

Muslim Democrat

www.islam-democracy.org

Published by the Center for the Study of Islam & Democracy (CSID), Washington, D.C.

Volume 1, No. 2, September 1999

In This Issue:

2 *Definitions of Democracy*



5 *Shura & Democracy*

5 *Islamic Paradoxes*

6 *Shura in Islamic Life*

7 *Shura as a Foundation Block*

8 *Book Review*

9 *First Muslim US Ambassador*

9 *New CSID Directors*

10 *Lord Ahmad*

11 *Membership Form*

12 *CSID Mission Statement*

12 *CSID on TV*



Dear Colleagues:

It is my pleasure and privilege to introduce to you the second issue of 'Muslim Democrat'. A lot has happened since our first issue, three months ago, and I want to briefly update you on these developments. First, I am pleased to inform you that we now have 92 members, and growing. With your help and support, we can reach our goal of 200 Members by the end of 1999. Secondly, CSID is now officially recognized by the IRS as a nonprofit 501-c-3 publicly-supported organization. This means that all donations to CSID are now tax-deductible, and this is retroactive to March 26, 1999. And thirdly, I am pleased to announce and welcome three new directors to our board: Prof. Tamara Sonn, Dr. Sana Abed-Kotob, and Dr. Laila al-Marayati. All three were elected by the board of directors and have a high level of expertise, professionalism, and a genuine interest in the goals and objectives of CSID.

The question of the relationship between the teachings of Islam and the principles of democracy is, undoubtedly, one of the most pressing issues facing the Muslim world today. The principles of elected rulers, consultative bodies, accountability, tolerance, and rule of law are not alien or new to Islam. However, for the past 600 years, these principles were abandoned and the Islamic world was governed by authoritarian rulers. These rulers tried to derive their legitimacy from Islam, and thus corrupted its image and views on government. Some "scholars" were used to legitimize dictatorship in the name of protecting 'religion' or 'society'. The outcome has been the decay of the Islamic civilization, which was one of the most vibrant, dynamic, and tolerant civilizations.

Today, at the dawn of the third millennium, the Islamic world must catch up. In this information age, when ideas travel at the speed of light, through the internet, personal computers, fax machines, cellular phones, and satellite dishes, Muslims cannot be isolated. As technology brings down barriers between cultures and peoples, Muslims will have to adapt and develop new paradigms that combine the best of their religion and traditions with the latest achievements in human development. Nobody can maintain a monopoly over Islam or over political discourse, and therefore the need to exchange and discuss ideas without resorting to violence becomes a necessity.

Some of the activities we are planning in the near future include: a Monthly Lecture Series starting in the fall, a members-only e-mail distribution list for sharing ideas and discussions, a Roundtable Discussion on "Islam, Democracy, and Good Governance" on Nov. 19, 1999 in Washington DC (in conjunction with the MESA conference), and the CSID Annual Meeting in April 2000. Your moral and financial support are vital to the success of CSID. I look forward to hearing from you and to meeting you on November 19 at MESA.

Radwan A. Masmoudi
Executive Director

Definitions of Democracy

This roundtable discussion was organized by CSID on Sunday, June 27, 1999 at the Muslim Community Center, in Silver Spring, Maryland. This summary was written by Mr. Svend White⁽¹⁾. Introduction by Dr. Radwan A. Masmoudi, Executive Director of CSID:

The Center for the Study of Islam and Democracy (CSID) was founded and incorporated on March 26, 1999, as nonprofit and non-private think-tank dedicated to the study of issues related to Islam and Democracy. Living in a largely free and democratic country like the USA, it is important that we not allow ourselves to take our basic freedoms and rights for granted, especially given that many of these freedoms are not enjoyed by other Muslims abroad.

Many Muslims today will say that Islam and democracy are compatible, but *how* are they compatible? *What* exactly is democracy? *How* would it work in an Islamic context? Which form of democracy is preferable? These fundamental questions and many others need to be addressed, which is why I am happy to present this excellent panel to you.

Ali Nawaz Memon

Democracy is characterized by formal rights and obligations. One definition of the word “democracy” is: “a form of government in which supreme power is vested in the people, executed directly by them, or by their elected agent under a free electoral system.” “Mullahs” and traditionalists object to this, fearing that it implies an usurpation of God’s absolute authority, but that ignores the fact that somebody will inevitably need to implement His laws. Are we to trust dictators, or leaders elected by the people? In some pseudo-democracies, like my own Pakistan, we have periodic mass-voting rituals which are meaningless, as, once elected, leaders pay no attention to the popular will.

A well-known Islamic scholar, Dr. Omar Chopra, gives us four basic criteria for legitimate government in Islam: 1. The government should be accountable to Allah and His *sharia* (which mandates the efficient and equitable use of the community’s resources). 2. The government is a trust and must be accountable to the people for meeting the terms of this trust. 3. There must be consultation, with the widest possible popular participation, either directly or indirectly. 4. There must be justice and equality for all before the law.

To satisfy these 4 criteria—not to mention the repeated injunctions

of the Quran and Sunna—it is necessary to have free and fair elections.

