

The Analytical Research of the Islamic Shuraii System in Light of Quran and Ahadith

Muhammad Muavia Khan¹

Muhammad Sajjad²

Muhammad Usman Khalid³

Abstract:

In this article the Islamic Counselling system in the light of Quran and Ahadith has been discussed. In fact, It is the principle of the Islamic system that the shura is the most important factor in its establishment and perpetuation. Ho Toshura is the most important element of its solution. In this situation, the Shari'ah has instructed that instead of judging on one's own and relying on one's own intellect and wisdom on all such occasions, Opinions should be sought from individuals, then after mutual deliberation, whichever side the heart is inclined to adopt, trusting in Allah, it is interpreted as "advice or consultation". Moreover, literal meaning of Shora, Practical advice in the prophetic era, The basis of the political system and The objectives of the council are discussed briefly.

Key Words: *Shura, Quran, Ahadith, Counselling System, Islamic Political System*

The principle of the Islamic system is that the shura is the most important factor in its establishment and perpetuation. If there is no clear text in any issue related to the individual and society, country and nation, science and education and economics and sociology. In this situation, the Shari'ah has instructed that instead of judging on one's own and relying on one's own intellect and wisdom, the artisans, masters and sympathizers of the relevant work should be present. Even if the opinion of the people is sought, then after mutual deliberation, whichever side the heart is inclined to adopt, trusting in Allah, it is interpreted as (advice or consultation).

By the time the Prophet (peace and blessings of Allaah be upon him) raised the voice of Tawheed on the land of Makkah, the Quraysh, unfamiliar with civilization, were beginning to develop certain nuclear properties that could go a long way in building a strong

1. PhD Scholar , The Islamia University of Bahawalpur, khanm1288@gmail.com, +923006852872

ORCID: <https://orcid.org/0000-0003-1518-3789>

2. Lecturer, The Best College Bahawalpur, Ctsc3ldn@gmail.com, +923006863944

ORCID: <https://orcid.org/0000-0002-0883-5913>

3. PhD Scholar, Department of Islamic Studies, University of Engineering & Technology, Lahore-

E-Mail: muhammadusmankhalidryk@gmail.com ORCID: <https://orcid.org/0000-0001-6391-8474>

state. With a little reform, it could have produced durable and solid tools, one of the features of which was the significant effect of collective discipline and centralism within the Quraysh. A clear example of this is the existence of the state of Qusay bin Qalab. This man ruled over all the tribes of Quraysh and his greatness was felt all over Arabia due to his influence. Not only that, but in his time we also see the early style of parliamentary system and the Quraysh. Delegates settled their own affairs through a shura under his auspices.

The Quraysh were familiar with a simple system of government in which shura was mixed. This aspect of the system of government in Makkah was in accordance with the Islamic spirit, so Islam took advantage of it and gave the people of Makkah the idea of such a system of government. There was no difficulty in giving, which was based on consultation."

Imam Khalil ibn Ahmad al-Farahidi (d. 5 AH) says that (consultation) like the word shura also comes from the chapter of actions.

"والمشورة مفعلة اشتق من الاشارة اشترت عليهم بكذا ويقال : مشورة" - (4)

The Weigh for مشورة is مفعلة. This is from the Bab افعال because the Arab says مشورة (اشترت عليهم بكذا) and is said مشورة.

Dr Ahmad Ali Al-imam says:

"ولعل اجمع تعريف للشورى بمعناها الفقهى العام الشامل لمختلف انواعها هو القول بانها رجوع الامام او القاضى او آحاد المكلفين فى امر لم يستتب حكمه بنص قرآنى او سنة او ثبوت اجماع الى من يرجى منهم معرفته بالدلائل الاجتهادية من العلماء المجتهدين ومن قد ينضم اليهم فى ذلك من اولى الدراية والاختصاص" - (5)

Perhaps the most comprehensive definition of shura, which includes its various jurisprudential meanings and types, is that shura refers to an imam or a judge, or an obligated person, or in a matter whose ruling is based on evidence from the Qur'an, Sunnah or consensus. If the ruling is not clear from any text, refer to the mujtahid scholars who are able to know the ruling from its ijtiha arguments. Dr Mustafa Qutab sano writes:

4- Al-Frahd, Khalil bin Ahmad, Kitab ul Ain, Dar Ihya Al-Turath Al-Arabi, Beirut, 281/6

5- Majmoua min Ulema Al-Arab, Al-Shora Fi Al-Islam , Mjmaa Al-Malki Libahoth Al-Hazaratul Islamiyah, Uman, 488/2

"والشورى فى ابط تعريفاتها تعنى : تداول الآراء حول مسألة ما للوصول الى الحل الا مثل وعرفها بعضهم بانها : طلب آراء اهل العلم والرأى فى قضية من القضايا ، التى لم يرد فيها نص صريح مباشر من الكتاب والسنة " - (6)

"The most comprehensive definition of shura is to compare different opinions for the best solution to any problem. In which no clear text of the Qur'an and Sunnah has been included."

