

Shura as an Accountability Mechanism in Islamic Governance: Implications for Brunei Darussalam

Hajah Siti Khadijah¹, Mariah binti Haji², Abu Samah Shukri³ Dr. Ahamad Faosiy Ogunbado⁴. -
Khadijah Mariah Abu Samah⁵,

Faculty of Islamic Development and Management, Universiti Islam Sultan Sharif Ali, Brunei.

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ABSTRACT

This paper explores *shura* (consultation) as a foundational mechanism of accountability in Islamic governance and examines its conceptual relevance to the administrative context of Brunei Darussalam. In Islamic thought, *shura* is not merely advisory but a binding principle that restrains authority, institutionalises collective responsibility, and upholds justice. Together with *amanah* (trust) and *hisab* (divine reckoning), it forms an integrated accountability cycle that ensures leadership remains transparent, participatory, and ethically grounded. Historical precedents from early Islamic governance demonstrate that consultative processes were central to leadership succession and policy-making, embedding accountability within governance structures. Brunei's governance system, guided by the national philosophy of *Melayu Islam Beraja* (MIB), integrates Malay culture, Islam, and monarchy as pillars of national identity. The Legislative Council (Majlis Mesyuarat Negara, MMN), established under the 1959 Constitution, embodies elements of *shura* through structured consultation, representation of societal sectors, and financial oversight. However, its appointment-based membership and advisory status limit its capacity. While MMN enhances transparency through public deliberations, ultimate authority remains vested in the Sultan; however, this arrangement reflects Brunei's distinctive application of *shura* within the framework of *Melayu Islam Beraja* (MIB). By situating deliberations in the public domain, MMN strengthens accountability and demonstrates how consultation can coexist with monarchical authority, ensuring that governance remains both transparent and participatory. Employing a qualitative methodology, this study analyses classical Islamic texts, historical governance practices, and contemporary scholarship, applying them to Brunei's administrative realities. It highlights the gap between symbolic consultation and enforceable accountability, proposing that strengthening *shura* through procedural reforms, transparent documentation, and civic participation could enhance inclusivity, ethical governance, and sustainable development. By bridging classical Islamic principles with contemporary administrative needs, this study contributes to ongoing efforts to enhance accountability and inclusive governance in Brunei Darussalam.

Keywords: Shura, Islamic Governance, Accountability, Rashidun Caliphate, The Legislative Council, Brunei Darussalam.

INTRODUCTION

The study of governance in Brunei Darussalam presents a distinctive case within Southeast Asia, where monarchical authority, Islamic principles, and modern administrative structures converge. Central to this governance framework is the Brunei Legislative Council or Majlis Mesyuarat Negara (MMN), the highest legislative body in Brunei. Established under the 1959 Constitution, MMN was designed to provide a platform for policy deliberation, financial oversight, and structured consultation. While its membership is largely appointed by the Sultan, its proceedings—recorded in Hansard and broadcast to the public—offer a formalised mechanism for transparency and accountability. Yet, questions remain regarding the substantive role of MMN in shaping governance outcomes and its alignment with Islamic principles of accountability, particularly the concept of *shura*.

Linguistically, *shura* (الشورى) is an Arabic word derived from roots associated with signalling (إشارة) and advising, it functions as a verbal noun rather than a passive participle, reflecting its active role in denoting the

process of consultation. Expressions such as (سَأَوُّهُ فِي الْأَمْرِ) “I consulted him on the matter” and (اسْتَشَرْتَهُ) illustrate its usage in contexts of deliberation and advice-seeking (Ibn Manzur, n.d, p.2358).

The root meaning of *shura* from ش-و-ر (sh-w-r) also means “to extract honey from a hive and gathered it” (Ibn Manzur, n.d, p.2358). Just as bees, through disciplined teamwork, produce honey that is both sweet and medicinal, consultation yields collective wisdom that nourishes governance and cures societal ills. M. Quraish Shihab extends this analogy, likening consultation to the disciplined and purposeful activity of bees: cooperative, orderly, and ultimately productive of something beneficial. Bees exemplify precision, organisation, and collective responsibility; they work harmoniously, subsisting on pollen and transforming it into honey that benefits others. They do not aggress unless provoked, even the sting of a bee, he notes, can serve as a cure, much like the corrective function of consultation in restraining excesses of authority (Shihab, 2023, p.13).

Beyond its linguistic depth, *shura* is frequently acknowledged as a binding Islamic value. Al-Ṣallābī (2010) argues that *shura* constitutes a foundational and obligatory principle of Islamic political order, without which governance loses its Sharīʿah-based legitimacy and risks devolving into authoritarian rule. Drawing upon Qurʾanic injunctions, Prophetic practice, and the institutional experience of the Rāshidūn caliphate, Al-Ṣallābī presents *shura* as a constitutional mechanism through which authority is restrained, collective responsibility is institutionalised, and justice is upheld within Islamic governance.