Imad ad-Dean Ahmad ⁽²⁾



When people use the word democracy, they often mean different things sometimes even contradictory concepts. If democracy means formal equality before the law, it is not only consistent with Islam, but, if you look at the historical record, it was Islam that introduced the concept of formal equality before the law to the world. In my book *Islam and the Discovery of Freedom*, I discuss in some detail how Islam introduced the concept of freedom to the world and especially to Europe. If you go back to ancient Greeks and Romans, you find that the Greeks defined democracy “rule by the people.” However, in the Greek system, a fraction of the people was considered citizens of the city or state, and the majority were slaves or members of other oppressed groups. That elite who was considered ‘citizens’ was allowed to participate in an electoral process under which they would make the rules by which the city was governed. I just want to point out that there was no equality before the law. Even if you look at Plato, who many people consider a founding father of modern ideas, he believed there were three classes of men: men of gold, men of silver, and men of brass, and different rules would apply to each of them. Where do we first find ‘equality before the law’ articulated in unmistakable terms? It is in the inauguration address of khalifa Abu Bakr (may Allah be pleased with him). When he was elected to lead the Muslim community, he said: “It is true I have been elected to be your Amir (leader), but I’m not the best of you. If I give an order that is in accordance to Qur’an and the practice of the prophet, then obey me, but if I give an order that is not in accordance with Qur’an and the practice of the prophet, then correct me, truth is righteousness and falsehood is treason”.

Another definition of democracy is that people should be able to invent the law either themselves, or through their elective representatives? This definition, I would argue, is in conflict with Islam, because in Islam the law is divinely ordained, to be discovered by humans, not invented. I am not saying that people cannot invent small laws, where we have some flexibility under the sharia. I am saying the law, as a whole, is a super structure of divine law under which we operate. Furthermore, I would argue, such a concept is not unique to Islam. It has been adopted by the West, which got the idea from Islamic civilization. There are many Western scholars who talk about the “natural law”, by which they mean what we call divine law. These scholars say there are certain rules that people may not overrule, not by a majority, not by two-thirds, and not even by 99% vote. An example would be the concept of equality before the law. After all, if a majority rules, it would be possible to take a vote in which 51% of the people decide to make the other 49% become slaves. And the 51% shall be exempt from the rules imposed on the 49%. But the Western natural law

scholars say: “no you can’t, it is an invalid law, it is illegal law, and if you pass it no one has to follow it”.

There are other definitions of the word ‘democracy’ such as electing the leader, but we elect a new leader every five years and become slaves for the next five years, then it is not much of a democracy. Nonetheless it raises the question of: “is election of the leader compatible with Islam?” Of course it is. I have mentioned the election of Abu Baker, the first khalifa of Islam who was elected. Some might object that not all people got to vote ; there was no universal suffrage. It was only a handful of the Muslim community, those who were considered to be the leaders of the community, who voted for the election of Abu Baker. I would say yes, it reminds me of the Presidential election in the United States, where we elect the leaders of electoral college to represent us, and those 435 people decide who is going to be the President of the United States. How is that different from the election of Abu Bakr? If anything, I would say the election of Abu Bakr was more fair, because almost every group (with the unfortunate exception of the party of Ali, an important issue that we don’t have time to go into here) almost every group was represented. Here in the



US, basically only the two major parties get to have a real say in the elections.

Another definition for ‘democracy’ is ‘popular participation’. It is not enough to elect the leaders or that the laws are fair and just, nor is it enough that the laws are governed by the overriding principles of divine (or natural) law; the people must take an active part in the whole political process at every level. If that’s what you mean by ‘democracy’ then I would say again not only is it Islamic, but it is only Islam that offers a unique word for it. In English, we need two words for it, ‘popular participation’, but in Islam we say ‘Shura’ (one word). Shura is a well-known concept in the Quran and it means “consult with the people in their affairs”. What are the details of how that consultation is done? There is flexibility. Maybe it means Citizens’ Advisory Committees, or maybe it means election of the people who make the decisions. One might argue that there should be panels of experts appointed to guide the decisions or that Shura means freedom of speech: at any point in the process. The law-maker should be open

to hearing from the citizens and listening to their opinions. I think all of these interpretations are correct. Some of them may not have been practiced in a particular form in the medieval Islamic era, so what? They are consistent with the basic concepts of Shura. Furthermore, I think many things were practiced of which we are not aware, and I think it would be one of the objectives of the center to be able to publicize those facts. We may find, in the early history, we have several precedents for what we’re looking for and we just never recognized them. For example, one element of democracy, which I think is the most important as practiced in America today, and this was described in Toqueville’s great book *Democracy in America* is that much of the government (with small g) doesn’t take place in the political bodies at all. It takes place in the communities. People form associations and groups that deal with their affairs directly and voluntarily. People just form a group and do what needs to be done. Often religious groups, churches for example, take the education of the young. At that time, almost all schooling was being done by religious groups, there were no government schools. So, what we today call NGO’s were, and still are, a very important part of the American process of self-governing. However, many people don’t seem to know that we have a precedent for this in Islam. It is called “waqf” (endowment). People with wealth would setup a charter for an organization that would provide some public goods or services. This included schools as illustrated in a wonderful book by George Makdisi titled *The Rise of Colleges: Institutions of Learning in Islam and the West* (Edinburgh, 1981). In this book, the author talks about how Islam set up these “waqfs” and setup these colleges or university institutions for public education (such as al-Azhar and many other great universities).

These are all different aspects of the process we loosely call democracy. To conclude, my assessment is that every definition of democracy is consistent with Islam except the concept that the people may overrule divine law. Muslims need not apologize for this, because the best of Western scholars would agree with us. I will quote my favorite Western scholar, Henry David Thoreau, who addressed this very question in his essay “Civil Disobedience.” He asked the question why do we allow the majority to rule? He answered that the reason “is not because they are more likely to be in the right, nor because this seems fairest to the minority, but because they are physically the strongest.” Islam, as we Muslims understand it, came from the messenger of God who was a minority of one, then Khadija followed him, and they were a minority of two. Great ideas come from the minority, not from the majority. We allow the majority to rule only because in the long run they are the most likely to prevail. If you do not allow the majority to rule you will condemn yourself to a total warfare, which we see in the Muslim world: constant fighting, struggling instead of productivity. Muslims have two-thirds of the resources in the world. We should be richer than anybody else in the world but we are not, why? Because we waste them. Look at the arms budget of all the Muslim countries, it is ridiculous. Sometimes, it is worth fighting against the majority when they are wrong. Thoreau concluded that “a wise man will not leave the right to the mercy of chance, nor wish it to prevail through the power of the majority.”