شورى The conotation meaning of word

Although the word shura has been used in a broad sense in Islamic jurisprudence, in almost every era the word has been used more and more on a governmental collective body related to the political and national system.

Nasar Muhammad Al-Karnz writes:

"ان فقهاءنا يستعملون اصطلاح الشورى فى معناها الضيق يتعلق بالتنظيم السياسى ، وان السمة الفقهية غير واضحة فيها " - (7)

"Our jurists generally use the term 'shura' to refer to the political system and thus the jurisprudential aspect of the meaning of this word remains unclear".

Dr Taufeeq Al-Shavi Writes:

"وكثير من الكتاب والباحثين لا يتكلمون عنها الا فى صدد نظام الحكم او الدولة مما يفهم منه ان موضوعها هو(ديمقراطية الحكم)اي انها مقصورة على القرارات الجماعية المتعلقة بنظام الدولة او الحكم " - (8)

"Most authors and researchers discuss 'shura' under the governmental or state system, which suggests that the main subject of shura is consultation on government issues, meaning that the word 'shura' is enclosed in these collective resolutions. Are related to the state or system of government (although this is not the case" .

6- Al-Shora Fi Al-Islam , 488/2

7- Al-Nadvi, Abul-Hassan Ali, Al-Ijtihad ul Jimae, Islami Fiqh Academy, India, p, 42

8- Shavi, Dr Taufeeq, Fiqh ul Shora Wal-Istishara, Darul Wafa Li-Tabah Wal-Nashar Wal-Tauzeqh, Al-Mansoorah, 1412AH, pp.101-103

Importance of shura according to Qur'an

Two verses in the Qur'an are very important in the sense that shura has been commanded in them. One verse is from Surah Mukki and the other is from Madani Surah. He is the first. Allaah says (interpretation of the meaning:

"وَأْمُرْهُمْ شُورَىٰ يَنْبَغُ" - (9)

"and their job is to consult with each other."

surah ash-shura is a meccan surah, and in makkah, too, the attributes of the believers are specifically highlighted, that they settle their affairs by consultation.

there is a strong emphasis on obedience to the ruler in the current and popular religious literature..

"والشورى من قواعد الاسلام وعزائم الأحكام ، ومن لا يستشير أهل العلم والدين فعزله واجب، هذا ما لا خلاف فيه" - (10)

"Shura is one of the foundations of Islam and it is one of the most important rules, and it is obligatory to remove the ruler who does not consult the scholars of the religion. There is no difference of opinion."

It seems that according to Ibn Atiyah, the ruler who ignores the council is capable of overthrowing him, but it is obligatory on the people to overthrow him. According to him, everyone agrees on this. Has disagreed, they do not disagree with the principle that shuraiyat is required and obligatory, but if the ruler turns away from shuraiyat then will it be obligatory to remove him, he disagrees with Ibn Atiyah on this, he says How can this step be justified by abandoning the council when it is not obligatory to remove the ruler on the grounds of immorality?

Among the modern commentators, Ibn Ashura has strongly endorsed the position of Ibn Atiyah, pointing out the weakness in the position of Ibn 'Arafah. Ibn 'Arafah believed that the Turkish Council was a matter of immorality or even less. Ibn Ashur said that Turkish Shuraism is a more serious problem than immorality, because Turkish Shuraism is tantamount to destroying the very foundation of the Islamic political system. If a ruler abandons Shuraism and adopts the path of tyranny, it is as if With his own hands, he

9- Al-Shoora, 42:38

10. Ibne Attiyah, Abdul-Haq bin Ghalib, Al-Muharrarur Wajeez fi Tafseer Al-Kitab Al-Aziz, Tehqeeq Al-Majlis Al-Aleemi, Bifass, Darul-Kutub Al-Islami Cairo, 35/2

demolished the entire edifice of the system which he was entrusted with the task of guarding, or which was expected of him, in which case there is no justification for him to remain in office. Rather, it is necessary to remove it and rebuild the edifice of the Islamic system. General immorality is related to the personal life of the ruler, but the Turkish Shuraiyat harms the life of the Ummah, which is allowed to anyone. Should not be found "- (11)

In another verse of the Qur'an, Muslims are required to consult with each other in the affairs of the kingdom. Allaah says (interpretation of the meaning):

"وَشَاوِرْهُمْ فِي الْأَمْرِ" - (12)

"And may Allaah bless him and grant him peace".