Normatively, *shura* occupies a foundational place in Islamic political thought. Qurʾanic injunctions and Prophetic practice establish consultation as a moral and spiritual obligation, while classical scholars such as Al-Mawardi and Ibn Taymiyyah emphasised its binding nature as a safeguard against arbitrary rule. Others, however, interpret *shura* as advisory and context-dependent, allowing flexibility in governance. This jurisprudential debate provides the foundation for evaluating how Brunei’s MMN institutionalises *shura* within the framework of Melayu Islam Beraja (MIB).

Accountability has long been recognised as a cornerstone of good governance. In modern political theory, it ensures that leaders and institutions remain answerable for their actions, thereby safeguarding justice, transparency, and public trust. As governance systems worldwide grapple with challenges of legitimacy, corruption, and citizen disengagement, accountability has emerged as a universal principle that transcends cultural and political boundaries. Tero Erkkilä (2007) highlights that accountability is undergoing conceptual shifts in response to globalisation, decentralisation, and the rise of network-based governance, searching for robust accountability mechanisms more urgent than ever.

In Islam, accountability extends beyond the individual to the ummah, where society bears collective responsibility for justice, moral order, and social welfare as meant by the principle of enjoining good and forbidding evil. With the presence of a healthy society, it may produce accountable leaders, rulers and those in authority. To achieve these accountable individuals, it starts with the foundation of Islam, which is their belief in Almighty Allah and the Hereafter, where all of human action, intention and belief will be accounted for (Al-Qaradawi, 2010).

Three interrelated concepts, *Amanah* (trust), *Hisab* (accountability), and *Shura* (consultation), provide the foundation for an Islamic model of accountability. *Amanah* frames leadership as a sacred trust bestowed by Almighty Allah, requiring honesty, justice, and responsibility. *Hisab* reminds believers that every action will be subject to divine reckoning, instilling a spiritual consciousness of accountability (Rosman, Abdullah, Ishak, Jaafar, & Zulkefli., 2025). *Shura*, operationalises accountability by requiring leaders to consult their communities, ensuring that decisions are transparent, participatory, and ethically grounded (Imam Taufiq, 2015). Classical scholars such as Ibn Taymiyyah (2005) emphasised that rulers must govern by Shariah and remain accountable to both God and their people, while Syed Naquib al-Attas (2002) linked accountability to the very essence of *din* as indebtedness and submission.

Brunei Darussalam’s governance system, guided by the philosophy of Melayu Islam Beraja (MIB) integrates Malay culture, Islam, and monarchy as pillars of national identity and administration. The bureaucracy and legal system in MIB position Sultan as the head of state and government, as well as the head of the official religion of Brunei. As an official state philosophy, MIB offer a productive framework for examining how *shura* is

institutionalised within modern governance structures. MMN, as the principal legislative body, embodies certain elements of *shura*, including structured consultation, representation of various societal sectors, and financial scrutiny. Its debates on national budgets, policies, and development priorities echo the Qur'anic emphasis on collective consultation. However, MMN's appointment-based membership and advisory status raise questions about the extent to which it fulfils the binding and obligatory dimensions of *shura*. While its proceedings enhance transparency and provide a platform for public discourse, ultimate authority remains firmly vested in the Sultan.

This article situates the Brunei Legislative Council within broader theoretical and practical debates concerning accountability in Islamic governance. It contends that although MMN institutionalises consultation in a manner consistent with the principle of *shura*, guided by structural arrangements that prioritise stability and continuity. The Council's deliberations are formalised and conducted in the public domain, thereby enhancing transparency and encouraging discourse, though its authority remains advisory. This dynamic illustrates Brunei's contextual interpretation of Islamic governance, where consultative practices are harmonised with executive authority under the framework of Melayu Islam Beraja (MIB), ensuring both societal stability and institutional continuity. This tension between consultative symbolism and enforceable accountability raises important questions regarding the manner in which Islamic governance principles are interpreted and operationalised within Brunei's political framework.

While *amanah* and *hisab* have been widely discussed in Islamic governance literature, *shura* has often been treated narrowly as participatory consultation rather than as a structured accountability mechanism. In Brunei, governance is framed by the ideology of Melayu Islam Beraja (MIB), which emphasises Islamic principles in administration (Fatin Rabia'tul Adawiyah Mohammed Fareed, 2020). Yet, the role of *shura* in ensuring accountability within Brunei's governance structures remains underexplored. Existing studies focus on financial accountability, Shariah supervisory boards, and institutional audits, but few systematically analyse how *shura* can strengthen transparency and ethical governance in Brunei's administrative system. This gap provides the impetus for the present study.