Muqtedar Khan



The two earlier speakers have already made a pretty good case as to why democracy is an essential element of Islamic practices, and why some people miss understand both Islam and Democracy when they assert that Islam and Democracy are not compatible. I shall therefore focus more on why we need a Center for the Study of Islam and Democracy, given that Islam and Democracy are compatible.

I think there is a rumor going around that Islam and democracy are somehow incompatible institutions. This rumor amazingly fails to recognize that nearly 800 million Muslims live in societies with various degrees of democratization. Then why does this rumor, that Islam and Democracy are incompatible persist. Let us examine the statement Islam and democracy is incompatible. It suggests two things. One, that there are certain elements about Islamic beliefs which makes it almost impossible for Muslims to realize democratic institutions in their societies. And two that if there are no democratic institutions in Muslim societies, Muslims are just being good Muslims. But unfortunately, it is an open secret that not only are Muslims by and large un-Islamic in their practices, thanks to nationalism and modernization, Islam has very little influence in the public life of most Muslims. If that is the case, then it does not really matter whether Islam and democracy are compatible or not. The reasons for the absence of democracy in many Muslim societies lies elsewhere, in failure of development, in political culture, not in Islam.

Right now asking the question of whether Islam is compatible to democracy or not is irrelevant, so what if it is. Islam is compatible with justice, does that mean that there is justice in the present Muslim world? Islam does respect individual dignity, each one of us is Allah's vicegerent, but does that mean we treat each one of us with respect in the Muslim World? The problem is not in the idea, the

concept, or even the designs of establishing a just and good society on earth. The problem is we are not able to realize these ideals in real life. Why? These are very interesting and profound questions, and we don't have answers for these questions. Because questions about social conditions are being framed by people who are not interested in the overall good of the Muslim society, they are irrelevant to Muslim development. We need to have people who really care for the future of Muslims, who care for realizing the divine principles of God in society to be asking these questions and I am hoping that an institution like the Center for the Study of Islam and Democracy will ask the real questions necessary in order to find real answers which will help improve the Muslim social condition.

Muslims today have allowed themselves and their social research to be compromised by similar red herrings. For example, consider the research on Islamic economics. The whole society is so obsessed with interest free banking. They also forget that "Israf" is also forbidden in Islam. If you look at the Quran, you will find that both *Reba* and *Israf* are forbidden. The Quran also attaches a high premium to just dealings in the economic sphere. But the obsession with interest free banking has allowed us to conveniently ignore the widespread practice of *Israf* by the rich and forget the plight of the poor in unjust economies of the Muslim World. We are in the habit of obsessing, creating slogans about Islam which take away from the real issues, but make us feel good about ourselves without making real changes in social conditions. The whole business of *shura*, I find it fascinating that everybody is sold on this idea of *shura*, is just another such red herring. *Shura* is not equal to democracy, and if you push *shura* you will never be able to realize a democratic society, let me tell you why.

Shura is a non-binding opinion. According to the traditional understanding of the practice, Muslim leaders are encouraged, not required to, consult before they make decisions. It is not clear that they are required to consult the will of the entire people, as in a referendum. Islamic society has never had a referendum in modern times, even though a referendum is nothing but seeking the *Ijma* of the *Ummah*. Rulers who do not consult are

not removable by Islamic law. Since *shura* is not obligatory, nor universal in its franchise since it can be limited to a few select scholars, it is unfair to democracy to label *shura* as democracy. Many Muslim monarchies practice *shura* but that does not mean they are democracies. So until we go back to Islamic sources, and show, that the *shura* of the masses is binding, and disagreement, and disobedience of the *shura* by rulers is against Islam, we can not assume that *shura* is equal to democracy. Such an *ijtihad* from an intellectually bankrupt *Ulema* cannot be expected in the near future. So I think *shura* is another red herring like interest in banking. Interest-free banking in 30 years has not realized an Islamic economy, and *shura* will never realize an Islamic polity.

We do not have answers to all the questions. Our goal is to make available to all Muslims the benefit of social virtues of justice, freedom of speech and opportunity for political participation, and say in the shaping of their own destinies. The Center for the Study of Islam and Democracy will hopefully formulate and ask the right questions and seek to answer them. One major goal of the Center is to bring into the fold of deliberation all Muslim perspectives.

Radwan Masmoudi:

It is not as simple as saying "yes" or "no" and then adopting Western democracy wholesale. We are not going to copy the West, but rather learn from Western experiences and from the Islamic tradition. Hopefully, we will come up with an even better form of democracy. As a think tank, our "product" is intellectual, not political. Our goal is to encourage this debate not only in the United States and the West, but also in the Arab world and the Muslim world. I hope that this roundtable discussion has stimulated your thinking. As a new organization, we need the help of those who believe in this work. There are many ways to contribute, but the first step is to become a member so that you will be kept in touch with the Center and its work.

1. You may download the full transcript of the debate from the CSID web site at: www.islam-democracy.org
2. President of Minaret of Freedom Institute, Bethesda, MD

SHURA AND DEMOCRACY

by M. A. Muqtedar Khan

Shura is basically a consultative decision making process that is considered either obligatory or desirable by Islamic scholars. Those scholars who choose to emphasize the Quranic verse: “..and consult with them on the matter” (3:159) consider shura as obligatory, but those scholars who emphasize the verse wherein “those who conduct their affairs by counsel” (43:38) are praised, consider shura as desirable. The first verse directly addressed a particular decision of the Prophet and spoke to him directly, but the second verse is more in the form of a general principle.