This verse is blessed Madani and was revealed after the battle of Uhud. Before the battle of Uhud, the Messenger of Allah (peace and blessings of Allah be upon him) used to seek advice from his companions on various matters before the battle of Uhud. He sought this advice and, respecting the advice of the majority of the Companions, decided to go out of Madinah and fight the disbelievers in Makkah, although his personal opinion was that while living in Madinah If the war was fought, the Muslims were apparently defeated in this battle, so there was a possibility that the Prophet (peace be upon him) would stop consulting the Companions for the future. In view of this possibility, the Holy Prophet (sww) was instructed to continue the process of consultation with the Companions. Ibn Manzoor writes in his Maraqat al-Aaraat in the language of the Arabs:

"الامر نقيض النهي -- والامر الحادثه" - (13)

"*Amr* is the opposite of *Nahi*, meaning ordering, and *Amr* also means accident and incident."

It is clear from this interpretation of the Imam's dictionary that the meaning of command also comes to rule and rule, and the meaning of the verse is: O Prophet (peace and blessings of Allaah be upon him) consult your Companions in matters of government and in important matters. Imam Ibn Jarir Tabari (may Allah have mercy on him), Imam Jasas Hanafi (may Allah have mercy on him), Imam Razi (may Allah have mercy on him), Imam

11. Ibne aashor Muhammad Al-Tahir, Al-Tehreer Wal-Tanveer, Mouassisah Al-Tareekh ul Arbi, Beirut, 286/3

12- Al-Imran, 3:159

13. Ibne Manzoor, Allamah Jlaluldeen Muhammad bin Mukrim, Lisan ul Al-Arab, Huzail Madah Al-Amar, Darul-Sadir Beirut, 26/4

Baghawi (may Allah have mercy on him), Imam Ibn Jozi (may Allah have mercy on him), Imam Qurtubi (may Allah have mercy on him), Ibn Katheer (may Allah have mercy on him) and Allama Alusi (may Allah have mercy on him) have all written in their commentaries. The Prophet (peace and blessings of Allaah be upon him) was commanded to seek advice so that the Sunnah of Shuraiyyah would be established for the Ummah so that the next Ummah would not follow the path of dictatorship and adhere strictly to the Shari'ah rule of Shuraiyyah. (14)

Imam Ibn Jarir Tabari (may Allah have mercy on him) has quoted three sayings of the Salaf in his commentary on this blessed verse:

1. According to the first statement, Allah (swt) commanded the Messenger of Allah (swt) to consult his Companions Rizwan Allah (swt) when it comes to war tactics and meeting the enemy. He was rich and selfless, because the Prophet (peace and blessings of Allaah be upon him) would have received direct guidance from Allaah through revelation, but he was given this command to compile the hearts of the believers.

Imam Ibn Jarir Tabari (may Allah have mercy on him) in his commentary on this verse quotes Hazrat Qatadah as saying:

"امر الله نبيه ﷺ ان يشاور اصحابه فى الامور وهو ياتيه وحى السماء ، لانه اطيب لانفس القوم وان القوم اذا شاور بعضهم بعضا وارادو بذلك وجه الله ، عزم لهم على ارشده " - (15)

Allaah has commanded His Prophet (peace and blessings of Allaah be upon him) to consult his Companions in various matters, although the Prophet (peace and blessings of Allaah be upon him) used to receive revelation from the heavens because the Companions of the Prophet (peace and blessings of Allaah be upon him) Consulting with the people was a source of peace and contentment in their hearts. Similarly, when people of a nation consult with each other and their aim is to gain the pleasure of Allah, Allah Almighty bestows upon them His best Provide guidance" .