Research objectives

This article seeks to conceptualise *shura* as an accountability mechanism in Islamic governance and to analyse its implications for Brunei. Specifically, it aims to:

1. Explore the theological and classical foundations of *shura* as accountability mechanism.
2. Examine how *shura* complements *amanah* and *hisab* in forming a comprehensive accountability cycle.
3. Evaluate the role of Brunei's Legislative Council (MMN) in operationalising *shura*, identifying the strengths and limits.

RESEARCH METHODOLOGY

The study employs a qualitative, conceptual approach. It begins with textual analysis of Qur'anic verses, Sunnah, and classical works to establish normative foundations. A systematic literature review of contemporary scholarship situates the study within existing discourse. Comparative analysis contrasts Islamic and Western accountability mechanisms, while a case study of Brunei applies the conceptual framework of *shura* to a real-world context. The outcome is a model that integrates *amanah*, *shura*, and *hisab* into a coherent accountability cycle, offering contributions that are both conceptual and practical.

To ensure transparency and reproducibility, the literature review employed keyword searches ("shura," "Islamic governance," "accountability," "Brunei") across a range of academic publications and scholarly works. Studies were included if they addressed accountability in Islamic governance or Brunei's administrative structures. Comparative analysis contrasted Islamic accountability mechanisms (*amanah*, *shura*, *hisab*) with Western models (vertical/horizontal accountability, deliberative governance) (Erkkilä, 2007; Khotami, 2017). The Brunei case study was analysed through constitutional provisions, Hansard records, and secondary literature (Fatin, 2020; Rosman et al., 2025; Brunei Darussalam Central Bank, 2023) to evaluate how *shura* is operationalised institutionally.

LITERATURE REVIEW

Scholars have long debated the normative and practical dimensions of *shura*, situating it within both classical Islamic thought and contemporary political systems. Rosman et al. (2025) highlight accountability as a foundational principle in Islamic scripture, rooted in *amanah* (trust), *‘adalah* (justice), and *muhasabah* (self-accounting). They note that Qur’anic injunctions on consultation (*shura*) are not merely participatory but serve as mechanisms of accountability, requiring leaders to justify decisions before their communities. This positions *shura* as a bridge between divine accountability (*hisab*) and social accountability, ensuring governance is both ethical and responsive.

Al-Ṣallābī (2010), in *al-Shūrā Farīdah Islāmiyyah*, contends that *shura* constitutes a constitutional obligation in Islam, and that neglecting it undermines the Sharī‘ah legitimacy of governance. He situates *shura* at the heart of Islamic political ethics, framing it as a universal social practice elevated into a devotional and political duty. These formulations anchor *shura* not merely as a consultative technique but as an ethical institution linking *amanah* and *ḥisāb*. Such perspectives underscore the importance of examining how modern institutions, such as MMN, operationalise consultation in practice.

Classical jurists and political theologians insist that rulers must be bound by Shariah and subject to communal checks. Ibn Taymiyyah’s political writings provide a jurisprudential rationale for institutional constraints on power and for consultative practices that limit arbitrariness. Syed Naquib al-Attas adds philosophical depth by linking *din* to indebtedness and moral return, reinforcing the idea that accountability is existential as well as procedural.

Al-Raysuni (2011) emphasises that *shura* is not confined to two famous Qur’anic verses (42:38; 3:159) but is embedded across scripture from God’s dialogue with the angels (Qur’an 2:30–32) to Abraham consulting his son (Qur’an 37:102). He argues that consultation is a foundational social practice instituted at creation, intended to honour, instruct, and set precedent. He also explores whether consultation’s binding or merely advisory, presenting evidence from Qur’an, Sunnah, and juristic principles. He leans toward binding consultation, aligning with Al-Ṣallābī’s position that rulers must adhere to majority opinion in consultative councils.

Ogunbado (2019) in his work *Leadership in Islam: Ibn Khaldūn’s Perspective*, emphasizes that *shūrā* (consultation) is a fundamental operational principle of Islamic leadership, rooted in the Qur’an and Sunnah. He cites Surah Ash-Shūrā (42:38) and Surah Al-‘Imran (3:159) to demonstrate that even Prophet Muhammad, despite divine guidance, was commanded to consult his companions, thereby establishing consultation as a binding principle of accountability. He also draws on El-Awa and affirms that accountability in Islamic governance is reciprocal: rulers must consult, and the community must voice its opinion even if not asked (pp. 80-81).

Modern governance scholarship maps neatly onto these Islamic categories. Erkkilä (2007) documents a shift toward deliberative forms of accountability in networked governance, while Khotami (2017) distinguishes vertical and horizontal accountability—parallels that make *shūrā* a natural analogue to deliberative accountability. Rosman et al. (2025) and Imam Taufiq (2015) together show that *shura* can be read as an institutionalised deliberative mechanism that fosters transparency, collective responsibility, and ethical restraint on rulers.