What is remarkable is that the search for direct verses as proofs, and its eminent absence, has prevented Islamic scholars from reaching a decisive conclusion that shura is obligatory. So far the scholars are still debating the issue. There are those who suggest that the Prophet (pbuh) always consulted before making decisions. However in Sulh Hodaybiyah, the Prophet (pbuh) consulted his companions but chose to act independently, clearly illustrating that consultation is non-binding. Actually, there are few instances when the Prophet consulted his companions and acted upon their advise against his own wisdom. The decision to step out of Medina to engage the enemy is one such instance. It is my sense that shura and democracy differ in three basic ways:

- 1) Unlike shura, democracy allows modification of foundational texts. You can amend the constitution, but not the Quran or the Sunnah. On the face of it, this does not seem like a problem, as Muslims are supposed to accept the primary sources of Islam. In practice, one is not dealing with the sources but the medieval interpretations of these sources and shura is for all purposes subordinated to the past understanding of Islamic texts.
- 2) Shura remains non-binding while democratic process and laws are binding and can only be reversed through a democratic process and not by unilateral and oligopolistic processes.
- 3) The way shura is discussed in Islamic discourse, it is something that the leader initiates and is expected to do. Shura is the leader consulting some people; it is not clearly whom, scholars, relatives, or the entire adult Ummah? Will women be consulted too? How about non-Muslims? This issue needs to be explored and clarified. In a democracy, on the other hand, people consult among themselves about who will govern and how. Notice how shura is top-down and democracy bottom-up.

Finally I would like to say that shura like democracy is a deeply contested notion, It is the successful and just practice and institutionalization of these ideas that counts rather than theoretical finessing.

A Word from the Chairman:

ISLAMIC PARADOXES

The Center for the Study of Islam and Democracy does not have special doctrinal positions of its own, but it does encourage fundamental exploration of the relationship between Islamic precepts and social concerns. Let me put forward the following tentative propositions, often paradoxical, and invite comments on them:

- I. Islam is in favor of profit, but is against interest on loans (riba).
- II. Islam is the only major religion ‘founded’ by a businessman in partnership with his wife (Khadija)
- III. TAWHEED and IJMAA have helped the imperative of order, but IDJTihad helps the imperative of freedom.
- IV. Sons in the Muslim world respect their mothers more than sons in the West, but husbands in the Muslim world respect their wives less than husbands in the West.
- V. Islam in history has been pro-trade but anti-capitalism.

With best wishes.

Sincerely yours,

Ali A. Mazrui, D.Phil., (Oxon)
Chair, Center for the Study of Islam and Democracy

CSID is a 501-c-3 organization

On August 12, 1999 the IRS approved our application for recognition as a tax-exempt organization. This means that CSID is now officially exempt from federal income tax. CSID will also be treated as a publicly supported organization until December 31, 2003. Grantors and contributors may rely on this determination that CSID is not a private foundation until 90 days after this date. Donors may deduct their contributions to CSID as long as they are gifts, with no consideration received. Please support CSID, donate generously, and remember your donations and membership fee are tax-deductible.

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editor@islam-democracy.org

Shura in Islamic Life

By Mohamed Fathi Osman

Islam teaches that God alone is all-knowing, all-powerful and to be obeyed unconditionally (21:23). Human beings have limited, relative knowledge and power, and they are all equal, enjoying the dignity granted to them by God at the beginning of creation and being accountable for his/her deeds both in this life and in the life to come. The Quran instructs us that very matter, even faith itself, must be based on one's conviction of what is right and what is wrong. A conviction that must be formed without any coercion or intimidation: "No coercion is allowed in matters of faith" (2:256). Given these principles, no individual human being can ethically independently decide a matter that concerns others, nor can he/she escape accountability if he/she does make such a decision. The Quran makes *shura*, or the participation in decision making by all parties concerned, a consequence of faith in God and an obligation second in importance only to performing prayers to Him: "... and those who respond to [the call of] their Lord, and keep up the prayers, and *whose rule in a matter [of a common concern] comes out of consultation among themselves...*" (42:38).

The initiative of involving others in decision-making for matters of common concern must come from the person responsible for making the decision. However, others should take the initiative to offer their advice, or *nasihah*, in a suitable way when necessary, since the contribution of advice is an obligation for all individuals, whether leaders or common people, according to a tradition of the Prophet reported by Muslim. Enjoining what is good and forbidding

what is wrong is *the responsibility of the state* as well as the people in general (22:41, 3:104, 110).

Shura is not limited to the political field, though—it must be developed from the beginning in the family and then extended out into all areas of life. Even in case of divorce, spouses are required to conduct family matters "by mutual consent and counsel" (2:233). Consent must be based on mutual consultation and given careful consideration, and consultation must be based on mutual consent and not exercised in the manner of a superficial formality.

Another field *shura* manifests itself in the home is the child's education, as he/she must be educated to express himself/herself freely but appropriately about what is right and wrong (31:17). As a result, both the family and the school play essential roles in developing *shura* as a way of life.

