

Majoritarianism in Fiqh Siyasah between Fiqh and Democracy

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ABSTRACT

This study examines how the principle of majority operates within fiqh siyasah and modern democracy, particularly in the Malaysian context, where Islamic law functions alongside constitutional democracy. The research addresses the misconception that Islam either rejects majority rule or fully equates it with Western democratic practices. Such ambiguity has contributed to debates in public policy, Islamic legislation, and national governance regarding the limits of majority-based decision-making. The study aims to: (i) identify elements of majoritarianism in fiqh siyasah; (ii) compare them with democratic theories of majority rule; and (iii) assess their suitability for Malaysia's hybrid governance model. Using qualitative document analysis, the research employs inductive and deductive reasoning to derive Shariah principles regulating majority use and applies a comparative framework to evaluate differences between Islamic and democratic concepts of legitimacy. Primary sources include the Qur'an, works of classical jurists such as al-Māwardī, al-Ghazālī, and Ibn Taymiyyah, as well as contemporary political theory. Findings show that fiqh siyasah recognizes majoritarian elements through mechanisms such as *syūrā*, *ijmā'* and *jumhūr*, *bay'ah*, *maslahah*, and *tarjīh bi al-kathrah*. These mechanisms serve as decision-making tools and indicators of communal stability but do not constitute independent sources of legal authority. Unlike democracy, which grounds legitimacy in majority will, fiqh siyasah restricts majority decisions through Shariah, *maqāsid*, justice, and minority protection. The study concludes that while fiqh and democracy differ in foundations, both employ majority processes. For Malaysia, integrating majoritarian principles within Shariah and constitutional boundaries can strengthen governance and supports the development of a proposed Fiqh Aghlabiyyat Malaysia framework.

Keywords: Fiqh Siyasah, Majoritarianism, Siyasah Shar'iyah, Maslahah, Democracy, Aghlabiyyah.

INTRODUCTION

The discussion on majoritarianism is commonly associated with modern political theory, especially democratic systems that make the will of the majority the basis of governmental legitimacy (Moktar et al., 2020). Arend Lijphart asserts that majoritarian democracy is based on the principle of concentration of power in the hands of the majority, which can easily lead to exclusive dominance and an adversarial nature in politics (Lijphart, 1999, pp. 1-2). At the same time, Robert Dahl questions that an unlimited majority without constitutional constraints can lead to injustice towards minorities (Dahl, 1989, p. 173). This debate frequently arises in contemporary political discourse, particularly in pluralistic and diverse societies like Malaysia.

On the other hand, fiqh siyasah - which encompasses principles of Islamic governance, power structures, and mechanisms for implementing Shariah - does not explicitly use the term majoritarianism. However, key concepts in the treasury of fiqh siyasah clearly display elements that align with majoritarian principles, such as the need for collective agreement, the views of the majority of scholars, and governmental legitimacy through public acceptance (*bay'ah*). In the context of upholding the symbols of Islam for a government, scholars state that once

these symbols are realized in society, the land transforms into Dar al-Islam without regard to minority and majority (Auda, 2014, p. 158). The symbols referred to for a government are allowing Muslims to establish Islamic symbols such as adhan, Friday prayers, Eid prayers, mosque construction, slaughter, Hajj, reciting the al-Qur'an, and other related forms of symbols. Therefore, this study aims to systematically analyze the elements of majoritarianism present in fiqh siyasah and make a critical comparison with modern democratic principles.

Definition Of Fiqh and Democracy

Fiqh, linguistically, means knowledge and understanding of something (Ibn Manzūr, 1993, p. 522). Terminologically, it refers to the knowledge of Shariah rulings pertaining to human actions and words, derived from detailed proofs and inferred through ijtiḥād, which requires analysis and scrutiny (al-Khin et al., 1992, p. 7; al-Jurjānī, 1983, p. 168). The scope of fiqh covers Islamic rulings that are regulations comprising commands, prohibitions, or choices such as obligatory, sunnah, forbidden, disliked, and permissible (al-Zuhayli, 1999, p. 124). It consists of rulings related to the relationship between humans and Allah, i.e., matters of worship, and the relationship between humans and humans, i.e., matters of family, muamalah, administration, law, and ethics (al-Khin et al., 1992, p. 13).