Sectoral studies of Islamic accountability mechanisms (e.g., Shariah Supervisory Boards, *hisbah* institutions, waqf governance) show mixed results: normative potential exists, but practice often falls short due to weak transparency, conflicts of interest, and lack of documentation (Rosman et al., 2025). In the corporate and financial sphere, Shariah boards introduce accountability norms but require stronger procedural safeguards to be effective.

Umar and Mustapha’s (2019) Nigerian case study demonstrates how prophetic models of consultation and accountability contributed historically to social stability and sustainable development; conversely, the absence of accountability correlates with corruption and governance failure. Al-Sallābī’s historical survey reinforces

these empirical observations by showing how consultative practices in early Islamic polity (Prophetic era and Rashidun) functioned as practical checks on power and as mechanisms for collective problem-solving.

Brunei's governance is explicitly framed by Melayu Islam Beraja (MIB), and the Sultanate has institutionalised Islamic norms across law, education, and finance (Fatin Rabia'tul Adawiyah Mohammed Fareed, 2020). The BDCB's Syariah Governance Framework (2023) illustrates institutional attempts to embed Shariah compliance and accountability in financial governance. Yet, as Fatin and Rosman et al. note, *shura* in Brunei tends to appear in advisory or ceremonial forms rather than as a documented, public, and binding accountability mechanism.

Al-Ṣallābī's insistence on the civic prerequisites for effective *shura*—freedom of expression, institutionalised consultation, and public culture of deliberation is directly relevant to Brunei. Strengthening *shura* in Brunei would require not only formal bodies (advisory councils, Shariah boards) but also procedural reforms, such a transparent record of consultations, public access to deliberative outputs, and civic education that normalises consultative participation.

Rozan Yunus (2017), traces Islamic governance from Medina's Constitution through the Rashidun, Umayyad, Abbasid, and into Brunei's historical trajectory. He highlights how governance fulfils the *maqasid al-shariah* (faith, life, intellect, progeny, wealth). Therefore, this situates *shura* within the broader evolution of Islamic governance, showing how consultative practices were institutionalised (e.g., Omar's *diwan*, judicial appointments) and how Brunei's sultanate assimilated Islamic governance principles over centuries.

Asbol Mail (2021) documents the revival of Islamic administration in Brunei from the 1950s onward, especially under Sultan Omar Ali Saifuddin. The establishment of the Majlis Mesyuarat Syariah (1954), Jabatan Hal Ehwal Ugama (1954), and Majlis Ugama Islam (1962) marked a structural embedding of Islamic governance. This provides empirical evidence of Brunei's institutionalisation of Islamic accountability, showing how consultative and religious bodies became formalised in governance.

Shura as Normative Principle

Shura was mentioned in the Quran as a defining characteristic of the Muslim community: “and those who have answer the call of their lord, and perform the salah, and who (conduct) their affairs by mutual consultation, and who spend of what we have bestowed on them” (Qur'an 42:38) (Ibn Kathir, 2003). This verse situates consultation alongside prayer and charity, elevating it to a core communal duty. Ahmad al-Raysuni expands the scriptural basis by showing that consultation appears not only in these well-known verses but also in narratives such as God's dialogue with the angels (Qur'an 2:30–32) and Abraham consulting his son (Qur'an 37:102). He argues that consultation is a foundational social practice instituted at creation, intended to honour, instruct, and set precedent for humanity.

Prophetic practice reinforces this principle. The Prophet Muhammad (peace be upon him) consulted companions in matters of war (e.g., Uhud, Khandaq) and governance, even when divine revelation had already provided guidance. The Prophet's accountability style, which is consulting Muslims, Christians, and Jews in Medina, created harmony and sustainable development (Umar and Mustapha, 2019).

The Rashidun Caliphate era which also known as the golden age of Islamic governance, embodies the principle of *shura*, which each caliph was chosen through a distinct process involving *shura*. Abu Bakr was chosen through consensus, Umar established a council for succession, and Uthman was appointed through this process. Ali restored consultative policies, ensuring councils included diverse voices (Ogunbado, 2019). This demonstrates that *shura* is not merely symbolic but a practical accountability mechanism that ensures inclusivity and justice.

Shura as a Jurisprudential Obligation

Debates among scholars reveal differing views on the nature of *shura*. Ibn Taymiyyah insisted that rulers must govern in accordance with Shariah, thereby remaining accountable to both divine authority and the community. Al-Mawardi outlined conditions for legitimate rule and underscored the centrality of consultation in governance. Al-Ṣallābī took a stronger position, arguing that *shura* is inherently binding, citing juristic consensus that rulers are obliged to adopt the majority view expressed in consultative councils. Al-Raysuni reinforced the argument

by presenting evidence from the Qur'an, Sunnah, and juristic principles, contending that consultation without enforceability risks devolving into a symbolic gesture devoid of genuine accountability.