The Quran instructs the Prophet—who, it should be remembered, was a recipient of divine revelation—to rely on *shura* when making decisions about common matters about which no specific revelations had been sent: "... and take counsel with them in all matters of common concern. Then, when you have made a decision, place your trust in God" (3:159). If the Prophet is thus required to involve the people in decision-making on everyday affairs, it stands to reason that all believers are *a fortiori* required to follow suit. The distinguished Andalusian Quranic commentator Ibn Atiyya (Abu Muhammad Abul-Haqq ibn Ghalib, d. 546H) stated in his commentary on this verse: "*Shura* is one of the basics of Islamic law [*shari'ah*], and is, thus,

mandatory. Any man [who is entrusted with public authority] that fails to take the counsel of those who have knowledge and who are conscious of God should be dismissed from his public position. About this there is no debate."

The Prophet himself consulted his Companions in a variety of situations. He would do so when going to confront his enemies from the Quraysh tribe, who came to challenge him near Medina. At their suggestion, the Prophet decided to meet his enemies in the Battle of Badr. He also consulted his Companions when deciding whether to quit the confines of Medina in order to meet the attacking army before it reached the city or wait within the city and resist the attack. He followed the majority and decided to venture out to meet his enemies in the Battle of Uhud. When his suggestion to share Medina's fruits as a price for the withdrawal of certain tribes which came to Medina was rejected by his Companions, he abandoned the idea. Even in his private life, when his wife Aysha

"It is obvious, from the verse cited above, that decisions should be based on the consensus produced by Shura"

faced a false rumor of adultery—he asked his Companions for their opinions on the matter at hand.

It is obvious from the verse cited above that decisions should be based on the consensus produced by *shura*. In many cases, the decision was based on the view of the majority though the possibility of a minority or even a single person being correct while the vast majority might be wrong was always there. The reliance for decisions on what the majority supports is the only reasonable and acceptable procedure for decision-making among human beings. This requires freedom of

expression and freedom of assembly. A difference in opinions is inevitable, and there should be a way to get out of such divergence with the least possible cost.

It must be borne in mind that the judicial system in the Muslim state, especially through a constitutional court, can always examine the constitutionality and legality of any decision made by the majority, and strike it down if need be. This would assure that the general principles of Islamic Law, *sharia*, cannot be contradicted by any majority decision. Whenever this happens, it must be overturned by the courts.

Shura in Political Life:

The whole population of a society has a right and obligation to participate *in the selection of their leaders and representatives based on shura*. The Quran states that a majority of the human beings may miss the right track (e.g., 2:243; 6:116; 7:187; 11:17; 17:89; 37:71), but it never teaches that a majority of reasonable and sincere people can be ignored. The leader(s) may make mistakes, since making mistakes is human, and all that is required from a human being is that he/she should make a serious effort to distinguish right from wrong and avoid mistakes by making use of accumulated human knowledge and experience about the matter at hand. Many precedents can be found in the lives of the Prophet and the early Caliphs about decisions made according to the majority even when the decision differed from the leader's wishes. Islam teaches that the individual must stick to the collective opinion of the community (*al-Jama'a*) and that can only be identified through the majority. A tradition of the Prophet urges the individual to follow the largest possible majority (*al-sawad al-a'zam*) in case of a serious split (reported by Ibn Hanbal and Ibn Majah).

Shura as a Foundation Block for an Islamic Theory of Democracy

By Louis Cantori

Shura is a complex concept. It is a theological concept (Quran, XLII), it is also a process as in "consultation" and it is a political institution as in majlis al-shura. There is much about the concept of shura that lends itself to empirical as opposed to theoretical analysis. Therefore it has the potential for being a part of an empirical theory of Islamic democracy in contrast to an abstract theory. It offers an opportunity for institutional concreteness in a discussion of an Islamic theory of democracy dominated by not only abstractness but also assumptions drawn from the European Enlightenment e.g. one man, one vote, secularism, individualism etc. These assumptions need to be looked at critically in any effort at an Islamic theory of democracy.

Shura as a process and as an institution is present in *sira*, the Constitution of Medina, al Marwardi and Ibn Khaldun. The historical concept of shura and the contemporary practice of shura centers on groups and the leaders of these groups. These groups, whether they be clans, tribes or occupational associations are consulted as members of the *ayyan* or *khassa*. They are emblematic not of an unwarranted "orientalism" (whatever meaning one might attach to this polemical term) but of a political truism of elitism, that of the "iron law of oligarchy" characteristic of

all societies e.g. the selection of candidates for the American presidency in 2000 by money and not by votes.

In addition, shurocratic democracy is also not competitively pluralistic. The latter kind of pluralism present in Western democratic theory is horizontal in its political dimensions whereas shurocratic democracy is vertically consultive with the state. It expresses the corporatism (*takafuliyya*) of Islamic society. Shurocratic democracy is organic in character and expresses *ijmaa* and *asabiyya*. Western pluralism, on the other

"In addition, shurocratic democracy is also not competitively pluralistic"

hand is at best "hizbiyya" and at worst *fitna*. The *ayyan/khassa* negotiate with the state on matters of stability and change on the one hand and "consult" with the masses on the other. They do so either informally, via the media or by often non-competitive elections perhaps best characterized not as "elections" but rather as plebiscites. The suggestion here is that perhaps democratic Islam can express representativeness not only in parliamentary elections but also via the informal consultation that in fact characterizes some of the politics of the Middle East at present e.g. the "dialogue social" of contemporary Morocco.

If the foregoing argument about the elitism of shurocratic democracy has any truly democratic potential, it would have to be on the basis of the transformation of the elite. Islamic values would have to govern elite behavior so that on analogy of the role of "Asian values", the elite of the Middle East can be transformed from self seeking and corruption to Islamic social responsibility and model leadership.

