Islam and Democracy-
Political thought towards post-democracy

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Islam and Democracy

Over the last few decades much has been written about the compatibility and conflict between Islam and democracy. For Muslims democracy poses a formidable challenge, mainly because traditional views have not recognized the separation of religion and state. Modern scholars such as Syed Abul Ala Maududi (d. 1979) and Sayed Qutb (d. 1966) have also criticised democracy as a Western invention that has no relevance to an Islamic form of governance.

Many Muslim academics seek to prove that Islam enshrines democratic values. Muslims intellectuals are debating political systems in search of alternatives to monarchical, military and dictatorial regimes that lack popular legitimacy. In Muslim countries, organised religion is a powerful political force. Muslims are further concerned about interference by Western countries who back dictators for their own ends. Thus, Muslim citizens are unable to decide their own future and to oppose autocratic rulers increases the capacity for violence.

Muslims are also yearning for democracy so that they can determine their own religiosity and political future in their private and public lives. Many Muslims and especially the youth are asserting their political presence in public and believe that their rights are being openly violated and their voices silenced by the existing religious and political authority (Mirsepassi, 2010, ix).

In the final decades of the twentieth century religious resurgence, reform and democratisation were the most important developments in Muslim societies (Esposito and Voll, 1996, 3). Countries such as Iran, Pakistan, Turkey and elsewhere are experiencing a religious revival that coincides with and are reinforced with democratic political systems (Esposito and Voll, 1996, 3).

Political leaders and governments throughout the Muslim world are responding to popular sentiments for greater political participation (Esposito and Voll, 1996, 3). They are seeking greater democratisation to decide the most effective means to govern and maintain power. Rulers and regimes are forced to choose among policies of despotism and popular participation with the threat that if they make the wrong choice they could lose power, as did the Shah of Iran or the Algerian FLN (Esposito and Voll, 1996, 3).

This study introduces points of reference that Islamic thinkers and movements use to justify the adoption of democracy into the main body of Islamic thought. Some Muslim scholars contend that the
The focus of this paper is to describe the various options available within the message of Islam to construct Muslim political thought that fulfils certain obligations of faith in the contemporary world. I will firstly, discuss the definition of democracy. Secondly, I will briefly discuss the formative period of the political process of governance and systems. Thirdly, I will discuss nation-states and political systems in the twentieth century. Fourthly, I will enumerate the various concepts within Islam that are compatible with democracy. Fifthly, I will discuss issues such as human rights and the status of women. Finally, I will discuss a way forward for the viability of democratic governance in Muslim countries.

Definitions of democracy

Mishal Fahm al-Sulami a political scholar says, Democracy is an ‘essentially contested concept’. It does not have a single precise and agreed upon meaning. It has had very different connotations in its long history and there are entirely different versions of the concept in modern times from that in ancient Greece” (2003, 19). He further says that in terms of democratic practice, the term democracy has acquired at least two different interpretations. The first is a ‘popular participatory system’, which was applied in ancient times, the people governing themselves directly by the rotation of governing offices among citizens. In ancient times, democracy was in fact practiced in a very simple and small society and its main mechanisms were very simple. The second interpretation of democracy is a ‘liberal system’, which is the political system of government in all Western countries in modern times. Liberal democracy is understood as a system of government in which all citizens choose their representatives and governors/councillors through competitive elections (Al-Sulami, 2003, 36).

Abraham Lincoln’s definition of democracy, as the government of the people, by the people, for the people is very vague and seldom applied in totality anywhere in the world (Ahmad, 1992). From these definitions, one can understand why democracy is a contested concept. Normative perspectives have to be constructed within the scope of democratisation in the context of what is religious or secular or both as political systems of governance.

Some of the main elements of liberal democracy that are pointed out by modern commentators and political theorists are civil liberties, civil society, elections, human rights, the rule of law, justice, security and the freedom of speech and movement and protection of property.

Islamic political thought – the formative period
Islamic political thought reflects some fourteen centuries of Islamic philosophic and theoretical inquiry and practice into the nature of government, its relationship to religious and temporal affairs, and its relationship to social change and social revolution within the Islamic world and beyond (Ismael and Ismael, 1985, 3).

The position of Muhammad (d. 632) in the early Muslim community as God’s appointed representative was a central factor in keeping the Muslim community (ummah) politically and religiously united. The accepted leadership of Muhammad’s authority in all matters, gave the community a unified outlook in life, religion and politics. On his death in 632 CE forced the early Muslim to look for answers to the immediate tasks of governing themselves (Ismael and Ismael, 1985, 3).

Muhammad most probably died without clearly appointing a successor. Given Muhammad’s unique status and all-inclusive power, no one could in reality fulfil that role. However, the community could not remain leaderless, nor did it lack the men desirous of taking leadership (Ayoub, 2004, 72).

Ali Abd al-Razik, a religious scholar, opines that Muhammad did not instruct Muslims about the form of government required in Islam (Tayob, 2009, 105). Razik, contends that the particular form of government was not fixed: “there is nothing in hadith that point to what the shari’ah has recognised in the creation of a caliphate or great imama, implying a representation of Muhammad or to take his position among Muslims” (Tayob, 2009, 105). Abd al-Raziq came close to defining Islam as an entirely subjective feeling, belief and emotion. Thus, the first successors of Muhammad represented him in his political capacity.

