

The Concept of Islamic Musyawarah

Dedi Masri

Universitas Islam Negeri Sumatera Utara, Indonesia
dedimasri68@gmail.com

Abstract

Deliberation is a way of dealing with many problems that cannot only be resolved personally. As humans or as a society, we need to get involved with other people in solving the problems at hand, especially if the issue concerns the interests of the general public. For this reason, the involvement of other people is important so that the interests of others are also accommodated or accommodated in the decisions that are taken. Western nations call it a democracy that makes humans as the owner of the highest authority, while deliberation in Islam is the way that Allah SWT has given as the sole decision maker. Deliberation is the key word in various issues to avoid conflict. For Muslims, accepting the principle of deliberation to build consensus is a matter of aqidah.

Keywords

deliberation; democracy, Islam



I. Introduction

Deliberation or also called shura is basically one of the characteristics of the Indonesian nation as contained in Pancasila. The purpose of deliberation for consensus is to form a harmonious society, closely related and have a spirit of unity. It can be said that the reduced implementation of deliberation in problem solving is a fading feature of the Indonesian nation. Although deliberation itself is highly recommended in Islam, Allah explains the rules of the Shari'a and its laws that will not change due to changes in space and time. Laws that cover all human beings are not limited to one group or nation. Various aspects of human life are regulated in the Law of Allah SWT (Al Qur'an and Sunnah), both concerning the affairs of the hereafter and the affairs of the world.

Deliberation or shura is often associated with democratic and parliamentary systems. Dawam Rahardjo in the encyclopedia of the Koran views that shura is a forum where everyone has the possibility to be involved in matters of deliberation, exchange of ideas, forming opinions and solving a common problem or deliberation, both issues concerning the interests and fate of members. the community concerned. Along with the times over time, the interpretation of the term shura or deliberation has evolved, so that current deliberations are always associated with several modern political theories, such as the republic system, democracy, parliament, representative system, senate, formatur, and various concepts related to government system of the people, by the people, and for the people. (Rahardjo, 440)

According to the perspective of Fiqh Siyasah, Deliberation and Democracy are two different things, deliberation is a product of Islam while democracy is a product of the West. As for deliberation, it is said that the rule of law is absolutely in the hands of Allah who has power above all else, while democracy is the legislative power that makes and determines the law absolutely in the hands of the people. Democracy is a brilliant idea that changes the politics of the world (Rozaili, 2020). The fundamental characteristic of a democratic system is the general elections (Sandi, 2020). Islam makes deliberation as ijtihad in the way of Allah SWT to describe and formulate laws in accordance with the principles governed by Allah's

provisions, whereas in Western philosophy, deliberation or democracy makes humans have legislative and executive authority.

A decision is not easy to take if it is not intentional because it involves the livelihood of many people, be it in a family, group, organization, institution or country. Moreover, if the problem has a very large impact on mutual benefit, then deliberation is needed so that the problem is not seen from one point of view, but involves many people from various backgrounds, ethnicities, education and so on who can provide tips and solutions. which will benefit many parties.

Deliberation is needed to obtain the best and most beneficial solution for all parties by holding discussions, hearings and voting. At the time of the Prophet, deliberation was exemplified by the Prophet Muhammad and his companions. He was the person who carried out the most deliberations at that time. Likewise in matters of prisoners, family and even in matters of war, even though he always consults to find the best way. This was done by him to win the war, bring down the enemy and minimize war casualties. He gave an example of continuing to deliberate because he wanted to teach Muslims and so that people would not be careless in making decisions, be careful and think about everything and various parties for a problem, that way is also exemplified and became the Sunnah of Rasullah SAW to his friends and followers. The Koran itself also mentions this deliberation. Apart from legitimizing the practice of deliberation, the Koran also states that one of the characteristics of true believers is deliberation in resolving the matters they face.

II. Review of Literatures

The word deliberation comes from Arabic, namely "tarwiya". It is the mashdar form of the verb syawara, yusyawiru, three-letter syawir, syin, waw and ra '. The root structure of the word means that the main thing is to remove honey from the beehive. This meaning then develops according to the tashrif pattern, for example; syawir (asking for opinions), musytasyir (asking for other people's views), asyarah (giving a signal or sign), al-masyurah (advice or suggestions), tasyawur (negotiation) (Yunus, 1992: 207).