Islam and Democracy

John L. Esposito and John O. Voll (Oxford: Oxford University Press, 1996), 232 pages, index, cloth. Reviewed by Prof. Charles E. Butterworth, Department of Government & Politics, University of Maryland

The question these days is why democratization does not exist in Muslim nations to the same extent as

within Western ones, and the answer usually probes for ways in which Islam differs from either Judaism or Christianity. Yet momentary reflection should give pause. Judaism and Islam have many features in common, from the prominence of the divine law to the refusal to accord the prophet divine status. Esposito and Voll avoid such a pitfall as well as that of attributing the difference to Western peoples' nonadherence to the given faith, to a secularist mentality. Rather than trace the peculiar revolution in thinking that occurred in the West, and only in the West, from the end of the fifteenth century until the late eighteenth century and thus point to the way ideas influence action, they emphasize the vestiges of democracy to be found in nations adhering to Islam.

Carefully attentive to the facts, to what occurs in polities that either proclaim themselves Islamic or must be so considered because the majority of their citizens are Muslim, the authors emphasize the presence of democratization or vestiges of nascent democratization. Unlike Olivier Roy, they find political Islam anything but a failure; and their vista includes Tunisia, Egypt, Sudan, Jordan, Saudi Arabia, Pakistan, Malaysia, and Indonesia. They also find it somewhat democratic. Where democracy does have difficulty taking root, they explain the phenomenon by factors having more to do with history, economics, and politics than Islam.¹

Starting from the observation that "even in medieval Islamic civilization, in the era of the great Muslim empires of the Umayyads and the Abbasids, non-state structures with important functions in the life of religious faith and action developed" (4), Esposito and Voll seek to explain why Islam is not antithetical to democracy. Casting the reformers of the 19th and early 20th centuries as modernists, they urge that these activists were looking for structures that would not jeopardize Islam and

thus were not desirous of turning back the clock (5-6). They arrive at such an understanding of Islamic reform, even the reform of recent times, because they look at the particular political phenomenon in a global context while paying special attention to the opinions of the Islamic peoples they seek to explain.

With an eye to the fundamental precepts of Islamic teaching, Esposito and Voll investigate how recent Muslim reformers have proclaimed a basic agreement between the principles of Islamic government and those of democracy. They pay special attention to *Abu al-A'la al-Mawdudi* and his account of how sovereignty within Islam is rooted in the principle of divine unity or *tawheed*. This, coupled with the idea that each individual human being is on earth as a vicegerent — that is, a *khilafa* — of God and thus obliged to carry out His prescriptions to the extent possible, distinguish Islamic political thinking from Western notions of popular sovereignty and untrammelled freedom (21-24).

Yet even the most dedicated proponents of the people's will admit some limits to that will. Though our authors do not consider how fundamental a positing of the conditions for living together in community is to any comparison between the two systems, they turn to yet other Pakistani thinkers — Muhammad Iqbal, Fazlur Rahman, and Khurshid Ahmad — to show how the principles of consultation (*shura*), consensus (*ijma*), and interpretative judgment (*ijtihad*) embody many of the precepts of democratic practice and theory (25-30). Insofar as these principles are rooted in Islamic jurisprudence, nothing in Islam forbids democracy.

Indeed, many features of Islamic doctrine and practice are perfectly consonant with democratic rule. While opposition that arises as a threat to rulership (*fitna*) is no more tolerated in Islamic government than in any other polity, opposition as difference of opinion (*ikhtilaf*) about particular policies is perfectly acceptable (33-46). Evidence of toleration, the cornerstone of civil religion according to Rousseau,² is to be found in the freedom Islam has traditionally accorded Jews and Christians

— "the people of the Book" (46-48).

Broad, even somewhat elastic, these concepts provide at best merely the foundations for democratization. One must still wonder what evidence of democratic Islamic polities or Islamic movements tending towards democracy can be mustered. In response, Esposito and Voll offer six case studies. Two — Algeria and Egypt — are instances of Islamic movements or groups having been declared illegal that now function as militant opposition forces. With two others — Malaysia and Pakistan — the Islamic movements or groups represent the loyal opposition and are fully incorporated into a flourishing parliamentary system. In the final two case studies, Iran and Sudan, Islamic movements have come to full power.

The cases are well chosen and such as to oblige our authors to draw mixed conclusions. Though democracy is not to be found everywhere in the world of Islam — indeed, out and out opponents of it are sometimes to be found, as in Saudi Arabia — it does sometimes flourish. What is more, the cases of Pakistan and Malaysia show that the secular character of democracy can be tempered, that democracy need not be opposed to religion. That raises the question of why successive regimes in Tunisia have chosen to act so anti-democratically in suppressing Islamic political movements that claim to be democratic.

In sum, John Esposito and John Voll have provided an excellent portrait of the status of democracy in Islamic world today. Their deep understanding of Islam, familiarity with Islamic culture, and solid knowledge of Islamic history make their exposition highly readable and most persuasive. Scholars, students, and even the generally interested public will learn from it.

NOTES

1. For a similar point of view, see the articles of Ghassan Salamé, Aziz al-Azmeh, John Waterbury, Jean-François Bayart, and Abdelbaki Hermassi in Ghassan Salamé, ed., *Democracy Without Democrats? The Renewal of Politics in the Muslim World* (London: I. B. Tauris Publishers, 1994).

2. See Jean-Jacques Rousseau, *On the Social Contract*, Bk. 4, Chapter 8, end.

First Muslim US Ambassador

On August 17, in the Benjamin Franklin Room at the Department of State, Osman Siddique was sworn in as U.S. Ambassador to the Fiji Islands (Fiji, Nauru, Tonga, and Tuvalu). Ambassador Siddique, with his wife Katherine by his side, spoke with pride about being the first South Asian to serve the United States as ambassador. Ambassador Siddique emigrated from Bangladesh to the United States about 30 years ago, when he attended Indiana University as a penniless, but highly motivated and determined, student. His determination and hard work led him to success as an entrepreneur; he is Chief Executive Officer of ITI-Travelogue in Virginia. During the ceremony, he paid tribute to the United States, which, he said, is a land of opportunity in which anyone who works hard and plays by the rules can be successful.