Philosophical reflections on accountability highlight its grounding in *dīn*, conceived as indebtedness and submission to divine authority. In this light, *shura* functions as the communal embodiment of that indebtedness. This line of thought, developed by Syed Naquib al-Attas, reinforces the view of *shura* as both a religious obligation and an institutional necessity.

Shura as an Institutional Mechanism of Contemporary Accountability

Accountability is a central principle in the Qur'an, shaping governance through trust (*amanah*), justice (*ʿadl*), and accountability (*hisāb*). Almighty Allah commands: *"Indeed, Allah commands you to render trusts to whom they are due and when you judge between people to judge with justice"* (Qur'an 4:58). This verse establishes accountability as both vertical—answerability to Almighty Allah—and horizontal—responsibility to society. This interprets accountability as inseparable from transparency (*ihsan*) and God-consciousness (*taqwa*), ensuring that governance is ethical and spiritually grounded (Imam Taufiq, 2015).

Rosman et al. (2025) argue that accountability in Islamic scripture is developmental, cultivating ethical leadership and socially responsive institutions. They highlight that accountability is not merely a punishment but a mechanism to align governance with divine justice and communal trust.

The Prophet Muhammad SAW exemplified accountability in leadership. He declared: *"Each of you is a shepherd, and each of you will be asked about his flock"* (Sahih al-Bukhari, Sahih Muslim). This hadith situates accountability as universal, extending from rulers to citizens. His leadership style demonstrates that accountability is not confined to punishment but is developmental, fostering justice, inclusivity, and stability (Umar and Mustapha, 2019).

Classical Islamic thought elaborated accountability as an essential principle of governance. Ibn Taymiyyah argued that rulers are bound by Shariah, accountable not only to Almighty Allah but also to the community they serve. Al-Mawardi, in his detailed exposition on political leadership, enumerated the conditions for authority and underscored the ruler's public duties, including the protection of faith, enforcement of law, and preservation of justice. These perspectives converge to frame accountability as both a divine imperative rooted in revelation and a structural necessity embedded in governance, thereby ensuring that rulers exercise authority with justice and remain answerable to their constituencies.

Modern governance literature provides useful parallels. Erkkilä (2007) documents a shift from hierarchical accountability to deliberative and performance-based forms, emphasising transparency and public reasoning. Khotami (2017) distinguishes vertical accountability (to higher authorities) and horizontal accountability (to society), mirroring Islamic categories: vertical accountability to Almighty Allah or divine accountability (*hisāb*) and horizontal accountability through mechanisms like *shura*.

Rosman et al. argue that accountability must be operationalised through institutional frameworks, while Imam Taufiq stresses that transparency is essential for accountability to be meaningful. Together, these perspectives suggest that accountability in Islamic governance can be conceptualised as a mechanism that integrates spiritual obligations with institutional procedures that distributes decision-making authority, fosters transparency and creates social incentives for leaders to justify their actions.

The evolution of Islamic governance from Medina's Constitution through the Rashidun, Umayyad, Abbasid, and into Brunei's historical direction. This shows how governance fulfils the *maqasid al-shariah* (faith, life, intellect, progeny, wealth) and how consultative practices were institutionalised from Omar's *diwan*, judicial appointments, and welfare systems (Rozan Yunos, 2017). These historical developments demonstrate that *shura* was not abstract but embedded in governance structures that ensured accountability.

Even though early Islamic governance was consultative, later periods saw a decline due to a lack of organisation and institutionalisation. This calls for the systematisation and institutionalisation of *shura* to restore its

accountability function. This historical lesson underscores the need for proceduralist in modern contexts (Al-Raysuni, 2011).

Amanah and *shura* are complementary principles in governance. Which leadership is a trust (*amanah*) that requires transparency and responsibility, while *shura* operationalises this trust by ensuring participatory decision-making. Together, they form a cycle, where leaders are entrusted with authority (*amanah*), required to consult their communities (*shura*), and ultimately accountable to God (*hisab*) (Widiyanto, Ridwan, Hartono, & Muhajir, 2019). This framework highlights the integrative nature of Islamic governance, where spiritual obligations and institutional mechanisms reinforce each other.

Shura, as presented in the Qur'an, the Sunnah, classical scholarship, and modern governance theory, is more than symbolic consultation—it is a practical accountability mechanism. By situating consultation alongside prayer and charity (Qur'an 42:38), the Qur'an elevates it to a communal duty. The Prophet Muhammad (peace be upon him) institutionalised shura in Medina, consulting Muslims and non-Muslims alike, thereby embedding inclusivity and responsibility into governance. Classical scholars such as Ibn Taymiyyah, Al-Mawardi, and Al-Ṣallābī a contemporary scholar, reinforced its binding nature, ensuring rulers remain answerable to both God and society.

