


**Edited by  
Saim Kayadibi**



**Pool Finance Economic System:  
Law, Democracy, Alliance of  
Civilization**



**IIUM Press**

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Alliance of Civilization**

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## Chapter 2

### Impact of Western Constitutionalism on the Muslim Constitutional Developments

Saim Kayadibi

#### Abstract

The concept of constitution and the constitutional process in Islamic states lasted centuries to formulate their legal structures. One of the most significant concepts of law that is affected by social and political developments is the constitutional law. The constitutional structure of Islamic states, especially Gulf States, are considerably different than other Islamic states; Kuwait, Bahrain, Qatar, and UAE have written constitution in acknowledgeable in modern form somewhat Saudi Arabia and Oman have no written constitution stated strongly by King or Sultan and principally by the Shari'ah.

This paper tries to analyze constitutional developments in Islamic states in two main frameworks: the first deals with historical backdrops of constitutional process in Islamic states focusing on the structure of their current constitutions, while the second probes the Ottoman Turkey giving a special attention to the new Turkey, a secular state.

**Key words:** Constitution, Islamic law, Muslim States,

#### Introduction

The concept of constitution, especially its word usage, has been used in at least two senses in any discussions: "first of all it is used to describe the whole system of government of a country, the collection of rules which establish and regulate or govern