Ambassador Siddique is the first Muslim ambassador to be posted to a foreign country. Hasan Nemazee, also a Muslim, has been nominated as U.S. Ambassador to Argentina. His nomination has not yet been considered by the Senate.

Thomas Pickering, U.S. Under secretary for political affairs, presided over the ceremony. Pickering has been an ambassador eight times and holds the State Department's highest rank. The swearing-in ceremony was conducted with both a Bible and a Quran. A large entourage of friends and relatives were in attendance, including Ambassador Siddique's four children.

Sana Abed-Kotob



You are Invited:

All CSID Directors will participate in a Roundtable Discussion on:

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Friday, November 19, 1999, 2:00 PM to 5:00 PM, in the McKinley Room, at the Marriott Wardman Park Hotel, in Washington DC., in conjunction with the MESA '99 Conference. We hope to see you there.

New CSID Directors

Tamara Sonn is the Kenan Professor of Religion and Professor of Humanities at the College of William and Mary. She has a B.A. in Philosophy from the University of Santa Clara, an M.A. in Philosophy from the University of Toronto, and a Ph.D. from the University of Chicago in Near Eastern Languages and Civilizations. Her areas of specialization are Islamic intellectual history and Islam in the contemporary world. Professor Sonn's books include *Between Qur'an and Crown: The Challenge of Political Legitimacy in the Arab World* (Westview, 1990), *Interpreting Islam: Bandali Jawzi's Islamic Intellectual History* (Oxford, 1996), *Islam and the Question of Minorities* (Scholars Press, 1996), and *Comparing Religions through Law: Judaism and Islam* (with J. Neusner; Routledge 1999), and *Judaism and Islam in Practice* (with J. Neusner and J. Brockopp; Routledge 2000). She has contributed chapters and articles to numerous books and journals, as well as Oxford Encyclopedia of the Modern Islamic World and Colliers Encyclopedia. Dr. Sonn has lectured in Europe, the Middle East, Africa, and Asia. She has received grants from the United States Institute of Peace and the American Council of Learned Societies, among others. She is a member of the board of directors of the American Council for the Study of Islamic Societies, former vice president of the Eastern Division of the American Academy of Religion, and associate editor of the Middle East Studies Association Bulletin, Muslim World, and American Journal for Islamic Social Science.

Sana Abed-Kotob was born in Jerusalem and came to the United States during her youth. She received her education at Cleveland State University (BA 1980) and the University of Maryland, College Park (Ph.D. 1992). From 1980 to 1984, Sana taught at the Friends Girls' School, in Ramallah, Palestine. Sana's graduate work was in International Relations and Political Economy. Her dissertation on Egypt's contemporary political and economic conditions was based on five months of field research in Cairo in 1991. In March 1999, Lynne Rienner published a book that Sana coauthored with Denis Sullivan, titled **Islam in Contemporary Egypt: Civil Society vs. the State**. The book gives an overview of the growth of the Islamist movement in Egypt, outlining theoretical and practical differences among the various factions, and analyzing the political and legal steps taken by the Egyptian government in response to the growth of political unrest. Sana is currently writing another book on Egypt, this one examining the influence of specific political and economic indicators on the frequency of political protest in the country. She is also writing a chapter on the philosophies of Zaynab al-Ghazali al-Jubayli and Malak Hifni Nasif (pen name: Bahithat al-Badiyyah), two Egyptian women who address(ed) women's rights issues from differing Islamic perspectives. From 1994 to April 1999, Sana worked for the Middle East Institute (MEI) in Washington, DC. In April, Sana joined the U.S. Information Agency. She is a program officer in the North Africa, Near East and South Asia Branch of the Office of International Visitors.

Interview with:

Lord Ahmad

First Muslim member of the British House of Lords.

Q. *Please tell us a little bit about yourself and how you came to this point?*

A. My name is Nazeer Ahmad, I am 41 years old, married with three children (all grown up). I was born in Azad, Kashmir. I came to England when I was 11 and a half with my mother, because my father worked in steel factories in England. I was educated in England and I joined the labor party 25 years ago. I started as an elected student president of all the colleges. Since then, I became active at national, regional, and local levels and, *alhamdulillah*, I was appointed in the House of Lords. I am also elected counselor in local government and I was appointed magistrate in 1992. I was the youngest magistrate and I am one of the youngest members in the house of lords. So, *alhamdulillah*, Allah has been on my side. In fact, most of what I have is because of my prayers, but I believe that I have a mandate from the people because a lot of people like what I say. I say what I believe which is right in the interest of people. I am a Muslim, and I think that there are a lot of things which are compatible with Islam. For instance, if you are talking about feeding the poor, eradication of poverty, helping people with education and social services, looking after the environment, looking after people's health, etc.. this is all Islamic. I feel that there is very little which I do which is in sort of opposition to Islam, and in those instances, usually the political parties would give you the right to vote according to your conscience. So, there is a free vote, you vote in accordance with your religious beliefs and faith. So I don't have any



difficulty. I say very proudly that I belong to the labor party, and everything that the labor party stands for is all in Islam. Where we have any differences, like on homosexuality, I say it very openly. I believe it is wrong and therefore I will oppose it, and people respect me for that. But on the issues of equality and fairness, justice and solidarity of all people, I support the government and the government supports me. It works both ways.