The development of the early caliphate, was entirely political and in reality power was the foundation of the historical caliphate. The concept of the caliphate was something that was developed after the death of Muhammad. This development was experimental and drew upon the Qur’an and the conduct of Muhammad. Many political thoughts that were influenced by pagan culture were modified by the values of the new faith. Early political formulations were not based upon tribal solidarity but instead upon acknowledgement and submission to God. In theory and concept, the caliphate was a construct that was developed from the divine sources. These early shifts in political thinking were a natural process to strengthen and establish the new hierarchy and faith.

The first caliph, AbuBakr as-Siddiq (d. 634) was nominated by a small elite group of the Muslim community. The rest of Muslims in Medina pledged their oath of public allegiance (bay’ah) the following day in the Prophet’s mosque. AbuBakr was thus chosen by a method of limited choices that combined nomination by elites of the community and affirmation by the members (Ismael and Ismael,
Thus, AbuBakr became the first successor (*khalifah*) of the Messenger of God (Ayoub, 2004, 72).

AbuBakr himself circumvented this method of choosing a successor by nominating Umar ibn al-Khattab (d. 644) to succeed him. This decision was a *fait accompli* and caused some ill feeling in the community, particularly among Ali ibn Abi Talib (d. 661) and his supporters.

Yet another method was utilised to select Uthman Ibn ‘Affan, the third Caliph (d. 656). Before his death, Umar refused to choose a successor and he further stipulated that his own son could not succeed him. Instead, he established a Consultative Council, the *Majlis Shura*, to elect someone. Philip Hitti (d. 1978), a historian, has observed that the utilising of the Council, which included the oldest and most distinguished surviving companions surviving, showed the ancient Arab idea of a tribal chief had triumph over the hereditary monarch. All the members of the Council were appointed by Umar before his demise (Hitti, 2002, 140).

However, the committee’s selection of Uthman did not dispel some discontentment among the followers of Ali. A rebellion against Uthman due to his policy of appointing members of his own clan as provincial governors resulted in his assassination (Hourani, 1991, 25).

The rebellion against Uthman made Ali ibn Abi Talib the fourth Caliph. He was chosen by the people of Medina and Kufa. This in turn led to the first open conflict between Muslims in the battle of the *Al-Jamal* (the Camel) in 656 C.E. Ali defeated the opposition but was now faced with a challenge from Syria, where the governor Mu’awiyah Ibn Abi Sufyan (d. 680) was close kinsman of Uthman. After some fighting the two parties agreed on arbitration. When Ali agreed to this, some of his supporters (Kharijites) abandoned him for they were not willing to accept a compromise and submit the ‘Will of God’, as they saw, it to human judgement. In the months of discussion between the arbiters, Ali’s alliance grew weaker and finally he was assassinated in his own city of Kufa (Hourani, 1991, 25).

Mu’awiyah proclaimed himself Caliph and established the Umayyad dynasty (661-750). The question of succession has thus far been a source of conflict since the death of Muhammad. The Umayyads attempted to resolve this problem by establishing a hereditary system of succession (Ismael and Ismael, 1985, 6). By the time of the establishment of the Umayyad dynasty, the Muslim community was permanently divided over the issue of succession into Sunni and Shi’a sects.

Muslim differences emerged after the death of Muhammad on political issues, not religious issues. The differences centred around and resulted in conflict over the subject of the Caliphate (*Khulafah*) and the principles of government, particularly its political philosophy……… This political conflict was not only the first conflict but is the most fundamental of all conflicts. Muslims did not fight Muslims for religious reasons. They fought each other for political reasons. (Umarah, 1977, 70).
The early Muslims realised that the Muhammad’s death signified the end of prophecy. Hence, human beings after that had no right to speak in the name of the Creator or claim the divine authority that was installed upon the prophet by his relationship with God. However, Muhammad established the arrangement for decisions, political or social in the concept of shurah and ijma. His successors established political thought from the formation of the Caliphate (Khilafat), allegiance (bay’ah) and later ijtihad\(^1\). I will explain these concepts in detail later in the paper and will show how they can be incorporated or utilised within democratic forms of governance.

The above reflects Sunni political thinkers who idealised the rule of the first four Caliphs (Khulafa Rashidun) as an archetype of Islamic government and society and attempted to solve later political problems by deriving principles from these models. As the Islamic society, itself became more complex – evolving from a culturally homogeneous tribal community to a culturally heterogeneous empire, from a united states to a disassembled region of competing principalities – the theological, juridical and philosophical derivatives became increasingly convoluted (Ismael and Ismael, 1985, 18).

The caliphate survived from the Khulafa Rashidun through the Umayyad and Abbasid dynasties and finally ended with the Ottoman rule of Turkey in 1924.