Similar opinions have been narrated from Rabi 'and Ibn Ishaq(16) .. According to the second view of the Salaf, the real wisdom in ordering the Prophet (peace and blessings of Allaah be upon him) to consult the Companions of Rizwaan (peace and blessings of Allaah

14. Molina, Gohar Rehman, Islami Siyasat, Maktabah Tafheem ul Quran, Mardan, Pakistan, 2010, p, 287

15- Tibbri, Muhammad bin Jareer bin yazeed bin Ghalib, Tafseer Al-Tabri, Mouassisah Al-Risalah, Beirut, 1420AH, 344/4

16- Tafseer Al-Tabri, 344/7

be upon him) was that it is possible to obtain the correct opinion while dealing with an issue. Has been declared. "

Imam Ibn Jarir al-Tabari (may Allah have mercy on him) in his commentary on this blessed verse quotes Hazrat Zahak ibn Mazahim (may Allah have mercy on him) as saying:"

(17)"ما امر الله عز وجل نبيه ﷺ بالمشورة ، الا لما علم فيها من الفضل

Allaah has commanded His Prophet (peace and blessings of Allaah be upon him) to give advice only because it is better to give advice.

Hazrat Hassan Basri (may Allah have mercy on him) has also expressed this opinion(18) .

According to the third statement of the leading commentators, Allah (swt) commanded His Messenger (swt) to consult his Companions (may Allah bless him and grant him peace) in order to advise the later ummah on these issues. There is no clear command in the Qur'an and Sunnah about this, let a Sunnah be issued about it.

Imam Ibn Jarir Tabari (may Allah have mercy on him) in his commentary on this verse quotes Hazrat Sufyan bin Ayina (may Allah have mercy on him) as saying:

"هى للمومنين ، ان يتشاوروا فيما لم يأتهم عن النبي ﷺ فيه اثر"-(19)

This command is actually for the believers to consult in matters in which there is no effect from the Prophet of Allah.

In the commentary of this blessed verse, there is also a saying of the commentator of the Qur'an, Hazrat Abdullah bin Abbas (may Allah be pleased with him.)

Imam Hakim (may Allaah have mercy on him) said:

"عن ابن عباس فى قول الله عز و جل (وشاورهم فى الامر) قال ابو بكر و عمر رضى الله عنهما"-(20)

17- Tafseer Al-Tabri, 354/7

18- Tafseer Al-Tabri, 354/7

19- Tafseer Al-Tabri, 345/7

20- Hakim, Muhammad bin Abdullah Al-Nisabari, Al-Mustadrik Ala Al-Saheehain, Darul-Kutub Al-ilmiah, Beirut, 1411AH, Kitab Maarifah Al-Sahaba, Hadith no, 4436, 74/3

It is narrated on the authority of Hazrat Abdullah bin Abbas (may Allah be pleased with him) that he was commanded to consult Hazrat Abu Bakr and Umar (may Allah be pleased with him) in Washarahm fi al-Amr.

A large group of commentators are of the opinion that the word 'amr' in this verse is meant for obligation, that is, it was obligatory for the Prophet (peace and blessings of Allaah be upon him) to consult his Companions.

Dr. Ahmad Ali Al-Imam writes:

"والمختار الذى عليه جمهور الفقهاء و مهققو الاصول ان الامر للوجوب وقرر
الامام ابن حجر العسقلانى ان الصحيح المختار هو وجوب الشورى وعلى ذلك
ايضا مذهب الاحناف حيث يقول الامام الجصاص فى تفسير قوله (وامرهم
شورى بينهم) هذا يدل على جلاله موقع المشورة لذكرها مع الايمان واقامة
الصلاة ، ويدل على اننا مامورون بها وهذا ما ذهب اليه الامام الرازى حيث
يقول : ظهر الامر الوجوب فى قوله تعالى : (وشاورهم) وهو يقتضى الوجوب
(21)-"

Imam Ibn Hajar Asqalani (may Allah have mercy on him) is of the opinion that the existence of the shura is an obligatory command. This is the religion of the Hanafis. As Imam Jasas (may Allah have mercy on him) has said in his commentary under 'Wamirham Shura Binham' that this verse is clarifying the greatness of the blessed advice in the sense that it has been commanded with faith and iqamah prayer. Yes, this verse also proves that we are also in charge of the shura. The same opinion has been adopted by Imam Razi (may Allah have mercy on him). He says that the requirement of the explicit phrase is: "The verb is for the obligatory and the obligatory is the obligatory".

The importance of shura according to the hadith

In order to live a righteous, successful and peaceful life in the Islamic and political system, it is very important to adopt a consultative system. Undoubtedly, counseling is a source of goodness, prosperity, progress and descent of mercy. The Prophet (peace and blessings of Allaah be upon him) said:

21- Dr.Ahmed Ali Alimam,NazratunMuaasaratun fi fiqhishShura, Retrieved August 29,2009,from <http://www.dahsha.com/viewarticle.php?id=28890>.