Democracy originates from Greek words, a combination of 'demos' and 'kratos'. The word 'demos' means people, and 'kratos' means rule or government (Beetham, n.d., p. 3). When these two words are combined, they signify a political system that provides space for the people of a country to form, determine, and control the government of that country. Furthermore, the term democracy, according to its etymology, means rule by the people or 'government or rule by the people' (Budiarjo, 1977, p. 50), indicating that the people have a role in the system of government and play a part in determining policies or basic decision-making guidelines for governance (Schumpeter, 2003, p. 243).

Elements Of Majoritarianism in Fiqh

The discussion on majoritarianism is commonly associated with democratic discourse. However, in the tradition of fiqh siyasah, there are several principles closely related to the idea of prioritizing the opinion of the many, accepting the legitimacy of the majority group, or forming political decisions based on the greatest support. These principles do not appear in the same form as in democracy, but they function as mechanisms of legitimacy that meet the needs of Muslim societies in historical and administrative contexts. Elements of majoritarianism in fiqh siyasah can be seen in five main components: syūrā, ijmā and jumhūr, bay'ah and governmental legitimacy, maslahah as a basis for collective decisions, and usūl principles that accept the prioritization of majority opinion.

Syūrā

Syūrā (شورى) is a fundamental principle of Islamic politics explicitly mentioned in the al-Qur'an through Allah's verse: *wa amruhum shūrā baynahum* ("their affairs are decided through syūrā among them") (Qur'ān 42:38). Mufasssirūn such as al-Tabarī explain that syūrā is an obligation for leadership to involve qualified individuals or community leaders in the policy-making process (al-Tabarī, 1992, pp. 62-63), while al-Qurtubi asserts that syūrā is a fundamental principle of governance that cannot be disregarded in decision-making (al-Qurtubi, 2006, pp. 110-111).

Although the al-Qur'an does not specify the technical method for syūrā decisions, the tradition of its implementation during the era of Khulafa' al-Rāshidīn shows that decisions often followed the view that received greater support. For example, the decisions of Caliph 'Umar ibn al-Khattāb on several administrative issues - including the division of Iraqi land and the establishment of the diwan - took into account the views of the majority of companions (Ibn Sa'd, 1968, pp. 214-219). In a contemporary context, syūrā is often seen as a process that tends to produce decisions favoring the majority view of representatives, especially when there is a conflict of opinions (Shavit, 2010). This indicates that although syūrā is not synonymous with majoritarian democracy, the element of prioritizing the greatest support has been utilized in the history of Islamic siyasah.

Ijmā, Jumhūr and al - Sawād al - A'zam

In the tradition of usūl al-fiqh, ijmā is defined as the consensus of all mujtahid scholars in a given era on a

Shariah ruling (al-Juwaynī, 1979, pp. 275-278) and is obligatory for the practice of the Muslim community. However, if full consensus (ijma') is not achieved, then the fuqahā' use the term *jumhūr al-'ulamā'* (majority of scholars) as the primary reference when there are differences of opinion. Imam al-Shāfi'ī stated that the opinion of the *jumhūr* is stronger because it represents *as-sawād al-a'zam*, which is the largest group of the ummah considered closer to the truth (al-Shafi'i, 2004, p. 517).

The concept of *al-sawād al-a'zam* is important because it forms the basis of majority legitimacy in Islamic society. Al-Tirmidhī narrated that the Prophet SAW said: *fa-'alaykum bi al-sawād al-a'zam* ("you must be with the great majority") (al-Tirmidhī, n.d., Kitāb al-Fitan, No. 2165), which scholars used to emphasize the value of stability in following the majority of the ummah and the majority of scholars. Within the framework of fiqh siyasah, this principle becomes the basis that the opinion of the majority – whether among the fuqahā or the community – holds a stronger position of legitimacy compared to minority views, especially in issues related to politics and governance (Ibn Taymiyyah, 1996, p. 392).

