human governments cannot ultimately control, This requires divine law, and role models to follow divine law The first and last realization of divine supremacy. There are matters of the unseen, there are ethics, in which the human intellect can understand to some extent, but its complete understanding is impossible without the teachings of the Creator of the universe. As we see, in the West, homosexuality is being legally justified, the death penalty for the criminal is being declared null and void, there is the division of inheritance, if there is no religious education, people are giving their inheritance to their animals, distinguishing human relationships, Distinguishing between halal and haram, all these teachings would be considered difficult, incomplete, and limited without the commands of the Creator of the universe, because it cannot be understood by mere human intellect. If we look at the selection of rulers in the Caliphate and democracy, in both cases, humans choose them, but in the Caliphate, the qualities described in the teachings of the Quran and Sunnah are taken into account for the ruler. And if a servant is elected, then he has to maintain these qualities at all times and be accountable to the people. These qualities are as clear as a bright day among the people. if democracies that are based solely on human reason and public opinion, without divine teachings, it can be created negative opinions can be created and are being created with the power of personal benefit intellect and wealth. If popularity and fame are unnatural, their consequences will also be negative. They will be popular even in their own circles, but they will be unfamiliar and unpopular in the universe. As long as the wheel of nature turns, it will be carried away. A subtle difference is also seen: public opinion changes from time to time. It can be manipulated for some time by cunning and deceit, but rulers can be judged and held accountable based on the teachings of God. If someone becomes a ruler, his character and his orders cannot last for long because those teachings were against God. They cannot last, cannot be accepted, cannot be accepted. One day, someone will definitely change all of them or they will be changed. Human history is a witness to this if we think about it from this perspective.

Conclusion

To conclude, this research enterprise revolved around the discussion on the comparative analysis of Khilafat and democracy as two opposing political and governance systems. With the help of existing literature and an extensive review of scholarly literature, the study concludes the debate with the argument that though there are similarities between Khilafat and democracy, these governance systems are not compatible with the model of governance. Democracy continues to evolve while Khilafat is viewed through the lens of Islamic revivalism. For some scholars, the system of Khilafat is a force for unifying the Muslim world while others believe that it is not compatible with modern nation-state applications. Meanwhile, though democracy faces diverse nature of challenges such as populism, authoritarianism, and illiberal democracies yet it evolves in different times and spaces. While the debate of compatibility between Khilafat and democracy remains significant, however, some important features of Islamic democracy such as Shura can be aligned with Western democracy to form a compatible governance system. This way, humanity can be best served, and the world can witness a feasible governance system.

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