Muslims were agitated by the demise of caliphate because it was the central political authority. Many Muslims believed that without this central authority it would disunite them. They also had to find a new space that will determine their religious and political future. Jurist, politicians, revivalist and scholars of Islam began to search for a way out of this quandary and began re-looking at their divine sources and tradition for a solution. The period that they found themselves was demoralising and worsened by Western colonialism and imperialism within Muslim lands.

Nasr Hamid Abu Zayd (d. 2010) an Islamic scholar, has set an interesting tone in the interpretation of Qur’an and the shaping of ideas within Islamic thought. He says that,

> The Qur’anic text changed from the very moment – that is, when the Prophet recited it at the moments of its revelation – from its existence as a divine text (nass ilahi), and become something understandable, a human text (nass insane), because it change from revelation to interpretation (li-annahu tahawwala min al-tanzil ila al-tawil). The Prophet’s understanding of the text is one of the first phases of movement resulting from the text’s connection with the human intellect. (Kermani, 2004, 172).

Abu Zayd is saying that the text of the Qur’an points out information according to the readers personal as well as cultural and social horizons. He explains that the essence of the message

\(^1\) *Ijtihad* (Arabic: إِجْتِهَادَ, *'ijtihad*) is a technical term of Islamic law that describes the process of making a legal decision by independent interpretation of the legal sources, the Qur’an and the Sunnah. The opposite of *ijtihad* is *taqlid*, Arabic for "imitation".
conveyed by the Qur’an to a twenty-first century reader must vary from the information conveyed in the seventh, eighth or eleventh century. Abu Zayd strongly condemns belief in one single, precise and valid interpretation of the Qur’an handed down by the Prophet for all times.

Abu Zayd’s contestation of the traditional view of the Qur’an can also hold true for interpretation through human reason, a modern and systematic process of government in the 21st century that could be very different from the first four Caliphs version of Islamic government and society (Kermani, 2004, 173). As Muhammad had not clearly appointed a successor or instructed on the type of government, it was up to the people to decide a basis that would best suit the egalitarian message of the Qur’an. Applicable and valid interpretation of the sources for the particular milieu will assist every Muslim condition and to structure the necessary arrangement for their growth and development.

Similarly, political thought in Islam was work in progress and it was to be constructed from the guidance of the divine sources and tradition.

**The twentieth century and the nation states**

The institution of the caliphate symbolised the former world power of Islam. It was formally abolished in 1924 in Turkey, when the last Ottoman caliph Abdul Majid (d. 1924), was sent off into exile. However, it did not quite end the system as a political force. The idea of the caliphate continues to exert a powerful pull on Muslims, and its restitution has been skilfully employed by Islamists of all hues as shorthand for the emergence of a Muslim super-state able to bestride the world stage (Allawi, 2009, 163). Even non-radical Islamists are attracted to the ideal, seeing in it the assertion of a global Islamic identity that must be reckoned with, as well as a way out of the perceived powerlessness and marginalisation of Muslims. Others point out the enormous difficulties of resurrecting an institution, which has vanished for nearly a century, and consider its rebirth a hopeless dream (Allawi, 2009, 163).

According to John Esposito a scholar of Islamic studies and John Voll, an Islamic historian,

“In the twentieth century, new movements of Islamic affirmation and reassertion began to emerge. These were different in structure and approach from early Islamic movements and represent the emergence of an important new style Islamic organisation. The Muslim Brotherhood, established by Hassan al-Banna in Egypt in 1928, and the Jamaat-i-Islami, established by Abu al-Ala Mawdudi in South Asia in 1941, are two important early examples of these new groups. These movements did not receive their support from the conservative elements of society. Instead, the majority of the supporters of these newfound organisations has received modern-style educations and worked in modern sectors of their societies. They did not call for a return to pre-modern conditions. Instead, their programs called for the establishment of structures that could function in an authentically Islamic way in the context of modernity” (1996, 3).
In the period following World War II, most countries that had come under European rule were achieving political independence. Political systems, whether radical republics or conservative monarchies, developed structures that fell within the framework of the ideas of the modern nation-state (Siddiqui, 1987, 4).

Kalim Siddiqui, (d. 1996) a political analyst studied both the existing political order in the Muslim world and Muslim attempts to emulate western social science, particularly political science. Both studies led him to similar conclusions: "the first priority... must be the development of integrated academic disciplines of economics, politics, and sociology, and alternative operational models for a future civilization of Islam". (Siddiqui, 1980).

In the demise of the caliphate a different challenge was placed in front of traditional understanding of political thought and governance. Muslim leaders, jurist and intellectuals were asked to re-look at the Qur’an and the Hadith and to formulate political thought and systems within the concept of nation states.

For Muslims to develop new political systems in the context of nation-states meant adopting existing Islamic concepts and structures to modern, Western-influenced socio-political realities. Democratisation in the Muslim world takes place within the nation-states system. The political boundaries that were established by the politics of colonialism and nationalism in the first half of the twentieth century were the defining boundaries of the critical arenas of the second half of the twentieth and twenty-first centuries.

Within these nation states a vast majority of Muslims have been very vocal about the need to establish an Islamic state, or at least several Islamic states. The idea of an Islamic state has many implications and raises questions on the unity and the multiplicity of such states, the nature of governance and source of power and whether or not it ought to be a democracy (Rahman, 1986, 87). The concept of nation-states was forcing Muslim to re-organise and even re-construct political thought and frameworks due to the absence of a central authority as the caliphate.