Bay'ah

Bay'ah is the process of legitimizing a ruler in the Islamic political system. Al-Māwardī in *al-Ahkām alSultāniyyah* asserts that the appointment of an imam or caliph is valid through the consent of authoritative community representatives (*ahl al-hall wa al-'aqd*) (al-Māwardī, 1985, pp. 5-15). Although not a modern electoral system, this process requires the highest support from the representatives, not merely the agreement of one or two figures. This was evident in the selection of Caliph 'Uthmān and 'Alī, where the role of the majority support of the companions played a critical factor in determining who was considered a legitimate leader (al-Balādhurī, 1996, pp. 30-45).

In this context, majoritarianism is not merely a mathematical principle, but a measure of political legitimacy. The support of the majority of *ahl al-hall wa al-'aqd* ensures that leadership is not based on individual power, but on collective societal acceptance. Contemporary scholars such as Rashīd Ridā state that bay'ah is the basis for modern syūrā councils whose decisions are commonly founded on the principle of majority (Ridā, 1923, pp. 36-40).

Maslahah

The principle of maslahah is a crucial foundation in fiqh siyasah, and many Islamic political decisions are formulated based on considerations of public benefit (*maṣlahah 'āmmah*). Al-Ghazālī defines maslahah as actions that preserve the objectives of Shariah (*maqāṣid al-sharī'ah*) for the welfare of the ummah (al-Ghazālī, 1997, p. 286). In the context of the state, decisions that provide the broadest benefit to the largest group often become the primary choice, especially in issues of public administration, taxation, military, and economy.

Ibn Taymiyyah emphasizes that the ruler must prioritize decisions that bring the widest benefit to the people: *tasarruf al-imam manut bi al-maslahah* (Ibn Taymiyyah, 1998, p. 17), meaning the ruler must choose decisions that have a positive impact on the majority of society. Scholars like Muhammad Iqbal in *Fiqh Siyasah: Kontekstualisasi Doktrin Politik Islam* link maslahah with a collective approach that sometimes involves majority decisions in the syūrā body to ensure that public maslahah is prioritized over minority interests (Iqbal, 2014, pp. 65-112).

Tarjih bi al-Kathrah dalam Usul al-Fiqh

In *uṣūl al-fiqh*, there is a method of prioritizing opinions, including *al-tarjih bi al-kathrah*, which means strengthening an opinion based on the largest number of scholars supporting it when both arguments have almost equal strength of evidence. This method is mentioned in the discussions of *uṣūl* scholars such as al-Amidī in *al-Ihkām fī Uṣūl al-Ahkām* (al-Amidī, 1988, pp. 250-260), and asserts that, methodologically, the majority opinion has a more robust epistemological value.

This element of majoritarianism not only functions in fiqh debates but also provides a theoretical basis for prioritizing majority decisions in administration and siyasah. Ermin Sinanović asserts that such fiqh principles demonstrate that the majority principle is not alien to the Islamic intellectual tradition, but can indeed be applied in a modern political context (Sinanović, 2004).

Therefore, it is clear that the principle of majoritarianism exists in various layers of *fiqh siyasah*, whether directly or indirectly. *Syūrā* provides a majoritarian framework without the liberal elements found in democracy, *ijmā* and *jumhūr* emphasize the value of the majority of scholars' legitimacy, *bay'ah* indicates the acceptance of the majority of community representatives as the basis of leadership, *maslahah* demonstrates collective decisions for the greatest interest, and *usūl* principles like *al-tarjīh bi al-kathrah* provide an epistemological basis for prioritizing the majority. These elements, when combined, show that majoritarianism within a Shariah-bound framework is part of the mechanisms of Islamic governance, but is also balanced with principles of justice, *maqāsid*, and minority protection guaranteed in Islam.

FINDINGS

The discussion on majoritarianism stands at an important intersection between *fiqh siyasah* theory and modern democratic systems. Both recognize the role of the majority in decision-making processes, yet their philosophical foundations, limitations, and practical functions differ fundamentally. In *fiqh siyasah*, the majority serves as a tool for strengthening decisions and an indicator of stability, whereas in modern democracy, the majority is often considered the highest source of political authority. This epistemological difference shapes how laws, public policies, and governance are determined in Muslim societies and democratic nations like Malaysia. To understand this relationship more systematically, the study finds that three main dimensions need attention: firstly, how the majority principle is integrated into the *fiqh siyasah* tradition; secondly, what are the Shariah limitations on the use of majority compared to modern democracy; and thirdly, how the majority functions in ensuring governmental stability and the preservation of public interest.

