It is a standard trope of contemporary Islamic political theory that “the people is the source of all political authority” (al-shaʿb maṣdar al-sulūṭāṯ). This has become such a commonplace in modern Islamist discourse that even Salafi parties that contest elections include this in their manifestos. The ubiquity of the professed commitment to the people being the source of all political authority in modern (Sunni) Islamic political thought thus seems to indicate a potentially profound commitment to democratic self-rule, certainly more profound than more traditional ideas that governance in Islam must incorporate some kind of consultation (shūrā) between the ruler and representatives of the people. However, how deep can any Islamic commitment to fully autonomous popular legislation be? Is a people permitted to authorize any forms of government whatsoever, or are there divinely revealed constraints on both the kinds of law that can be authorized and the kinds of offices or institutions that a people may authorize? If Islam retains its close association with a pre-political, revealed, and commanded law (even if that law is open-ended and subject to interpretation and extension), it seems difficult to imagine how any Muslim community is radically free to create its own legal and political institutions.

ANDREW MARCH is Associate Professor of Political Science at Yale University. During the 2017-8 academic year he will be a Berggruen Fellow at the Edmond J. Safra Center for Ethics at Harvard University and a Law and Social Change Fellow at Harvard Law School’s Islamic Legal Studies Program. He is the author of Islam and Liberal Citizenship (Oxford University Press, 2009) and articles on religion, liberalism and Islamic law in, amongst others, American Political Science Review, Philosophy & Public Affairs, Journal of Political Philosophy, Cardozo Law Review, and Islamic Law and Society. He is presently working on a book on the problem of sovereignty in modern Islamic thought, tentatively entitled The Caliphate of Man.