"مَا شَقِيَ عَبْدٌ بِمَشْوَرَةٍ وَمَا سَعِدَ بِاسْتِغْنَاءٍ رَأَى"-(22)

"That is, no human being is ever useless and helpless by advice, nor can he ever attain any good by giving up advice".

On another occasion, the Prophet (peace and blessings of Allaah be upon him) said:

"مَا خَابَ مَنْ اسْتَخَارَ وَلَا نَدِمَ مَنْ اسْتَشَارَ"-(23)

"He who did Istikharah did not fail and he who gave advice was not ashamed".

Similarly, the Prophet (peace and blessings of Allaah be upon him) said:

"الْمَشْوَرَةُ حِصْنٌ مِنَ النَّدَامَةِ وَ أَمْنٌ مِنَ الْمَلَامَةِ"-(24)

"Counseling is a bulwark against shame and a means to escape guilt".

Imam Shafi'i narrates:

"عن ابن شهاب عن ابي هريرة قال ؛ ما رأيت احدا اكثر مشورة لاصحابه من الرسول الله ﷺ"-(25)

Hazrat Ibn Shahab Zuhri narrates from Hazrat Abu Hurayrah that he said: I have not seen anyone consulting the Companions more than the Messenger of Allah.

Hazrat Ayesha (may Allah be pleased with her) said:

"I have not seen anyone who consults more people than the Messenger of Allah (may peace be upon him). "(26)

22. Abu Abdullah, Muhammad bin Ahmad bin Abi Bakar Al-Qurtabi, Al-Jamei li Ahkam Al-Quran, Darul-kutub Al-Misriyah, Cairo, 161/4

23. Al-Moujam Al-Ausat Lil-Tibrani, Maktabah Al-Maarif, Riyadh, Hadith no, 6816

24. Abul-Hussain Al-Mawardi, AdabulDeen wal Dunya, Darul Shabah Lilturath, 277/1

25- Ibne Abi Hatim, Abdul Rehman bin Muhammad abi bin Idrees bin Munzir, Tafseer ibne Abi Hatim, Al-Maktabah Al-Asriyah, Beirut, 801/3

26. Abu Esa, Al-Termazi, Muhammad bin Esa, Hadith no, 1341/1

The Prophet (peace and blessings of Allaah be upon him) said: "A person who consults is never deprived of the truth, and a selfish person who considers his personal opinion sufficient can never be happy(27)".

Hazrat Ali (AS) asked,

"O Messenger of Allah (SAW), if there is an incident between us which has nothing to do with it, then what is your opinion about such an incident?"

Consult and do not take individual opinion .

Hazrat Abu Bakr Siddiq (RA) and some other Companions (RA) were also the ones with whom the Holy Prophet (PBUH) used to consult regularly. By this practice he was issuing a Sunnah for the Ummah. The words of a narration are:

"عن سعيد بن المسيب قال : كان ابو بكر الصديق رضى الله عنه من النبي ﷺ
مكان الوزير فكان يتشاوره في جميع الامور" - (28)

It is narrated from Hazrat Saeed bin Musaib that he said that Hazrat Abu Bakr Siddiq was the advisor of the Prophet (peace and blessings of Allaah be upon him) and he used to consult him in almost all matters. It is known from various traditions that the practice of consultation was dominant in the life of the Prophet (peace and blessings of Allaah be upon him) at every level, both individually and collectively.

In the time of the Prophet (peace and blessings of Allaah be upon him) the subject of most shura councils was the affairs of the kingdom and war, while in the time of the Rightly Guided Caliphs most of the ijtihaads of the shura were jurisprudential in nature. Imam Dami (may Allaah have mercy on him) said:

"عن المسيب بن رافع قال : كانوا اذا نزلت بهم قضية ليس فيها من الرسول الله
ﷺ اثر ، اجتمعوا لها واجمعوا ، فا الحق فيما رأوا، فا الحق فيما رأوا"-(29)

It is narrated on the authority of Musaib ibn Rafi 'that when there was a problem in which there was no effect from the Messenger of Allah (peace and blessings of Allah be upon him), they would consult together and agree on an

27. Abu Abdullah Muhammad bin Ahmad bin Abu Bakar Al-Qurtabi, Al-Jamei Li-Ahkam Al-Quran, Darul-Kutub Al-Misriyah, Cairo, 251/4

28- Mustadrak Ala Al-Saheehain, Hadith no, 4408, p, 66/3

29- Darmi, Abdullah bin Abdul-Rehman, Sunan Al-Darmi, Darul-Kutub Al-Arabi Beirut, 1407AH, Hadith no, 115, p, 61/1

opinion. So the truth is what they have understood. So the truth is what they have understood.