**Concepts for the true nature of Islamic government**

In Islam there are a number of very important concepts and images that shaped political views and how a just society should be governed. The central concept in Islam that all Muslims agree upon is the “unity of God” (tawhid). *Tawhid* is a fundamental affirmation at the heart of Islam. This concept provides the foundation of the idea that one cannot separate different aspects of life into separate compartments. This concept is the foundation of belief and practice within the framework of Islam as guidance for all Muslims. So, this doctrine of *tawhid* requires a political system that is democratic
because humans are created equal and any system that denies that equality is not Islamic (Esposito and Voll, 2010).

The next aspect that is extended from *tawhid* is prophethood (*risalat*). That Muhammad was the final Prophet of God and he was the exponent of God’s final way (*din*) called Islam. These terms are seen by traditional Muslims as the basis of guidance for humankind’s life. Therefore, traditional Muslim scholars have affirmed that in political philosophy, there can be only one sovereign and that is God (Esposito and Voll, 1996, 23). Herein lays the perplexity. The sovereignty of God cannot be understood without the link to humankind.

Important to these two concepts *tawhid* and *risalat* is *khilafat* (caliphate). This term not only relates to leadership within Islam but it also focuses on the issue of vicegerency or trusteeship. Thus, humankind is God’s vicegerent on the earth and therefore His sovereignty is defined within the concept of vicegerency that must develop a framework as bearer of this trust. Islam holds individual and societies responsible for their own fate and therefore “people must be responsible for governing themselves” (Gulen, 2004, 7). The Qur’an addresses the whole community and assigns responsibilities to develop just and democratic political systems.

Fatullah Gulen, an Islamic thinker and author, explains that for God’s vicegerent, Islam must be seen as a religion of the universe. It further recognises all religions before it. It accepts all prophets and books sent to different people in the different epochs of history. The Islamic social system seeks to form a virtuous society and thereby gain God’s approval. Relationship must be based on faith (*iman*), love, mutual respect, assistance, understanding instead of conflict and realisation of personal interest. Social education encourages people to pursue lofty ideals for perfection, justice, mutual support and solidarity (2004, 10).

It is here where the ideas of democracy and pluralism are extracted as a mode of Islam. Even a person who refuses to believe in God or follows another religion within the Islamic political dispensation must respond to an egalitarian society.

Muslim societies seeking to harmonise Islam and democracy should begin this attempt by discussing human rights, justice and restriction of power that is out of the jurist purview. It was Mu’awiya, the Fifth Caliph (d. 680) that separated religion and the state as a form of governance. According to Fazlur Rahman (d. 1988), the Umayyad rule departed from the ethics of the Qur’an to the formation of Sunni Orthodoxy that underwent a radical change towards sectarian developments of Arabism (Saeed, 2004, 41). Rahman opines that this traumatic departure from the *élan* of the Qur’an had a most negative impact on the development of Islam (Saeed, 2004, 41) and especially in political thought. Instead of work in progress as the four righteous Caliphs who were developing political
thought and governance, the Umayyad rule established a rule of law that was dictatorial and monarchical. Although his rule created stability from the wars of *fitnah* that occurred within early Muslim society, it entrenched a view of governance that supersedes the Qur’anic *élan* of morality, ethics and justice to a narrow penal law that allowed no dissent or limited consultation within Islamic thought or politics (Moosa, 2003, 121).

The egalitarian process that Muhammad and the righteous caliphs started was derailed by Mu’awiyah who established a foundation for Orthodox rule of the Caliphate, which asserted its power until its demise in 1924. This is the reason that contemporary Muslims have not been able to systematically link Islam with modernity nor accept new positions for political thought.

In the contemporary discourse among the most popular criteria used to describe cultures in the Islamic world are the terms tradition and modernity. As analytical terms, “tradition” and “modernity” were construed in such a way as to clearly emphasise the notion of outside intervention. From a modern-day perspective, it is evident that the transposition of western structures upon non-Western societies has existed before the dawn of colonialism (Shulze, 2000, 23). The rise of Wahabbism and the very early views of Mu’awiyah are some of the reasons that many traditional Muslims are responding to Islamic modernity as a contradiction in terms.

Liberal and progressives Muslims are challenging contemporary Muslim thinkers to engage with tradition (Moosa, 2003, 111). Ebrahim Moosa, a progressive scholar of Islamic studies says, “The question of innovation and continuity in tradition has never been an unproblematic one in Muslim societies” (Moosa, 2003, 112). What is notable here is that liberal reformers do not abandon religious text (Mahmood, 2006, 339) and are saying that the application of the text can be shaped according to the social and cultural milieu (Kermani, 2004, 172).

As long as modernity continues to celebrate itself as the culmination of human history and to reproduce itself through the Islamic civilisation, it was possible to resolve confrontation with Muslim tradition (Shultz, 2000, 29). Thus, it was the linking of tradition to modernity and the essential discourses in society, culture and history that is being deconstructed that new viewpoints as secular democracies are being acknowledged as a subjective interpretation of Islam (Shultz, 2000, 29).