Accountability in Islam is framed through *amanah* (trust), *shura* (consultation), and *hisab* (divine accountability) - a cycle where authority is entrusted, exercised through participatory decision-making, and ultimately judged by divine and communal standards. Modern parallels in deliberative accountability and transparency further affirm that shura operationalises accountability by distributing authority, fostering transparency, and creating enforceable checks on leadership.

In essence, shura integrates spiritual obligations with institutional procedures, making governance ethical, inclusive, and just. It proves itself as an accountability mechanism by ensuring leaders cannot act unilaterally but must justify their decisions before God and their communities.

Brunei legislative council

Brunei's national philosophy, *Melayu Islam Beraja (MIB)*, frames governance as both political and spiritual stewardship. The Sultan embodies *amanah* as a trust from Almighty Allah, while institutions operationalise accountability through Islamic law, education, and administration. However, accountability mechanisms often remain advisory rather than binding. Integrating *shura* as a structured accountability mechanism would strengthen MIB by ensuring that consultation is not symbolic but enforceable, aligning governance with Qur'anic injunctions and classical jurisprudence

The Brunei Darussalam Central Bank (BDCB) has issued a Syariah Governance Framework to enforce accountability in financial institutions. This framework requires independence, transparency, and documentation in Shariah decision-making. It demonstrates how accountability can be institutionalised in specific sectors. Extending similar principles to broader governance, policymaking, public service delivery, community development would embed accountability across Brunei's administrative system.

Before the establishment of the Brunei Constitution in 1959 and the *Majlis Mesyuarat Negara (MMN)*, the British Residency was introduced in 1906. Subsequently, the *Majlis Mesyuarat Negeri* was established in 1907, consisting of ten members: the Sultan as chairman, two *Wazir*, two *Cheteria*, two *Menteri*, the British Resident, and his deputy. The council functioned as an administrative body that deliberated on matters of governance, legislation, current affairs, and the application of *hukum syarak*. All members were Muslims except for the Resident, whose involvement—though not rooted in Islamic tradition—placed him in a position to participate in and influence decisions on the council's agenda (Pengiran Mohammad, 2007, p. 157).

In the years leading up to 1959, Sultan Omar 'Ali Saifuddien dissolved two advisory councils during the final meeting in 1959, namely Badan Penasihat Syariah (Religious Advisory Board) and Majlis Mesyuarat Syariah, both councils were primarily concerned with matters of religious law (Pengiran Mohammad, 2007, pp. 173-176). The dissolution of these overlapping religious advisory bodies signalled a deliberate institutional restructuring. Sultan Omar 'Ali Saifuddien sought to move beyond narrowly focused councils that dealt exclusively with

Islamic legal matters, toward a more comprehensive constitutional framework that could address both religious and administrative governance.

This transition culminated in the establishment of the *Majlis Mesyuarat Negara* (Legislative Council) under the 1959 Constitution, which introduced a broader consultative platform that included ex officio officials, nominated members, and elected representatives from district councils. This reorganisation illustrates how Sultan Omar 'Ali Saifuddien sought to preserve the centrality of Islam in governance while adapting consultative practices to meet evolving administrative realities. In doing so, *shura* was not abandoned but reconfigured, retaining its spirit of collective deliberation while being embedded within a modern state structure. This transition highlights both continuities, in the enduring role of Islamic values, and reform, in the creation of new institutional mechanisms for accountability and governance.

The Brunei Legislative Council or *Majlis Mesyuarat Negara* (MMN) was established in 1959 under Article 23 of the Brunei Constitution 1959. However, the Brunei Legislative Council was suspended shortly after the revolt in 1962 and later dissolved in 1984. Its resurrection introduced a new structure comprising a speaker—traditionally a member of the royal family nominated by the Sultan—together with 15 elective seats and up to 30 appointed members. The 21 councillors comprise cabinet ministers (with the Sultan himself as a member), the Attorney-General, permanent secretaries, elder statesmen, prominent business figures, and community leaders (Horton, 2005, p. 181).

The constitutional evolution of Brunei's Legislative Council demonstrates the tension between early aspirations for representative governance and the eventual consolidation of monarchical authority. The 1959 Constitution provided for a council that included ex-officio members, officials, and a significant number of unofficial representatives, with sixteen seats intended to be filled through elections at the district level. The uprising revolt led by A.M. Azahari and the Partai Rakyat Brunei was swiftly suppressed by British and Gurkha forces, but its political consequences were profound (Shaw, 2016). The Sultan declared a state of emergency, suspended electoral provisions, and effectively removed the possibility of elected representation, thereby consolidating authority under the Crown (Hussainmiya, 2020). From this point onward, the Legislative Council ceased to function as a representative institution, and its role was reduced to one of appointment and consultation.