It is narrated on the authority of Hazrat Mamoon bin Mehran (may Allah have mercy on him): used to says:

"كان ابو بكر الصديق ، اذا ورد عليه الخضم نظر في كتاب الله ، فان وجد فيه ما يقضى بينهم ففضى به ، وان لم يكن في الكتاب وعلم من الرسول الله ﷺ سنة قضى به ، فان اعياه خرج فسأل المسلمين وقال : اتانى كذا و كذا فهل علمتم ان رسول الله ﷺ قضى فى ذلك بقضاء؟ فربما اجتمع اليه نفر كلهم يذكر من الرسول الله ﷺ فى قضاء ، فيقول ابو بكر : الحمد لله الذى جعل فينا من يحفظ على نبينا فان اعياه ان يجد فيه سنة من النبى ﷺ جمع رؤوس وخيارهم فاستشارهم فان اجمع رأيهم على امر قضى به -(30)

When Hazrat Abu Bakr Siddiq (may Allah be pleased with him) was presented with a case, he would meditate on the Book of Allah. So if he found something in the Book of Allah according to which he could decide, he would decide with it. So if there was no problem in the Book of Allah and the Sunnah of the Messenger of Allah (peace be upon him) was in their knowledge, they would decide accordingly. And if they did not find any Sunnah, they would go out to the Muslims and ask them. Asking and saying: I have had such and such a problem, do any of you have any decision of the Messenger of Allah (peace and blessings of Allah be upon him) about it? Sometimes a group of people would gather around him and ask him about the Messenger of Allah Hazrat Abu Bakr Siddiq (may Allah be pleased with him) used to say about the qadha of the Prophet (peace be upon him): All praise is due to Allah who has created among us people who preserve the decisions of the Holy Prophet If any of the traditions of the Messenger of Allah (peace and blessings of Allah be upon him) were to fail even with water, I would gather the best and capable people and seek their advice only if their opinion agrees on an issue. They would decide accordingly" .

The same behavior is indicated by some narrations about Hazrat Umar, as the words of one narration are:

30- Sunan Al-Darmi, Hadith no, 161, p, 69/1 -

"قال جعفر و حدثني ميمون ان عمر بن الخطاب ؓ كان يفعل ذلك فان اعياه ان يجد في القرآن والسنة نظر هل كان لابي بكر رضى الله عنه فيه قضاء فان وجدوا ابا بكر رضى الله عنه قد قضا فيه بقضاء قضى به والا دعا رؤوس المسلمين و علمائهم فاستشارهم فاذا اجتمعوا الامر قضى بينهم"-(31)

Ja'far says: I was also told by Barqan ibn Ma'mun that 'Umar ibn al-Khattab (may Allaah be pleased with him) used to do the same. So they used to think whether Hazrat Abu Bakr had issued a decision in this regard or not. "Muslim emperors and elites used to gather and seek advice from them. So when they came together on an opinion, they would decide between them accordingly".

Practical advice in the prophetic era:

Azan consultation

It is narrated on the authority of Anas ibn Malik and Ibn Umar that at the beginning of the Madani period people used to determine the time of prayer according to their own estimates. One day it was suggested that someone suggest a Jew's horn. And someone knocked on the door of a Christian, but Omar suggested that a person be appointed to call the people loudly during the time of prayer, so it was decided. And the Messenger of Allaah (peace and blessings of Allaah be upon him) appointed Bilal to do this.

After the demise of the Holy Prophet, Hazrat Abu Bakr Siddiq was elected Caliph by the Council. Hazrat Abu Bakr Siddiq in his first sermon made it clear to the Muslims that if I lead you according to the command of Allah and His Messenger, then obey me, otherwise my obedience is not obligatory on you and if you ever deviate If I choose, straighten me up. Hazrat Siddique Akbar also maintained the status of Majlis-e-Shura. In his Majlis-e-Shura, there was a section of Muhajireen and Ansar who are called Kabar Sahaba. These were the gentlemen who were not only the forerunners of Al-Awwal but also had a good knowledge of the Qur'an and Sunnah and were fully capable of performing Ijtihad and attesting issues from the Qur'an and Sunnah.