Shura has been known by the ignorant Arab community since before the bi'tsah of the Prophet Muhammad. At that time, they had a deliberative forum held at the house of Qusay ibn Kilab called Dar al-Nadwah, which was attended by rulers and people who were considered wise and influential people. The forum discussed various problems that existed in society at that time, including the problem of selecting leaders. (Rahardjo, 2002: 445-446)

After the prophetic period, shura is also a very urgent need. Even deliberation is an order from Allah to Rasulullah and his companions. Allah says: "Wa syaawirhum fil amri" (Surah Ali Imran: 159), in this verse Rasulullah SAW is instructed to consult with his companions so that they will always follow in his footsteps for deliberation and so that deliberation becomes sunnah for his people (Ridha, 2009: 911).

Rasulullah Sallallahu 'alaihi wa sallam said. "If your leaders are the best among you, and your rich people are tolerant of you, and your case is resolved by deliberation among you, then the back of the earth will be better for you than its stomach, and if your leaders are the wicked among you, and the rich are the hunks of you, and your case returns to your women so that the bowels of the earth are better than the surface "[Tirmidhi 2266, this hadith denoted / weakened by Shaykh Al-Albani, see dhaif Tirmidhi].

III. Research Methods

This research is a type of descriptive qualitative research, with a descriptive approach method and library research, namely explaining the theoretical picture through collecting data from various literatures, both books and other works related to the concept of deliberation in Islam.

IV. Discussion

4.1 Deliberative Terminology

This deliberation is defined as a joint discussion with the intention of reaching a decision on problem solving. Meanwhile, in terms of deliberation, it means an active act that does not stop at voluntary boundaries in an opinion, but increases from voluntary action to express an opinion as well as possible. According to Rifa'i (2015: 6) deliberation is taken from Arabic, namely shura which is absorbed into Indonesian which means negotiating and deliberating. Meanwhile, according to scholars, deliberation involves at least three things, namely: the person involved in the deliberation (the person who is asked to discuss it), with whom the deliberation should be carried out, and what matters should be discussed. (Shihab, 2019: 623)

The order of deliberation has been ordered by Allah SWT in QS. Annisa (59):

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

"O you who believe, obey Allah and obey the Prophet (Him), and ulil amri among you. Then if you have different opinions about something, then return it to Allah (Al Quran) and Rasul (Sunnah), if you really believe in Allah and the day after. That is greater (for you) and better as a result. "

Apart from that it is also mentioned in the letter Al Ahzab verse 36 concerning a statute that Allah made must be obeyed.

وَمَا كَانَ لِمُؤْمِنٍ وَلَا لِمُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُبِينًا

"And it is not proper for men who believe and not (also) for women who believe, if Allah and His Messenger have established a decree, there will be for them (other) choices about their affairs. And whoever is disobedient to Allah and His Messenger, truly he has gone astray, a real astray. "

Shura is a way of solving problems in social and state life as a joint effort to reach an agreement. According to the definition of sharia which is based on the texts of the Koran and as-Sunnah, shura means taking an opinion (akhdh ar-ra'i). Obviously, shura is seeking the opinion of the person invited to deliberate (thalab ar-ra'i min almustasyâr). The Khulafa

Urrasyidin have practiced the shura system in every process and decision making, for example: in appointing a leader (caliph), determining war policies and so on. The syuro process carried out by friends in running the wheels of government is based on the teachings of the Koran, which is based on the word of Allah SWT in QS ali-Imran: 159.