Islam is an egalitarian way of life, which is in conflict with its political and legal history that requires a shift to the original message that secures good governance, justice, peace, and a moral *élan* of the Qur’an (Raman, 1966, 38). Human rights issues in Muslim societies has become contentious, mainly because of the autocratic and corrupt rulers in countries such as Pakistan, Libya and Saudi Arabia and elsewhere that discredit the just ethical value system of Islam.
Reza Aslan says, “Representative democracy may be the greatest social and political experiment in the history of the world. But it is an ever-evolving experiment.” People have a tendency to regard American democracy as the model for all the world’s democracies. “Whilst the seeds of democracy may have been sown in Greece, it is on American soil that they sprouted and flourished”. He argues that while only in America is American democracy possible as it cannot be isolated from American traditions and values (Reza, 2006, 258).

There are many principles that are centred for the development of political or social thought within a democracy in Islam. Let us look at some of the main concepts as shura, ijma, ijtihad, bay’ah, ikhtilaf and shariah.

**Concepts for an Islamic Democracy.**

Some contested concepts as shura (consultation), ijma (consensus) and ijtihad (independent judgement) have been instrumental in discussions of those advocating democratic Islamic polity (Abootalebi, 2000, 65).

Consultation is argued simply “as the process of one person, ruler, asking other people for advice”, while consensus is the collective judgement of the community, and not the religious authority alone (Esposito and Voll, 1996, 28). Ijtihad or the exercise of informed, independent judgement about religious affairs has been a more contested concept since for long the ulama have claimed the exclusive rights to decide what in the secular realm is or is not compatible with Islam and its tenets.

Today, shura (Q, 3:159), (Q, 42:38) is viewed not merely as a religious concept but as reflection of the public will (Moussali, 2001, 163). Fazlur Rahman (d. 1988), a modern Islamic scholar, has mentioned that the Qur’an laid down the principles of shura to guide the communities’ decision making process (1986, 91). Unfortunately, over the centuries many misguided practices and structures were adopted by rulers without the regard for the ethos of Islam (Rahman, 1986, 91) Muslims agree generally that the common political view of conducting people’s affairs is the community’s domain because the Qur’an addresses the community at large and not the ruler. Thus a “genuine state institutionalisation of shurah and ijma provide the state with a normative role in making basic choices on behalf of the people” (Moussali, 2001, 163).

It is through ijtihad that people of every age try to implement and apply divine guidance to the issues of their time. In the context of the modern world, ijtihad can be called upon for radical reform, as is reflected in the words of Altaf Gauhar (d. 2000):

> The present represents a great opportunity to reconstruct our (Muslim) society. The forces of imperialism and Colonialism are on the retreat…….We have to break out of our present state of
intellectual stagnation…..It is possible for a secular leader to suggest that power flows out of a barrel of a gun. In Islam, power flows out of a framework of the Qur’an and from no other source. It is for Muslim scholars to initiate universal *ijtihad* at all levels. The faith is fresh; it is the Muslim mind that is befogged. The principles of Islam are dynamic, it is our approach which has become static. Let there be a fundamental rethinking to open avenues of exploration, innovation and creativity (1978, 307).

*Bay’ah* (an oath of allegiance), *ikhtilaf* and *shari’ah* (‘the path to be followed’; the standard term used for Muslim law; the totality of the Islamic way of life) are further contested area that are divinely inspired doctrines, which have been manipulated for centuries by governments, scholars and elites (Moussali, 2001, 162). *Bay’ah* is a doctrine that should have been used to indicate people’s voluntary approval of rulers, became a compulsory act of formal subjection to leadership (Moussali, 2001, 162).

*Ikhtilaf* (disagreement) is a relatively obscure technical term in the study of Islamic jurisprudence, but it reflects an important, broader attitude towards diversity of views within the Islamic heritage. Yusuf Al-Qaradawi, an Islamic scholar, notes that *ikhtilaf* is in fact a benefit to the society. He reaffirms that even during the lifetime of Muhammad there were different interpretations, which were permitted that demonstrated flexibility in the *Shari’ah* (Qaradawi, 1981, 82/83).

These differences reflect the characteristic freedom of legal thought in early Islam and provide an indication that the revelation, in Islamic terms, did not mean a single and monolithic structure or canon or imperial law. By the time of development of the law schools, it was widely accepted that a tradition from Muhammad, which states that such disagreement in the community of Muslims were a sign of divine favour. However knowledge of Islamic ethics and norms was a prerequisite for dealing with any differences (Al-Alwani, 1993, 9).

Major Muslim thinkers such as Shah Wali Allah (d. 1762) were aware of *ikhtilaf* and sought to explain the differences and disagreements within Islamic schools and the tolerance of other viewpoints (Esposito and Volle, 1996 44). In terms of contemporary experience, Hasan al-Turabi a Sudanese Islamist leader, describes this more flexible approach as the goal of the political system in Sudan. He maintains, “Intellectual attitudes will not be regulated or codified”. He explains that people will be allowed to have dissenting views and people are entitled to access all schools of law (*madhhab*). This is a process of pluralism in progress as it was a commonplace in Islamic history (Lowrie, 1993, 42/43).