Integration of the Majority Principle in Fiqh Siyasah Tradition

The tradition of *fiqh siyasah* acknowledges the role of the majority as a method of decision-making, but does not posit it as an absolute principle in determining rulings. Nevertheless, it functions as a supporting mechanism to achieve more stable decisions. Its basis in the discipline of *usul al-fiqh* is that the majority is used as an indicator for *tarjih* (preferring) a ruling, i.e., choosing the strongest view when there are differences of opinion among *fuqaha'*. This is proven through the maxim *al-qawl al-mashhūr awlā bi al-ittibā*, meaning the more widespread (generally majority) opinion is more worthy of being followed because it is deemed more stable and authoritative (al-Juwaynī, 2012, pp. 145-146).

Imam al-Ghazālī explains that the basis of *syura* is collective rational deliberation, and the majority opinion is usually considered closer to the truth (*asabb*), as it gathers the views of many members who possess knowledge and wisdom (al-Ghazālī, 1997, p. 245). Furthermore, the practice of the majority is also accepted in establishing *ijtihadi* rulings that require technical testimony or public consent. For example, the acceptance of *khobar alwāhid* in Shariah law depends on the consensus of the majority of *fuqaha'*, not merely on the original evidence itself. In the context of governance, the institution of *ahl al-halli wa al-'aqd* relies on the support of the majority of community representatives or general consent to obtain legitimacy for political decisions (al-Māwardī, 1996, pp. 40-42). This approach emphasizes that the integration of the majority in *fiqh siyasah* is more characterized as a tool, helping the smooth functioning of the governmental system without making it an absolute basis for legislation, just as the majority in democracy is also not absolute, with constitutional limitations or control by certain institutions (Dahl, 1989, p. 173).

In the Malaysian context, this practice is translated through the methodology of the National Fatwa Council's decisions, which are typically made through the agreement of the majority of fatwa committee members. Although these majority decisions are not absolute, they serve as a practical and operational (functional) method to ensure administrative efficiency and unification of views. This proves that *fiqh siyasah* accepts the majority factor as an administrative tool and a means of legal harmonization, not as the highest source of authority without replacing it as a *taufiqi* principle or a basis for legislation.

Shariah Limitations on Majority compared to Democracy

Fundamentally, modern democracy is practiced on the principle that the majority is the highest source of political authority. Similarly, *fiqh siyasah* asserts that the majority must not transgress the boundaries of Shariah, *maqāsid*,

and justice. This is clear, as Allah SWT warns that majoritarianism should not be made an absolute measure of truth:

"And if you obey most of those on earth, they will mislead you from the way of Allah." (Surah al-An'am: 116)

Al-Zuhayli explains that this verse reminds the Prophet SAW and his community not to make the majority a measure of truth because it is influenced by whims and false assumptions (al-Zuhayli, 1991, p. 20). This is further explained by Ibn Taymiyyah, who states that a decision is not valid, even if supported by the majority, if it leads to injustice or violates the *maqāṣid al-Shariah* (Ibn Taymiyyah, 1998, pp. 12-15). This contradicts democracy, which allows the people to determine anything as long as it receives a majority vote. Thus, democracy often faces the phenomenon of tyranny of the majority, where populist decisions can oppress minority groups (Zakaria, 2003, pp. 23-25).

Conversely, *fiqh* stipulates that the element of majority cannot legalize what is forbidden, cannot deny minority rights guaranteed by *Shariah*, and cannot negate the principle of justice. Therefore, according to Islam, truth must be based on revelation and not depend on the number of supporters. The maxim *al-haqq lā yu'rafu bi alrijāl* (truth is not measured by the number of followers) proves the separation between the essence of truth and the will of the majority.

For example, Malaysia has a balanced model where the majority element of democracy is integrated with fixed principles in the Federal Constitution such as the position of Islam as the religion of the Federation, Bumiputera rights, and the rights of other religions. These matters cannot be challenged even by a majority vote in difficult circumstances. This is largely consistent with the framework of *fiqh siyasah*, which sets *Shariah* boundaries as the limits of the people's authority.