Q. *Can you tell us about the status of the Muslim community in Britain and what it has achieved so far, and its aspirations for in the future?*

A. Well, it is a new community in Britain. We have about 2 million Muslims in Britain, mainly from India, Pakistan, and Bangladesh. We have about 160 Muslim elected counselors, and dozens of mayors. In fact, the biggest celebration in this century is going to be the millennium celebration, and the millennium mayor happens to be a Muslim, *alhamdulillah*. Not only that, we have one member of parliament and two members in the house of lords. We both took oath on the Qur'an. We have two full-time Muslim schools funded by the government, and inshallah we will have more in the future. Our achievements have been such that the government now consults with the Muslim community and takes it seriously. We have access into the home office, the foreign commonwealth office, the fisheries and food department. In prisons and probations, we have been

able to appoint one Muslim advisor who is paid just to advice on Muslim issues; to make sure that Muslim inmates get Halal food, and have facilities for prayers, etc.. I asked the foreign commonwealth office to extend the consulate office to Mecca, Medina, and Arafat, and they have agreed to do that and I think that would be great. As a British Muslim, I feel I would be proud to have the Union jack flying in these places and to have Muslim and Muslimah with Hijab standing there serving Muslim people.

Q. *On the question of Islam and democracy, there are Muslims who think that Islamic thinking, that all powers belong to Allah, and democracy, where the people make up laws as they go, are incompatible. What do you think about this?*

A. I think that democracy actually comes out of Islam, because democracy is where people are consulted and people choose. If we go back to the days of prophet Muhammad (saws), he used to consult with the Muslims, and there are some examples when prophet Muhammad changed his mind after consulting with his colleagues. Even though prophet Muhammad (saws) received the guidance from Allah, and whatever he says we should follow, without any consultation or disagreement, there are many instances when the prophet consulted with the people in running their daily affairs. Not only that, but there was a proper system put in place when he died and the Khalifas took over and they were elected by the people. They were not appointed by Allah (swt) or by the prophet (saws). In a democracy, we have political structures, that work in a democracy, on how we evolve our thoughts and ideas into practicalities. I joined the labor party because that is more compatible with my religious beliefs. As I said before, health, education, social services, environment,

continued on page 12



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P. O. Box 864, Burtonsville, MD, 20866

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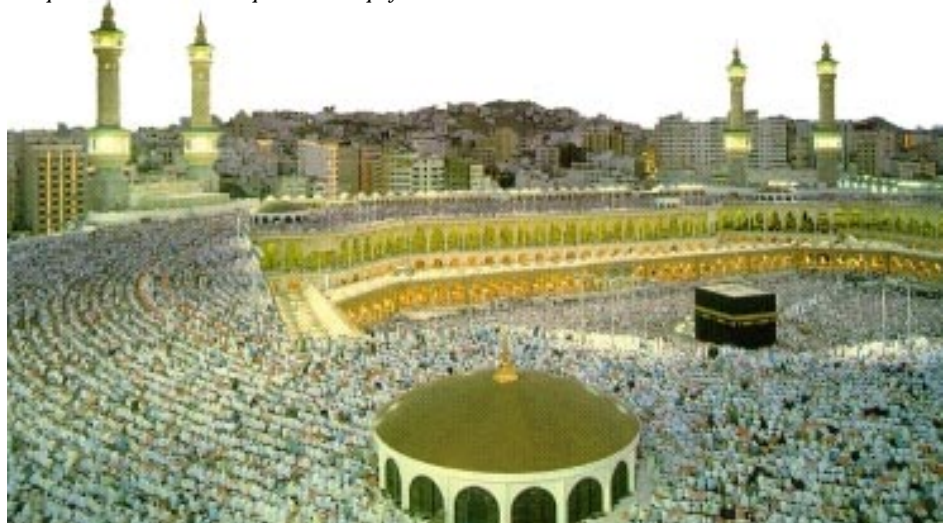
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Lord Ahmad, continued from page 10

etc. are all Islamic issues. If I am discussing with my colleagues or consulting my brothers and sisters, then surely that is Islamic. The whole concept of democracy and consultation is from within Islam. There may be things in a democracy that you don't like but tell us what is the perfect system. I don't like to say it but why was there wars between Hazrat Aysha and Hazrat Ali or between Muawia and Hussein. It is all because of power and all because of governance. So if there was a system in those days to resolve these disputes, we would not have had those wars and loss of life. Now, I am not judging who was right and who wrong because I leave that to Allah (swt), but what I am saying is that it is the interpretations of individuals and to me, democracy is the best system right now. If any body comes out with a better system, let us debate it, let us talk about it. But I am sure that what we have now is the best that we can think of.

CSID MISSION STATEMENT

The Center for the Study of Islam & Democracy (CSID) is a membership-based non-profit (501-c-3) research organization based in Washington DC. CSID is dedicated to the study of the relationship between Islam and democracy, especially how they contribute to the realization of just and prudent government. CSID proposes to sponsor meetings, seminars, conferences, and workshops that will be open to anyone interested and qualified to explore these themes. CSID will also publish periodicals relating to the foundations of sound government: Conflict resolution, political participation, and a strong civil society. Its membership is open to Muslims and non-Muslims alike.

Directors take part in live TV program on Islam & Democracy

On Wednesday, June 30, the Voice of America TV program "**International Exchange**" invited two CSID directors to participate in a live TV discussion on "Islam & Democracy". Mr. Hesham Reda and Prof. Charles Butterworth spoke, in Arabic, on their views about compatibility between Islam and democracy, and the need for greater discussions and debates on this very important issue. They answered questions from a worldwide audience, including people from Britain, Egypt, Jordan, and Australia. For a copy of the videotape, please send \$10.00 to CSID, and mention the June 30 program.



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