The dissolution of the Council in 1984, coinciding with Brunei's independence, further entrenched this centralisation of power. Legislative authority was exercised directly by the Sultan through emergency orders, underscoring the absolute nature of the monarchy. The revival of the Legislative Council in 2004 was therefore a significant constitutional moment, though its substance remained limited. Horton characterises the revival as “window-dressing,” noting that while the Council was reconvened, its membership was entirely appointed, consisting of cabinet ministers, senior officials, and selected citizens (Horton, 2005).

Hj Mohd Yusop (2007) highlights that the revival of the Legislative Council in 2004 marked an important milestone in Brunei's political development. Although the Council was not comparable to the semi-elected body envisioned in the 1959 Constitution, its reintroduction after decades of absence was welcomed as a step toward greater consultation. The new Council was composed largely of appointed members—ministers, nobles, distinguished figures, and district representatives—yet it introduced new practices such as the tabling and debate of the national budget, which had previously been approved solely by royal decree. The district representatives were indirectly chosen through village-level elections, thereby embedding a limited participatory element. Importantly, the Sultan encouraged members to voice constructive opinions, and proceedings were reported in the media, allowing the public to follow debates.

Taken together, these scholarly perspectives illustrate a clear historical arc: from the initial constitutional design of 1959, which sought to balance bureaucratic authority with representative input, to the abrupt suspension of elections in 1962, the dissolution of the Council in 1984, and its eventual revival in 2004 as a purely consultative body. This trajectory underscores how Brunei's governance has consistently privileged monarchical authority while framing consultative mechanisms within the philosophy of *Melayu Islam Beraja*. In this sense, the Legislative Council functions less as a legislative assembly in the Western parliamentary tradition and more as an institutionalised form of *shura*, where advice and deliberation are permitted but ultimate authority remains firmly vested in the Sultan.

Brunei Case Study

The Hansard of 8 August 2026 (22nd Session, Day 4) provides concrete evidence of accountability in practice. In the social affairs debate, the Minister for Social and Human Resources explained that poverty in Brunei is multidimensional, encompassing income, education, housing, health, and family support. He highlighted the National Welfare System (Sistem Kebajikan Negara) as a centralised platform integrating data from multiple agencies, including Zakat, Waqaf, Baitulmal, the Ministry of Education, and Yayasan Sultan Haji Hassanal Bolkiah (Legislative Council of Brunei Darussalam, 2026).

Economic deliberations further reveal accountability in practice. The Minister of Economy presented statistics showing 148,129 private-sector workers, with 45% locals and 55% foreign workers, and outlined three strategies: prioritising local hiring, expanding 17 Human Resource Development Programs (2017–2026) with 16,158 participants, and implementing a phased minimum wage policy (Legislative Council of Brunei Darussalam, 2026).

Religious affairs debates also highlight accountability mechanisms. The Minister of Religious Affairs reported 1,004 halal certification applications between January and July 2026, with detailed breakdowns of approvals, pending cases, and rejections. He explained reforms to strengthen compliance monitoring and noted collaboration with UNISSA students for halal training. Enforcement data showed 720 compliance notices in 2025 (716 resolved) and 510 notices in 2026 (509 resolved), with only serious cases referred to court.

Together, the historical development of the Legislative Council and these Hansard records provide empirical evidence that Brunei's MMN functions as a consultative accountability mechanism. While ultimate authority remains vested in the Sultan, the council's debates on welfare, labour, and religious affairs show how the amanah–shura–hisab cycle is enacted institutionally: leadership as trust (*amanah*), consultation through deliberation (*shura*), and reckoning via compliance and enforcement (*hisab*).

Binding vs Advisory Debate

The scholarly debate on *shura* revolves around whether consultation is a binding obligation upon rulers or merely an advisory practice contingent on context. Binding interpretations are advanced by figures such as al-Ṣallābī (2010) and al-Raysuni (2011), who argue that Qur'anic injunctions and Prophetic practice establish *shura* as a constitutional duty. They maintain that rulers must adopt the majority opinion expressed in consultative councils, warning that without enforceability, *shura* risks becoming symbolic and undermining Sharī'ah-based legitimacy. Ogunbado (2019) reinforces this view by citing Qur'anic verses (42:38; 3:159) and Ibn Khaldūn's perspective, emphasising that even the Prophet Muhammad consulted his companions, thereby institutionalising consultation as a binding principle of accountability.

By contrast, advisory or context-dependent interpretations are found in the works of al-Māwardī (1989) and Ibn Taymiyyah (2005). While both stress that rulers must govern by Sharī'ah and remain accountable to God and society, they frame consultation as a moral and religious obligation rather than a legally binding constraint. This position allows rulers discretion in applying consultative outcomes, adapting them to socio-political circumstances. Erkkilä (2007) adds a modern perspective, noting that advisory consultation may serve transparency but risks becoming ceremonial if not backed by enforceable mechanisms.