فَبِمَا رَحْمَةٍ مِّنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ
وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ

"Then it is due to the grace of Allah that you are gentle towards them. If you are hard-hearted again harsh, they will certainly distance themselves from around you. Therefore forgive them, ask forgiveness for them, and consult with them in this matter. Then when you have made up your mind, then put your trust in Allah. Indeed, Allah loves those who put their trust in Him. "

The shura system also has its own mechanism for selecting and appointing a caliph (leader). Shura also has a process that must be carried out in accordance with the provisions of the Shari'ah so that the expected results do not deviate from the basics of government, namely the al-Qur'an and al-hadith. (Imran, 2015: 130)

Quoted from umma.id that the scholars outlined the following rules of deliberation:

- 1) Let those who are invited to deliberation be those who fear Allah. Ja'far Ash-Sadiq said to Sufyan Ats-Tsauri, "Deliberate your business with people who fear Allah."
- 2) Deliberation should aim to find the truth. Therefore deliberation must be carried out with appreciation, not hurriedly and fairly.
- 3) Consultation is not allowed to inflame conflict and only wants to defeat your opponent.
- 4) Speak correctly, straightforwardly, firmly, straightforwardly, politely and not self-seeking.
- 5) Think and ponder deeply what to say.

Deliberations are carried out on matters that have not yet been determined, as well as matters of worldly life, both global and without guidance, which experience development and change. Deliberation is the essence of Islamic teachings that must be established in the social life of Muslims. Shura has indeed been an Arabic tradition since ancient times, even before the existence of Islam which has been passed down from generation to generation. By Islam this tradition is maintained because shura is an eternal requirement of human nature as a social being (Maarif, 1995: 203).

4.2 Context of Deliberation in Islam

Deliberation in Islam is a very important thing. This can be seen from the name of one of the suras in the Qur'an. Of the 114 chapters contained in the Koran, there is one chapter which is named the surah musyawarah (al-Ashura). According to Amru Khalid, the essence of surah al-Shura is the prohibition of division something that is not liked one way to avoid it is by deliberation something that is liked. Because differences are sunnatullah, therefore there must be a deliberation mechanism so that these differences are expected not to create divisions (Khalid, 2011: 590).

However, to discuss the concept of deliberation in the Koran further we will start with surah Ali Imran verse 158. The reason is that this chapter states the command to consult the Prophet. Word of Allah Ta'ala:

فَبِمَا رَحْمَةٍ مِّنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانفَضُّوا مِن حَوْلِكَ فَاعْفُ عَنْهُمْ
وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ عَلَى اللَّهِ إِنْ اللَّهُ يُحِبُّ الْمُتَوَكِّلِينَ

"Then it is due to the grace of Allah that you are gentle towards them. If you are hard-hearted again harsh, they will certainly distance themselves from around you. Therefore, forgive them, ask forgiveness for them, and consult with them in this matter. Then when you have made up your mind, then put your trust in Allah. Indeed, Allah loves those who put their trust in Him. "

The book *Islam, Religion of Humanity, building a New Tradition and Vision of Indonesian Islam*, explains Pandangan Nurcholish Madjid, who sees that from a row of points of view about humans it can be seen the consistency of Islamic teachings on deliberation. Due to the personal responsibility of each person in the future before God, everyone has the right to choose his own way of life and actions. Even religious truth must not be forced on anyone (Madjid, 195).

Quraish Shihab gave a view in his book entitled *The Qur'an's Insights into Maudh'i's Interpretation of Various Problems of the Ummah*, emphasizing three verses which according to him can answer problems regarding the deliberation. Although, according to him, not a few of these answers are the understanding of the companions of the Prophet or Ulama which are also general instructions that come from the Sunnah of the Prophet SAW, these instructions can still be developed and are not completely binding (Shihab, 1996: 973).

In fact, the Qur'an stipulates that shura (deliberation) is an integral part of Islam which in principle covers all spheres of life, both personal and public (public). Al Quran also provides hints about some of the attitudes one must take to facilitate the express course of deliberation found in surah ali 'Imran verse 159 which is addressed to the Prophet SAW. However, scholars of the Koran agree that the order of deliberation is addressed to everyone. When the Prophet was ordered by the Koran to have a deliberation even though he was a ma'shum person, let alone a human being apart from him. Every issue concerning the public interest or the people of the Prophet SAW always made a decision after conducting deliberation with his friends in order to strengthen the hearts of his friends as well as learning the importance of deliberation for humans in general. Rasulullah SAW also emphasized that the important meaning of deliberation is to explore instructions related to the various matters being discussed. A story of several examples of deliberation has also been carried out by the caliphs. The first Caliph, Abu Bakr Asshiddiq, performed shura before setting off on an expedition to confront those who refused to pay zakat. Then the second Caliph, Umar, performed shura in various military and government affairs. Rasulullah SAW also emphasized that the important meaning of deliberation is to explore instructions related to the various matters being discussed.