Elements of Majority in Governmental Stability and Preservation of Public Interest

In reality, *fiqh siyasah* accepts the element of majority, which plays an important role in stabilizing governance and safeguarding the welfare of the people. Ibn Khaldūn asserts that the strength of a government depends on the collective support of society, which can be measured through majority support (Ibn Khaldūn, 2005, pp. 125130). Thus, the majority has political value as an indicator of the legitimacy of a government, but not as a source of law.

The majority also forms the basis of stability in politics, especially during the appointment of leaders. This is seen through the practice of *bai'ah* in Islamic history, such as the appointment of Saidina Abu Bakar al-Siddiq, which demonstrated the need for majority support from the companions to ensure political stability (al-Tabarī, 1987, pp. 210-215). In the context of modern democracy, as in Malaysia which practices a parliamentary democratic system, the requirement for government formation through a majority in the House of Representatives is consistent with the demands of *fiqh siyasah* to preserve *istiqrār al-dawlah* (state stability).

Beyond the political sphere, the principle of majority is also used in technical decisions and fatwas based on the maxim *al-hukm yadūru ma'a al-khabīr*, meaning decisions follow the expert (al-Qaradāwī, 1999, p. 87). The majority decision of experts on public health issues, such as fatwas related to the COVID-19 pandemic, aligns with the principle of *maslahah* in *fiqh siyasah*.

Therefore, these three aspects provide a comprehensive picture that *fiqh siyasah* does not reject the role of the majority, but places it within the framework of *maqāṣid*, justice, and the authoritative discipline of *Shariah*, while democracy provides broader scope for the power of the people as long as it does not contradict the constitution.

Comparative Analysis of Legal Decision-Making and Governance Mechanisms: Fiqh Siyasah and Democracy in Practice

A comparative analysis of legal decision-making and practical governance mechanisms reveals significant differences in how the principle of majority is operationalized within the two systems. In constitutional democracies, legal decisions are primarily determined through majority voting in Parliament, which forms the basis of executive and legislative legitimacy. Nevertheless, judicial review and constitutional limits function as safeguards when majority decisions potentially infringe upon fundamental rights or constitutional provisions.

In contrast, within *fiqh siyasah*, a decision supported by the majority is considered valid only when it is consistent with the principles of *maqāṣid al-sharī'ah*, particularly the preservation of justice (*'adl*) and public welfare (*maṣlahah 'āmmah*). Majority approval alone does not confer legitimacy unless it conforms to Shariah norms and ethical constraints.

For example, the implementation of fatwas in Malaysia typically involves majority agreement among members of the Fatwa Council. However, such decisions must remain grounded in Shariah principles and *maqāṣid*, especially when issues arise concerning minority rights or freedom of religion, both of which are protected under the Federal Constitution. Studies indicate that the Malaysian Constitution itself embodies *maqāṣid*-oriented values, including the protection of religion, life, property, intellect, and lineage, thereby reinforcing individual rights alongside religious freedom and public welfare (Aziz et al., 2023).

This comparison demonstrates that although both systems employ majoritarian logic, *fiqh siyasah* imposes more substantive ethical and normative constraints on the social implications of majority-based decisions—particularly in pluralistic societies.

Potential Conflicts between Majority Decisions and Minority Rights in Plural Societies

One of the principal challenges of majoritarian decision-making lies in the potential conflict between majority will and the protection of minority rights. In democratic theory, the phenomenon known as the *tyranny of the majority* occurs when majority-based decisions marginalize or oppress minority groups, despite the presence of institutional checks and balances.

Within *fiqh siyasah*, however, the principles of justice (*al-'adl*) and the prohibition of harm (*lā ḍarar wa lā ḍirār*) ensure that majority decisions are guided by Shariah norms that protect the rights of all segments of society. These principles function as normative constraints that prevent the legalization of injustice through numerical dominance.

This framework is particularly relevant in the Malaysian context, where the rights of religious and ethnic minorities are constitutionally entrenched and must be respected in any policy or legislation formulated on the basis of majority preference. Consequently, majority rule in *fiqh siyasah* is not merely procedural but is substantively conditioned by ethical, legal, and constitutional obligations.