The more widely known aspect of Islamic diversity is the treatment of non-Muslims in the pre-modern era. The Qur’anic message recognises the previous revelations of Jews and Christians as revelation from God. Islam offers a special place for the people of the Book and describes them as *dhimmis* who are accorded special hospitality and protection to members of other revealed religions. These
statuses for the “people of the dhimmah” show recognition of minority rights and legitimacy of diverse opinion and custom (Ye’or, 2010).

Shari’ah is also institutionalised in the state as a working mechanism that constructs normativity within Muslim society. (Moosa, 2003, 125). As regards shari’ah, traditional scholars have not implemented an integral system within Islam and bulk of its provisions remains legal (Enayat, 1982, 131) Khaled Abou El Fadl a teacher of Islamic law, opines that to establish the rule of law is a complex relationship between shari’ah as articulated by the jurist and the administrative practices of the state. He contends that in the first two centuries of Islam it was possible to find jurist citing the practices of the state as a normative precedent. He says that by the tenth century Muslim jurists had established themselves as the only legitimate authority empowered to expound the law of God (El Fadl, 2010).

Radical and moderate perspectives on this matter require a legitimacy. Hence, a political contract is required to legitimate power. Islam is way of life and in political Islam it must have a “constitutional reference for modern Islamist and Islamic constitutionality should be upheld through public choices”. (Moussali, 2001, 163). The shari’ah cannot be separated from social life because it is associated with the ideal of establishing the divine will of constructing the earth and maintaining justice among its people. Unlike civil law based on the will of the strongest, the shari’ah represented a divinely-inspired blueprint for societal order and the achievement of the highest human ideals (Ismael and Ismael, 1985, 46). Shari’ah for the most part is not explicitly dictated by God. Shari’ah relies on the interpretive act of the human agent for its production and execution.

Shura, ijma, ijtihad, bay’ah, ikhtilaf and shari’ah are all crucial and universal concepts for the articulation of Islamic democracy within the framework of tawheed and the representational obligation of human beings. “These terms whose meanings are contested and whose definitions shape Muslims perception of what represents legitimate and authentic democracy in an Islamic framework”. (Esposito and Voll, 1996, 30). Thus, Islam’s compatibility with democracy falls within the broader question of these concepts evolving and yielding towards pluralism and an egalitarian society.

Human rights and ethics

The modern ideas of human rights is evolved along with political thought and governance. Since there are no fully fledged democracies in any Muslim countries, it is a concept that requires clarification for discussions on Islam and democracy.

The advent of modernity, the major changes in the experience of Muslim people, especially in urban settings, formation of nation states and globalisation have posed some major changes to the
theories, methodologies and assumptions in Muslim traditions (Moosa, 2008). The question of human rights looks at the relationship between a specific culture and way of life on the one hand and set of universal values and legal instruments on the other. (Moosa, 2008). Ann Elizabeth Mayer, a scholar of legal studies has shed some light on the extent of problems for human rights within Muslim societies. She says,

“The Islamic human rights schemes … are the products of the political contexts in which they emerged. Their Islamic pedigrees are dubious and the principles they contain do not represent the result of rigorous, scholarly analyses of the Islamic sources… Instead, they seem largely shaped by their conservative authors’ negative reactions to the model of freedom in Western societies” (Moussali 2001, 5).

Mayer is emphatic in not attributing repression to Islam and recognises the multiplicity of ideas and trends within the Islamic world. However, she feels that Islam has not specified a proper scheme of human rights from an international viewpoint. (Moussali 2001, 5). The concept of political governance within nation states has created certain problems for Muslims worldwide because each state is not answerable to a central authority. Each state has developed their own framework of governance and decisions are made by the individual whims of rulers.

The history of Islam in modern times is essentially a history of the Western impact on Muslim society especially since the 19th century. The channels through which this influence has come is legion – the political structure, the administrative and the judicial machinery. “It is in this regard that Muslim society had to face, is the level of social institutions and social ethics as such” (Rahman, 1966, 214). The real nature of the challenge and crises is not the fact that “these institutions have been wrong or irrational in the past” but that they now requires modification and adjustment to the present milieu (Rahman, 1966, 214).

Asghar Ali Engineer says that Muhammad never suppressed individual freedom or discouraged difference of opinion. He further says that freedom of conscience or freedom of speech have never been denied by the Qur’an or Muhammad (2003, 3).

The sanctity of human life, as the fundamental principle of any civilised society is inferred from the Qur’an, “that if anyone slays a human being - unless it be [in punishment] for murder or for spreading corruption on earth - it shall be as though he had slain all mankind; whereas, if anyone saves a life, it shall be as though he had saved the lives of all mankind” (Asad, 1980, 147).

Discussions of human rights are dominated by Islamic law and have been particularly exposed to the polarising tendencies in Muslim societies that have created some resistance to change (Moosa, 2008). For some time now, scholars of human rights are grappling with questions of change and
stability in Islamic Law (Moosa, 2008). Islamic law, it has been argued that it does have in-built mechanism for change in the experience of Muslim people (Moosa, 2008). Progressive Muslim scholars assert that the text of the Qur'an has an inexhaustibility of meaning and the challenge is the possibility of an objectively valid interpretation Esack, 2010, 15).