Al-Qurthubi argues that deliberation has a role in religion as well as worldly matters, but the perpetrator of deliberation when it comes to religion should be that people must master the knowledge of religion. Likewise, if deliberation is carried out in relation to world affairs in which advice is required, the adviser is wise and capable in order to be able to give sensible advice on worldly matters. The process of implementing the deliberation should be attended by shura experts who are able to be asked for their opinions on the issues being discussed, namely "Ahlul halli wal aqdi" (those who are experts in solving problems) or people chosen by Waliyul Amri (Head of State) for deliberation. In general, these include:

- 1) Community leaders who have a position, to which they are trusted in their scholarship and their opinions, from the largest group, and from among scientists and political experts in syar'iyah (politics in accordance with Islamic law), experts in government and property, for which they serve society, those with a keen outlook and correct premonitions.
- 2) The scholars of prominent jurisprudence who have the ability to establish laws in a situation and in accordance with the general principles of Islamic teachings, and they stand on the spirit of Islamic law and its paths. The people who are trusted, the experts of the Koran (experts on their content and meaning) are the scholars. Bukhari: "Ulama are the leaders after the Prophet, they consult with trusted people from among the experts of science in matters that are permissible (permissible) so that they can take the easiest thing, then if the Qur'an and Sunnah it is clear, they will not go beyond anything else, because they are imitating the Prophet sallallaahu 'alaihi wa sallam. " The experts of the Qur'an (from among) the companions of the Prophet were people who were consulted by Umar bin Khatthab,
- 3) The leading religious jurists, who have knowledge in life and humans, and they direct them to solve the problems of the people with wisdom and care in the shade of the Koran and Sunnah, and the fiqh of the Salafush Salih.
- 4) Specialists in the knowledge of people, countries, which they read ancient and contemporary history, and they know people of different degrees and their religions, and they understand countries and their natures. (www.almanhaj.or.id)

Shura experts as advisors (deliberation experts) will be held (held accountable) in front of Allah and humans, in the opinions expressed by them. Therefore, people who are amanahlah (mandate) are consulted. The Prophet sallallaahu 'alaihi wa sallam said. "The advisor (the person who is consulted) is a trustworthy person (trusted)" [Sahih Hadith narrated by Tirmidhi no. 2823, see shahih sunan Tirmidhi by Shaykh Al-Albani] "Believed in determining good things for humans, and those who guard against their religion."

If this is the case, then deliberation is one of the foundations of Islam in society and politics. And it is obligatory for the leaders of the Muslims to take righteous assistants to become their advisors (who are asked for their opinion by deliberation). The Prophet sallallaahu 'alaihi wa sallam said: "Allah did not send a prophet, and Allah did not make him a caliph (ruler) but he had two helpers, the first was an assistant who ordered and encouraged doing good, and the other was a helper who ordered and advocated doing evil, then the ones who are awake are the people who are guarded by Allah Ta'ala "[Hadith History of Bukhari 71981]

If goodness is spread among leaders, generosity will also spread to rich people, so that deliberation is enforced in life, then humans will be happy in the world and the hereafter, and get life and pleasure, and vice versa if not so then what will happen is the opposite. Surah ash-Shura verse 38 came down as a compliment to the Muslims of Medina who were willing to defend the Prophet SAW and agreed to this through a deliberation, they carried out at the house of Abu Ayyub al-Ansari. However, this paragraph applies generally, covering every group of people who wish to carry out deliberations. (Shihab, 2000: 97)

The following is the Word of Allah Ta'ala QS. Shura (38)

وَالَّذِينَ اسْتَجَابُوا لِرَبِّهِمْ وَأَقَامُوا الصَّلَاةَ وَأَمْرُهُمْ شُورَىٰ بَيْنَهُمْ وَمِمَّا رَزَقْنَاهُمْ يُنفِقُونَ