Governance Implications: Towards an Ethical Model of Majoritarianism in a Plural State

The integration of the foregoing analysis indicates that the principle of majority can function as an effective governance mechanism, provided that it is filtered through *maqāṣid al-sharī'ah* and constitutional safeguards that guarantee fundamental rights. Approaches such as *Fiqh Aghlabiyyat* offer a normative-practical model for ensuring that majority decisions do not violate Shariah objectives, social justice, or communal harmony in plural societies.

Previous studies further demonstrate that the application of governance concepts such as *Qurayshiyyah*, when interpreted through the lens of public interest (*maṣlahah 'āmmah*), can also guide political decision-making in ways that strengthen national stability and unity in Malaysia (Moktar et al., 2022).

Accordingly, an ethical model of majoritarianism grounded in *fiqh siyasah* does not reject democratic mechanisms but reframes them within Shariah-based moral boundaries. This approach provides a viable framework for harmonizing majority rule with justice, minority protection, and long-term societal cohesion in a multireligious and multicultural state.

CONCLUSION

In reality, the relationship between *fiqh* and democracy is not contradictory. Instead, *fiqh* accepts the role of the majority conditionally and instrumentally, while democracy makes it a source of power. The majority approach as an operational (functional) method opens the possibility that the majority can be an important mechanism in the country's legislative and public policy processes, as long as it does not contradict the *maqāṣid al-Shariah*.

This allows institutions such as Parliament or the Fatwa Council to adopt the majority principle without violating the framework of *fiqh siyasah*.

Although there are differences between Islam and democracy, they do not hinder Malaysia, as a country that combines both systems, from balancing them through Shariah principles in public policy. This is crucial in matters of Islamic law in the states, religious rights, and social ethics, where majority decisions cannot override the *thawabit* (fixed) principles of Shariah.

Thus, the integration of majority elements into the national administrative system helps build government legitimacy, reduce political conflict, and strengthen public trust. Within the framework of *fiqh siyasah*, the concept of majority should be elevated as a mechanism to strengthen political stability and contribute to harmonious governance in a pluralistic society. However, it remains subject to the condition that it does not contradict Shariah principles. The implication of this study suggests the need for the development of a *Fiqh Aghlabiyyat Malaysia* model that combines democracy with Shariah conditions to ensure that majority decisions do not compromise justice, social harmony, and *maqāṣid al-Shariah*.