Hazrat Umar, Hazrat Uthman and Hazrat Ali throughout the Khilafah era, the shura system was more or less the same. Until the time of the Rightly Guided Caliphs, which spanned almost thirty years, the members of the Shura were considered to be able to give opinions and advice on the basis of complete knowledge of the Qur'an and Sunnah, piety,

31- Beihqi, Ahmad bin Hussain, Al-Sunan Al-Kubra, Darul Baaz Makkah Al-Mukarmah, Hadith no, 20128, p, 114/10

understanding, intellect and reason, honesty and sincerity. He was unfamiliar with the demands of flattery and expediency and was not subject to the will of the caliph of the time or ruler because he was not a salaried employee of the government and his aim in life was to establish against God.

If the caliph, after consulting his Majlis-e-Shura, could not reach a conclusion, he would raise the issue in front of all the citizens of the capital, ie Madinah, and give the people the opportunity to express their views freely, such as the conquest of Iraq In the case of lands, the army officers wanted the conquered lands to be given to them as jagirs, but Hazrat Omar did not like the feudal system.

During the time of the Righteous Caliphate, there was a Majlis-e-Shura of scholars who were consulted on various matters and unspecified issues. If it was found in it, they would judge according to it, and if it was not found in the Book of Allah, they would search for it in the Sunnah of the Messenger of Allah. If it was found in it, they would decide according to it. You know that the Prophet (peace and blessings of Allaah be upon him) made such a decision in it. If they did not find the Sunnah of the Prophet (peace and blessings of Allaah be upon him) in any way, they would gather the leaders of the scholars and seek their advice. Used to decide.³²

Hazrat Umar Farooq (RA) had the same attitude. The only difference is that if there was no command in the Qur'an and Sunnah, then he would refer to the decisions of Hazrat Abu Bakr Siddiq (RA) and then consult and seek guidance (33) .

In this regard, after the death of the Holy Prophet, the issue of the division and organization of the land of Iraq, whether it should be divided among the soldiers or left in their possession, there were both views and consultations continued for several days-(34) .

Hazrat Uthman had said in his first speech that "after the Qur'an and Sunnah, I will abide by the decision on which you have reached a consensus." (35)

The Saying of Hazrat Ali(R.A):

"الْإِسْتِشَارَةُ عَيْنُ الْهَدَايَةِ وَ قَدْ خَاطَرَ مَنْ اسْتَعْنَى بِرَأْيِهِ"-(36)

32. Ameen, Muhammad Taqi, Ijtihad Ka Tareekhi Passe Manzar, p, 44

33. Ijtihad Ka Tareekhi Passe Manzar, p, 44

34. Ijtihad Ka Tareekhi Passe Manzar, p, 47

35. Al-Tabri, Abu Jaffar Muhammad bin Jareer bin Yazeed, Tareekh Al-Tabri, Tareekh ul Rusul Wal-Malook, DarulTrath Beirut, 159/5

36. Ali bin Hazam, Al-Madkhal, Darul Nfais Al-Urdan, Umman, 48/4

" Advice is guidance, and anyone who is happy with their opinion is in danger".

The wisdom in this is that when a person does something based on his own opinion, if he fails in it, many tongues start cursing, a series of reproaches ensues and then he feels great humiliation. But if something is done after consultation, it usually does not fail. Allah Almighty opens the way to goodness with the blessings of advice, and if due to destiny, the work done under the advice could not be fruitful and fruitful. Even so, owning one is still beyond the reach of the average person. Because it doesn't just involve his intellect; Rather, it includes the opinions and intellects of various philosophers and artisans. Who is to be blamed and even the one who is to blame cannot guarantee his correctness of opinion. There is also salvation from slander.

The basis of the political system

The verse of Shura clearly states that the formation of the political system, the establishment of government institutions and the election of the ruler should be done by the shura, and all the decisions of the state should be made by the shura.

Those who have an eye on the conditions of the world will know very well that all the religious and national institutions in the world, including those whose system is connected with counseling, all their affairs are stable and sustainable and they are all internal and external. They are free from external strife. But when an institution or a government is run on a family or hereditary system, then it must be remembered that this government does not last long, a thousand kinds of problems arise there and one day the whole city is engulfed in strife and disorder, such as That this way of ruling was prevalent in the time of Jahiliyyah, that is why every house, every family, every tribe was divided into separate cells. There was a flood of sedition and disorder, on which there was no restraint. Did not realize So whoever wanted to and then from here thousands of crimes like adultery, alcoholism, robbery, looting, murder and robbery came into existence, Islam abolished this method and established a system of consultation, consulted in various ways. Significance Rather, it was considered a special attribute of Muslims.