"And (for) those who accept (obey) the call of their Lord and offer prayers, their business is (decided) by consensus between them; and they spend part of the sustenance that We give them. "

In the context of deliberation and community problems, the practical aspects shown by the Prophet SAW and Khulafa 'al-Rasyidin were quite diverse, sometimes he chose certain people who were considered competent in the field being deliberated, sometimes also involving community leaders, even asking all involved in the problem at hand. Therefore, shura is an institution and institution that is not only the Sunnah of the Prophet, but is an order of Allah and the Koran. Deliberation can be considered as an element of the various personality elements that are full of true faith, besides the purity of the heart full of faith, tawakkal, and cleansing of the limbs from sin and heinous deeds. Also, the attitude of approaching God by establishing prayers and establishing ukhuwah by way of deliberation, this is the case with giving in the way of Allah. Deliberation has a noble purpose that provides benefits for many people, some of which are:

- 1) Generating opinions and solutions to arrive at a solution in the most important form.
- 2) Safeguarding guarantees for the common good, and human rights are not wasted if realized in a perfect form.
- 3) Realizing justice among humans
- 4) The ability of this manhaj (deliberation) to absorb disagreements, keeps the turmoil that sometimes results from disagreements and disagreements.
- 5) Develops, uses and manages abilities in a special and successful manner, so as to produce discoveries as they develop.

A deliberation carried out, whether on a household, community or state scale, will be optimally successful if the basic principles of deliberation such as equality, freedom and justice are maintained and respected and realized. The following will describe these basic principles

- 1) Principle of Equation (al-Musawat)
Equality (al-musawat) is a very essential doctrine in Islam. It can be seen in the Qur'an about the principle that does not differentiate anyone before the law (QS. Al-Maidah: 8), nothing is special from the others (QS. Al-Hujurat: 13). This verse strictly prohibits humans from boasting of lineage (descent) and so on because their origin of events is the same, namely from Adam and Eve. Therefore, it is not appropriate for a person or group to pride themselves on others, let alone insult them. According to Ismail al-Faruqi as quoted by Artani Hasbi, the principle of equality (equality) in Islam is instilled through brotherly relations between members of society who have the same position. The differences that arise among them are only judged by their piety and charity activities (Artani Hasbi, 2001).
- 2) Principle of Justice
The teachings of the Prophets who put forward the elements of justice in order to realize the benefit of mankind, as contained in QS. Yunus (47). Although the insight of justice is a continuity of Semitic culture or Semitic Irani, it contains universal principles, which are not limited by space and time and apply to all people. Therefore, the issue of justice in itself is also a demand for human life throughout the ages. Justice is a fundamental human value and a pillar of various aspects of individual, family and community life. .
- 3) Principle of Freedom
The freedom associated with shura is the freedom of community members in determining their destiny, form and system of government. In addition, participate in contributing to

making a policy, submitting opinions and discussing them in a free dialogue forum. Shura can be understood as a balance between individual and group independence, mutually perfecting and working hand in hand between the individual and the people. The freedom to express opinions will open up opportunities for the emergence of several opinions that can be discussed together for the sake of creating mutual benefit.

IV. Conclusion

The Qur'an is the holy book of Muslims that was revealed to the Prophet Muhammad SAW which contains messages and various rules that are the guidelines for mankind in living life, including the rules for community life in solving problems through deliberation. Long before the existence of democracy that was echoed by western culture, Islam had recognized deliberation which was the principle of the state in leadership at that time which had been practiced by the Prophet and his companions, namely Khulafaurrasyidin.

However, in the history of the subsequent journey of Islam, namely since the change of the Islamic political system from the caliphate system to a monarchy system based on genealogical factors, the spirit of deliberation which has become a mirror of Islamic politics has no longer received a place in accordance with its proportions. Deliberation has almost lost its true meaning in the political life of Muslims, especially with regard to the succession process of the country's leadership. However, the principle of deliberation in other social life such as in family life, the principle of deliberation is still implemented properly.

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