Since the 1970’s the increasing role of culture, cultural identities and the revival of religion in public life have had a direct impact on the relationship between Islam and human rights. Generally, scholars have not supported a less vigilant approach to human right abuses, but greater attention has been paid to conflict and tensions in the context of modernisation and democracy.

The desires of modern Muslims in general are to found states that are both democratic and religious. Abdolkarim Soroush, a scholar of Islam, has asserted that in order to be democratic, human rights should be located in a space prior to religion (Tayob, 2010, 30). It should look at its foundation before Islamic law and primarily in the areas of ethics (Tayob, 2010, 28) Rahman repeatedly emphasises that the basic élan of the Qur’an is moral and points to ideas of social and economic justice. He posits that Muslims must work out its worldview from the Qur’an and the moral order comes to assume a central point in a full picture of cosmic order (1966, 33). Human rights are an important concept within Islam as it is for humankind. Human rights are therefore a necessary component for Muslims to ensure the rights of all the creation of God.

**Status of women**

Muhammad sought to transform and produce an egalitarian society that was derailed by patriarchal and misogynist positioning for power and politics within the dynastic rule of the Caliphates (Saeed, 2004, 41). Women in Muhammad’s time were given a fully pledged personality. “Responsibilities for men and women were granted and spouses were declared to be each other garments. Woman were granted the same rights as man, as man over his wife, accept that man having the earning partner, is a degree higher” (Rahman, 1966, 38).

There are many developments for Muslim women in modern situations such as freedom of movement, they have become breadwinners and have taken up leadership positions in countries such as Pakistan, Bangladesh and Indonesia. Muslim women require their own objective and valid interpretation of the Qur’an as well as support from their vulnerabilities and problems.

Many modern Muslim women are learning to adopt various strategies in coping with or confronting discriminatory practices and negotiating their rights in their respective countries. In all Muslim countries, women face major challenges in reforming laws to promote their rights or eradicate any discrimination or bias in the law (Othman, 2006, 347). To promote and wage a serious struggle to
promote sexual equality in contemporary Muslim societies where Muslim women suffer severe disabilities. The stranglehold of conservative and orthodox ulama can be broken in a just and pluralistic democracy. It is not Islam that stands in the way rather the authoritarian orthodox power structures that has been established over the dynastic rule of the Caliphate (Saeed, 2004, 41).

Fatima Mernissi, a sociologist says that pluralism need not hide any longer and that “Muslims can bring a new world into being through communication, to engage in unlimited dialogue, to create global mirror in which all cultures can shine in their uniqueness” (Mernissi, 1992, 74). The Islamic message acknowledges the obligation towards the harmony of human, women and non-Muslim rights because it recognises the survival of the human race.

**The way forward**

Many modern scholars are saying that democracy can be helpful to promote moderation in the Muslim political environment. It can realise the Islamic imperative for socio-economic justice because of political competitiveness of all parties to remove poverty and inequality. Women can enable themselves to assert their rights more successfully by obtaining better education and thus contribute richly to the development of their societies. Public resources can be utilised to promote the development and well-being of the people through the elimination of illiteracy, the provision of better quality education, the improvement of health facilities and the construction of infrastructure beyond showpiece highways and buildings and the accelerated but balance and just development of these countries. Non-Muslim and Muslims could be recipients of divine mercies by the measure of their own moral virtue on earth is a person’s proximity to justice and not a religious label (El Fadl, 2010).

Democratic ideals such as constitutionalism, government accountability, pluralism and human rights are widely accepted throughout the Muslim world. What is not necessarily accepted however is the distinctly Western notion that religion and the state should be entirely separate and that secularism must be the foundation of a democratic society (Aslan, 2006, 258).

Heba Raouf Ezzat, a political scientist, says that she supports liberal as well as Islamic civic virtues as a celebration of human dignity and social welfare. She opines that democracy does not necessitate a specific economic system. She explains that Islam is a social democracy rather than an economically liberal one (2004).

Saba Mahmood, a social cultural anthropologist, says that religion is therefore an object of individual free choice whose abstract truths nonetheless have universal value (Mahmood, 2006, 341) In this regard Soroush says,
“That truths everywhere are compatible; no truth clashes with any other truth……One truth in one corner of the world has to be harmonious and compatible with all truths elsewhere, or else it is not truth. To search for truth in other arenas of intellect and opinion. This truthfulness of the world instigates constant search and engenders a healthy pluralism” (Soroush, 2001, 21).

The Western promotion of democracy has been clumsy and hypocritical that has created widespread hostilities throughout Muslim countries not only towards the United States but also towards the idea of democracy itself (Aslan, 2010, 170).

Ali Allawi, a modern Islamic scholar has warned that the Islamic civilisation has undermined its confidence to adapt with modernity and all its manifestations because of the torrent of new ideas flowing in from the West. Many reformers have adopted western ideas uncritically because they have lost their connection with the universe of the spiritually balance individual and community. This mismatch has contributed greatly to the collective loss of self-understanding which was felt in the entire Muslim world in the nineteenth century (2009, 35).