"وَالَّذِينَ اسْتَجَابُوا لِرَبِّهِمْ وَأَقَامُوا الصَّلَاةَ وَأَمْرُهُمْ شُرَىٰ بَيْنَهُمْ وَ مِمَّا رَزَقْنَاهُمْ يُنْفِقُونَ"-(37)

"The believers are those who obey the command of their Lord, establish the prayer, and consult with one another, and spend out of what We have given them." One of their characteristics is mutual consultation, that is, resolving an important issue through mutual opinion is the attribute of perfect and firm faith of Muslims.

Attributes of Majlis-e-Shura

Advice is a trust. The Holy Prophet (saw) said:

"ان المستشار موثمن"

"The one who is consulted is trusted.

"إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا"-(38)

" Verily, Allah commands you (O you who believe) to hand over the trusts to their rightful owners.

Those who meet the qualifications and standards of representation will be made members of the council. These are the basic conditions.

Iman: "The job of the Majlis-e-Shura of the Islamic State is also to interpret Islamic laws, to do ijtiḥad on new issues, and to think of measures for the practical implementation of the Islamic system, if a person does not believe in Islam at all." How can he be given this most important responsibility" ?

Jurisprudence: "The constitution of the Islamic state is the basic book and Sunnah, so it is necessary that its members have a deep insight into the book and Sunnah and Islamic teachings".

Court and Integrity: "The Holy Qur'an forbids obedience to immorality and immorality. How can an immoral person become a member of the legislature when he cannot be a witness or a judge? And if he is accustomed to moral crimes, he can neither trust Muslims nor give sincere advice, so it is necessary to find justice and fairness in the members of the Majlis-e-Shura.

37. Al-Shoora, 42:38

38. Al-Nisa, 4: 58

Being sensible and mature: "If a mentally ill person and a minor cannot dispose of their property, how can they be responsible for national affairs"?

Knowledge of common customs: Allama Shami and Suyuti have written: "Customs and traditions are valid in the Shari'ah and in unspecified matters the decision depends on the customs and traditions".

Believing in the Muslim Ummah: "There can be many people with these qualities and it is difficult to combine them all, so in addition to the above conditions, they should also be trusted by the majority of Muslim members so that they have precedence over others.

Duties of advisor

- In the case in which he is being consulted, if he has complete insight, give advice, otherwise make it clear that I have no knowledge about it.
- After deliberation, the advisor should clearly state the direction he is inclined towards without any exception.
- It is the responsibility of the counselor to keep the matter in which the advice has been taken confidential and not to disclose it to the public.
- The job of the counselor is only to give advice, insistence or imposition of opinion is not right, the purpose of the counselor is to identify and know the matter from different angles and then adopt one aspect after deliberation .

The objectives of the council

Having different opinions will help you get the right opinion. There is no concept of monarchy in Islam. By mutual consultation, dictatorship and prejudice will end.

Sometimes a person makes an individual decision that embarrasses him and avoids embarrassment through counseling.

Consultation also leads to freedom of speech and accountability. When a consultation meeting is held, the subjects can fearlessly object to the role and speech of their amir, which leads to accountability of the rulers.

The biggest advantage is that the Qur'an and Sunnah are understood and acted upon, and it is difficult to understand unspecified issues without consultation.

The Shura, by virtue of its characteristics, guarantees specific results and has certain rules and regulations by which the desired results can be achieved.

Some of these principles are as follows:

"Raising the level of thought, inclusion in society, highlighting the importance of individual opinion in every matter, encouraging alternative thinking, establishing shura for

the future of Islam and protecting its activities, as much as possible Involvement of as many people as possible in the management of the party, inculcate in the minds of the leaders the idea that they too can be held accountable if need be, and the prevention and limitation of disciplinary action by the leaders, etc" .

Conclusion

Counseling is an important part of life, and guidance and goodwill are associated with it. As long as the system of consultation remains in any country, corruption and misguidance will not find its way, there will be an atmosphere of peace and tranquility, which is why the Holy Prophet (peace and blessings of Allaah be upon him) said: I am the best of men and your wealthy are generous and your affairs are settled in consultation with each other, then it is better for you to stay on earth and when your rulers are the worst people and your wealthy are stingy and your affairs are entrusted to women then in the earth Better a poor horse than no horse at all.