Brunei's Legislative Council (Majlis Mesyuarat Negara, MMN) exemplifies this tension. Hansard records from 8 August 2026 show ministers presenting detailed data on welfare, workforce, and halal certification compliance, with members scrutinising policies and raising questions. Yet, ultimate authority remains vested in the Sultan, and council deliberations carry advisory weight only. This situates Brunei within the advisory model, where consultation enhances transparency.

Critically, the comparison reveals a gap between classical ideals of binding *shura* and contemporary advisory practice. Binding interpretations emphasise enforceability as essential for accountability, while advisory views highlight flexibility but risk reducing consultation to symbolism. In Brunei's context, the Majlis Mesyuarat Negara (MMN) demonstrates this practical tension. This reflects the broader challenge of translating classical

principles into modern governance structures, where consultation is valued but adapted to the realities of Brunei's political framework.

Operationalising Accountability through the Amanah–Shura–Hisab Cycle

Accountability in Islamic governance is operationalised through the interconnected principles of *amanah* (trust), *shura* (consultation), and *hisab* (reckoning). In Brunei's Legislative Council (MMN), these principles can be observed in practice. *Amanah* is reflected in ministers' responsibility to present accurate data and policy updates, such as welfare statistics, workforce composition, and halal certification compliance (Legislative Council of Brunei Darussalam, 2026). This trust is then exercised through *shura*, where council members deliberate, question, and scrutinise these reports in formal sessions recorded in Hansard. Finally, *hisab* is evident in the mechanisms of follow-up and enforcement: compliance notices in halal certification, monitoring of minimum wage implementation, and transparent reporting of welfare beneficiaries.

Institutionally, this cycle can be evaluated through three interrelated dimensions. First, transparency is evident in the extent to which deliberations and data are publicly accessible. Second, answerability is operationalised through the requirement for ministers to justify policies and respond to questions raised in council debates. Third, enforceability is demonstrated by the presence of mechanisms—such as compliance monitoring, budgetary oversight, and policy follow-up—that ensure deliberations translate into measurable outcomes.

By examining these dimensions, the *amanah–shura–hisab* cycle moves beyond theory into a practical framework for accountability. While MMN's advisory status means its recommendations primarily inform executive decision-making, its institutional processes demonstrate how accountability is enacted: leaders are entrusted with authority (*amanah*), required to consult and deliberate (*shura*), and ultimately held to account through reporting and compliance mechanisms (*hisab*). This evaluative lens shows that Brunei's governance system operationalises accountability in ways consistent with Islamic principles, even as it adapts them to the realities of a monarchical framework.

CONCLUSION

This study has demonstrated that *shura* (consultation) is not merely a symbolic practice but a binding principle of accountability in Islamic governance. Rooted in Qur'anic injunctions, Prophetic traditions, and classical scholarship, *shura* functions as a constitutional safeguard against authoritarianism by ensuring rulers remain answerable to both God and society. Historically, the Rashidun Caliphate exemplified how consultative mechanisms could institutionalize justice, inclusivity, and collective responsibility, while later declines in systematization highlight the need for procedural reforms in modern contexts.

In Brunei Darussalam, governance under the philosophy of Melayu Islam Beraja (MIB) integrates Islamic values with monarchical authority. The Legislative Council (Majlis Mesyuarat Negara) embodies elements of *shura* through structured consultation and financial oversight, yet its advisory and appointment-based character reflects Brunei's distinctive governance framework, where deliberations contribute to transparency and accountability while complementing the Sultan's executive authority. In this way, the Council's debates on welfare, labour, and religious affairs illustrate how the *amanah–shura–hisab* cycle is expressed institutionally.

Moreover, the analysis has drawn on selected Hansard records and secondary literature rather than a comprehensive review of all proceedings or wider accountability mechanisms such as judicial oversight or civil society participation. These limitations do not diminish the Council's role as a consultative body but highlight areas for further research into how accountability is enacted across Brunei's governance structures.

By integrating *amanah* (trust), *shura* (consultation), and *hisab* (divine accountability) into a unified accountability framework, Brunei can move beyond symbolic consultation toward enforceable mechanisms of governance. Embedding binding procedures, strengthening transparency through documented deliberations, and cultivating a civic culture of participation would align Brunei's administrative system more closely with Qur'anic injunctions and classical jurisprudence. Such culture would broaden participation beyond appointed elites, transforming consultation into a shared societal practice. This development would reinforce the legitimacy

of governance under Melayu Islam Beraja while ensuring that accountability remains both spiritually grounded and institutionally effective, thereby fostering inclusive and ethical governance in Brunei's contemporary context.

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