The West can certainly play a catalytic role in the promotion of democracy and the socio-economic upliftment of Muslims. The West and its allies can help to support democracy in Muslim countries by “reducing militancy by force as we have seen in Afghanistan and Iraq and by Israel in Palestine and Lebanon” (Chapra, 2008, 176). The Western countries cannot promote or impose a democracy that is along the lines or what exists in the West.

The case of democracy within Islam comes into conflict because of its general character as a religion. “Islam contains many basic principles which could make it highly responsive towards the worth of every human being that sets social relationships, the equality of all citizens before the law, regardless of their ethnic and class distinction” (Enayat, 1982, 126). Islam is an egalitarian way of life, which is in conflict with its political and legal history that requires a shift to the original message that secures good governance, justice, peace, and a moral élan of the Qur’an (Rahman, 1966, 38). Another key area that must be mustered by Muslims is the inner resources of their faith. Common prejudices of both conservative and modernist must not be shared against the rejuvenating possibilities of a spiritualised Islam (Allawi, 2009, 107). A new Islamic civilisation can only be carved out from a harsh reality of years of inactivity, lassitude and indifference. (Allawi. 2009, 272). It has to be realised that the creative impulses of civilisation are now the domain of the West, market and technological forces that will challenge the regeneration of an Islamic civilisation.
Only 13 of the 57 member countries of the Organisation of Islamic Countries (OIC) have democracy\(^2\). However, even those Muslim countries that have a democracy have it only in a formal sense. The fact that these countries have formed an organisation that is linked to the general body of Muslims can be important as a central authority. However, the maturation of such organisations has to be determined by their individual political systems that can embrace Islamic democratic governance as a way forward towards a legitimate democratic Islamic Union.

It is not in the scope of this paper to do a case study of the various forms of democracies in Muslim countries. Countries such as Turkey, Iran, Sudan, Tunisia, Pakistan, Indonesia and Malaysia can be investigated in their quest and idea of democracy.

A broad spectrum of Islamic revivalism and democratisation exists within Muslim political thought. There are Islamic activisms as radical opposition to the existing political order. Within the political systems, legal and cooperating opposition are operating. Active participation in government, in alliance or coalition with political forces and the controlling forces in the existing political order are present (Esposito and Voll, 1996, 33). “Democratisation in Muslim societies involves all the broader issues present in all societies of defining and creating democratic political systems” (Esposito and Voll, 1996, 33).

Political thought in Islam is one of conflict and the solution for the way forward is negotiation, so that each side must give up something of its position to come to an agreement with the other. What and how much is to be given up will be determined by the power of the two sides in the conflict and their commitment to specific notions of justice. Farid Esack, a progressive Islamic scholar believes that,

> “Authentic dialogue is about entering the other’s world while holding onto one’s own, with the willingness to be transformed”. “He further says that one cannot speak of genuine political participation, integrity of communities, etc. unless one can reach some kind of consensus on a shared system of ethics” (Esack, 2010, 14/15). He believes that “the pluriverse is not one of culturally isolated factions but an ongoing dialogue for and commitment to radical social change” (2010, 15).

Since negotiation is an indeterminate process, there is no telling where the compromise will lie. Democracy is a particular system of politics that compromises repeated competitive elections. The chance for the voter to choose and the chance to reorganise are available. The democratic faith in government by a politically responsible people is sustainable (Estlund, 2002, 264). That faith will hinge on the effectiveness of a largely expressive ethic of political conduct among voters (Estlund, 2002, 264).

Democracy does not hang on geographic points; there is no Western, Eastern, Northern or Southern democracy. At most, these qualifications may be used to designate cultural variations on the defined system of government. Democracy is a universal form of activity that exists here and there around the globe and it is under considerations because many Muslims aspire to it” (Zartman, 2001, 244).

Conclusions

Political development in Islam is dependent on the fulfilment of various obligations and goals of worship in Islam. No set of rules are specifically defined by the Qur’an or given by Muhammad for political governance. Thus the evolution of political thought in Islam will be an on-going process to achieve closeness to the Creator in all its dynamics, achievements and endeavours for a just and moral example.

Because of the demise of the caliphate and the situation that exist as nation states and people in those countries will have to determine their own political destiny. There are many forms of democracy and each country can determine their own political destiny and embrace the various characteristic that will be suited to them. Muslims have a rich history and tradition that will lend itself to look ahead and make mature choices for political activity.

Muslims today could embrace forms of democracy and tomorrow they could very well develop ideas for post-democracy. Post-democracy can mean a social just and egalitarian society that is governed by moral and righteous people that work towards peace with justice. The Qur’an and Muhammad’s example and many of the constructions that came after should be systematically engaged by contemporary Muslims for future perspectives in the worship of God that includes political thought. Valid and objective interpretations of these sacred sources are incumbent for further development to emerge for Muslims in the future. From these divine sources political framework can be re-organised and re-constructed and that includes the idea of democracy.

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