




SHURA (CONSULTATION)



Amna Iqbal

SHURA (CONSULTATION)

ISLAMIC JURISPRUDENCE

LL.B PART-I

Surrah Shura 42:38

“Their affair are a matter of consultation among them.”

Shura is a fundamental feature of Islamic political system. It is equality among citizens, democratic government. It is bridge between people and ruler.

Verse:38,39

“Those who respond to their lord, and establish regular prayer; who (conduct) their affairs by mutual consultation; who spend out what we bestow on them for sustenance; and those who, when an oppression wrong is inflicted on them, (are not cowed but) help & defend themselves.”

Surrah Al-Imran 3:159

“And consult them in the affairs. Then when you here divided put your trust in Allah.”

Hazrat Ayesha (RA) said:

I have not seen a person consulting the people more than Holy Prophet (PBUH) . If Hazrat Abu Bakar & Umer (RA) got together on an opinion, He would not go against them.

TYPES OF SHURA:

1- SHURA-E-KHAS:

- Eminent companions of Holy Prophet (PBUH)
- Consists of selected people
- Man of outstanding ability, caliber & understanding

2- SHURA-E-AAM:

It was called after conquests to inform the public at large of the victory & distribution of war booty & to send people opinion on different matters.

SHURA IS A BINDING RULE?

- Not binding or obligatory(wajib) on the ruler
- Definetly recommended (Mandub)
- Modern scholars consider it obligatory
- Pakistan (Majlis-e-shura) parliament

RECOMMENDATION OF SHURA BINDING OR NOT?

Different opinion, some say binding other say not binding on the basis of aforementioned verse of Surrah Al-Imran.

IS IT A PILLAR OR DOES IT IMPLY DEMOCRATIC PRINCIPLES?

Some scholars maintain it as fundamental principles of Islamic political system.

Even though it is not pillars like praying, fasting, hajj & so on.

An institution elected by the people & selection to be the head

- Election for head through universal sulfrage
- After election the head will consult shura
- Shura role is advisory

CONCEPT OF SHURA & ITS PRINCIPLES IN ISLAMIC ADMINISTRATION:

Shura is an arabic term for 'consultation'. It is a leadership based on discussion, consultation and advice by the member of shura in order to carry out administrative task; practicing the spirit of discussion in making decisions. It is basically has the same concept as a meeting.

Some of the principles of Shura are putting the Quran and Sunnah as the basis and source of reference for in any decision making. This is especially true because an Islamic Government usually used the Quran and Sunnah to guide and help them in making decision. In Shura, the administration and management are based on discussion and consultation which will determine the decision . Furthermore decisions in administration are made based on the agreements in member of shura. Co-operation, understanding and unity of thought in handling and solving any issue or problem is encouraged. Another principles of Shura is a member of shura must use wisdom and politeness when giving out views or suggestions during Shura. It is also important that all the decisions and actions taken by the members of Shura always prioritize the interest of the public. Lastly, Views and advice of others given by others are to be respect and appreciate at all times.

Islam has long since applied the system of meeting and taught its members to always respects, and appreciate and give full co-operation to each others view.

Consultation is an integral concept in Islamic leadership and is known as *Shura*.

SHURA IN POLITICAL SPHERE:

Shura is a crucial part of the Islamic political system. It allows common people to participate in the decision-making process. It helps create a society that engages actively with leaders.

Consultation is important in building a solid relationship between the leader and the people ensuring that the leader does not go astray or regress into an authoritarian government. God encouraged the Prophet (pbuh) to use *shura*:

Those who hearken to their Lord, and establish regular Prayer; who (conduct) their affairs by mutual Consultation; who spend out of what We bestow on them for Sustenance (Quran 42:38)

There are several examples of the Prophet taking counsel from his companions and following their opinions.

The Prophet (pbuh) held many councils of war before going into battle. At one point, he believed that they should fight only if the enemy entered Madinah. However, his companions opined that they should go out and meet the army. The Prophet accepted the latter opinion even though they lost.