REFERENCES

1. Abdul Aziz, S., & Ahmad, R. (n.d.). The role of *maqasid al-shariah* in the contemporary philosophy of jurisprudence epistemology. *Al-Qanatir: International Journal of Islamic Studies*. Retrieved from <https://al-qanatir.com/aq/article/view/38>
2. Al-Amidī. (1988). *Al-Iḥkām fī Uṣūl al-Aḥkām*. (Vol. 4). Dār al-Kutub al-‘Ilmiyyah.
3. Al-Balādhurī. (1996). *Ansāb al-Ashrāf* (Vol. 5). Dār al - Fikr.
4. Al-Ghazālī. (1997). *Al-Mustaṣfā min ‘Ilm al - Uṣūl*. (Vol. 1). Dār al - Kutub al - ‘Ilmiyyah.
5. Al-Jurjāniy, ‘A. b. M. (1983). *Kitāb al - Ta’rīfāt*. (1st ed.). Dār al-Kutub al-‘Ilmiyyah.
6. Al-Juwaynī. (1979). *Al-Burhān fī Uṣūl al-Fiqh*. (Vol. 1). Matba‘ah Dār al-Turāth.
7. Al-Juwaynī. (2012). *Al-Burhān fī Uṣūl al-Fiqh*. (Vol. 2). Dār al-Minhāj.
8. Al-Khin, M. et al. (1992). *Al-Fiqh al-Manhaji ‘alā Madhhab al-Imām al-Shāfi’i*. (4th ed., Vol. 1). Dār alQalam.
9. Al-Māwardī. (1985). *Al-Aḥkām al-Sultāniyyah*. Dār al-Kutub al-‘Ilmiyyah.
10. Al-Māwardī. (1996). *Al-Aḥkām al-Sultāniyyah*. Dār al-Hadīth.
11. Al-Qaradāwī. (1999). *Al-Ijtihād al-Mu‘āṣir*. Dār al-Shurūq.
12. Al-Qurtubī. (2006). *Al-Jāmi‘ li Aḥkām al-Qur’ān*. (Vol. 16). Dār al-Kutub al-‘Ilmiyyah.
13. Al-Shāfi‘i. (2004). *Al-Risālah*. Dār al-Kutub al-‘Ilmiyyah.
14. Al-Tabarī. (1987). *Tārīkh al-Ṭabarī*. (Vol. 3). Dār al-Kutub al-‘Ilmiyyah.
15. Al-Tabarī. (1992). *Jāmi‘ al-Bayān fī Ta’wīl al-Qur’ān*. (Vol. 25). Dār al-Fikr.
16. Al-Tirmidhī. (n.d.). *Sunan al-Tirmidhī*. (Kitāb al-Fitan, No. 2165).
17. Al-Zuhayli, W. (1991). *Al-Tafsir al-Munir fī al-Aqidah wa al-Shari'ah wa al-Manhaj*. (1st ed., Vol. 8). Dar al-Fikr.
18. Al-Zuhayli, W. (1999). *Al-Wajiz fī Uṣūl al-Fiqh*. (1st ed.). Dār al-Fikr al-Mu‘āṣir.
19. Auda, J. (2014). *Memahami maqasid syariah: Peranan maqasid dalam pembaharuan Islam kontemporari*. (M. B. A. Hamid, Trans.; 1st ed.). PTS Islamika Sdn. Bhd.
20. Beetham, D. (n.d.).
21. Budiarjo, M. (1977). *Dasar-Dasar Ilmu Politik*. P.T. Gramedia.
22. Dahl, R. A. (1989). *Democracy and Its Critics*. Yale University Press.
23. Ibn Khaldūn. (2005). *Al-Muqaddimah*. Dār al - Fikr.
24. Ibn Manzūr, M. b. M. (1993). *Lisān al-'Arab*. (3rd ed., Vol. 13). Dār Ṣādir.
25. Ibn Sa’d. (1968). *Al-Tabaqāt al-Kubrā*. (Vol. 3). Dār Ṣādir.
26. Ibn Taymiyyah. (1996). *Minhāj al - Sunnah al-Nabawiyyah*. (Vol. 3). Jāmi‘at al-Imām.
27. Ibn Taymiyyah. (1998). *Al-Siyāsah al-Shar‘iyyah fī Iṣlāḥ al-Rā‘ī wa al-Ra‘iyyah*. Maktabah al-Sunnah.
28. Iqbal, M. (2014). *Fiqh Siyasah: Kontekstualisasi Doktrin Politik Islam*. Kencana.
29. Lijphart, A. (1999). *Patterns Of Democracy: Government Forms And Performance In Thirty - Six Countries*. Yale University Press.

30. Moktar, M. S., Wan Chik, W. M. Y., Mohamad, M. Z., Ismail, A. F., & Zulkifli, A. A. (2020). Implementasi Fiqh Aghlabiyyah dan Kepentingannya dalam Masyarakat Majmuk di Malaysia. *Asian Journal of Civilizational Studies*, 2(2), 48 – 61.
31. Moktar, M. S., Wan Chik, W. M. Y. W., Zulkafli, N. F., Zamani A., & Yaakob R.. (2022). Implementation of Quraishiyyah concept in Malaysia governance. *Al-Qanatir: International Journal of Islamic Studies*, 26(2), 24–35. Retrieved from <https://www.al-qanatir.com/aq/article/view/462>
32. Ridā, R. (1923). *Al-Khilāfah aw al-Imāmah al-‘Uzmā*. Matba‘ah al-Manār.
33. Schumpeter, J. A. (2003). *Capitalism, Socialism And Democracy*. Routledge.
34. Shavit, U. (2010). Is Shura a Muslim Form of Democracy? *Middle Eastern Studies*, 46(3), 349-374.
35. Sinanović, E. (2004). The Majority Principle in Islamic Legal and Political Thought. *Islam and ChristianMuslim Relations*, 15(2), 237-256.
36. Zakaria, F. (2003). *The Future Of Freedom: Illiberal Democracy At Home And Abroad*. W.W. Norton.