

Muslim Democrat

www.islam-democracy.org

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

Volume 2, No. 3, November 2000

In This Issue:

1 *Sharia in Nigeria: Between Democracy & Globalization*

3 *Have Muslims Arrived?*



4 *Elements of Government in Classical Islam*



7 *Secularism and Freedom of Religion in Turkey*



9 *American Muslims Must Participate in Political Process*

9 *American Muslims: Toward Engagement & Empowerment*

10 *Call for Papers*

10 *Conference Announcements*

11 *Membership Form*

12 *CSID Mission Statement*

Sharia in Nigeria:

BETWEEN DEMOCRACY AND GLOBALIZATION

In May 1999 a new President was sworn into office in Nigeria — the first elected civilian President of Nigeria since the military coup of 1983. Retired General Olusegun Obasanjo was also the first non-Muslim to be popularly elected President nation-wide since Nigeria's independence.

Nigeria is the largest concentration of Muslims on the African continent. It has more Muslims than any Arab country, including Egypt. In the fifteen months (approximately) since Olusegun Obasanjo became President, some predominantly Muslim states in the Nigerian federation have taken steps towards implementing the Sharia in their own states, although the country as a whole is supposed to be a secular republic. This has caused consternation among non-Muslim Nigerians. Indeed, in Kaduna state, this Christian consternation exploded into inter-communal riots which cost hundreds of lives earlier this year. But the momentum for SHARIACRACY still continues.



by Ali A. Mazrui
Chair, CSID

Many different reasons have been advanced for the rise of Sharia advocacy and Sharia implementation in Northern Nigeria. One explanation is that the Nigerian federation is getting more decentralized, and part of the decentralization is taking the form of cultural self-determination. In Yorubaland this cultural self-determination is taking the form of Yoruba nationalism. In Igboland it is taking the form of new demands for confederation. In the Muslim North cultural self-determination is taking the form of SHARIACRACY.

Another explanation for the rise of Sharia militancy is to regard it as a political bargaining chip. As the North is losing political influence in the Nigerian federation, it is asserting new forms of autonomy in preparation for a new national contract among contending forces.

What has not been discussed is whether the rise of Sharia militancy is itself a consequence of globalization. One of the repercussions of globalization worldwide has been to arouse cultural insecurity and uncertainty about identities. Indeed, the paradox of globalization is that it both promotes enlargement of economic scale and stimulates fragmentation of ethnic and cultural scale. The enlargement of economic scale is illustrated by the rise of

the European Union, and by the North American Free Trade Agreement (NAFTA).

The fragmentation of cultural and ethnic scale is illustrated by the disintegration of the Soviet Union, the collapse of Czechoslovakia into two countries, the rise of Hindu fundamentalism in India and Islamic fundamentalism in Afghanistan, the collapse of Somalia after penetration by the Soviet Union and the United States, and the reactivation of genocidal behavior among the Hutu and Tutsi in Rwanda and Burundi.

Because globalization is a special scale of Westernization, it has triggered off identity crises from Uzbekistan to Somalia, from Afghanistan to Northern Nigeria. Fragile ethnic identities and endangered cultures are forced into new forms of resistance. Resisting Westernization becomes indistinguishable from resisting globalization. In Nigeria, the South is part of the vanguard of Westernization and therefore the first to respond to globalization. When, in addition, the South appears to be politically triumphant within Nigeria, alarm bells are sounded in parts of the North. This may not necessarily be Northern distrust of Yoruba or Igbo cultures. It may be Northern distrust of Westernization. Is Southern Nigeria a Trojan horse for globalization? And is globalization in turn a Trojan horse for Westernization?

The Sharia under this paradigm becomes a form of Northern resistance — not to Southern Nigeria, but to the forces of globalization and to their Westernizing consequences. Even the policy of privatization of public enterprises is probably an aspect of the new globalizing ideology. Privatization in Nigeria may either lead to new transnational corporations establishing their roots or to private Southern entrepreneurs outsmarting Northerners and deepening the economic divide between North and South. Again the Sharia may be

Continued on Page 12

British House of Lords Honors Ali Mazrui

On Wednesday, June 14, 2000, Professor Ali A. Mazrui, Chair of the Board of CSID and Director of the Institute of Global Cultural Studies in Binghamton, New York, was the guest of honor at a special reception organized in his honor by the House of Lords, in London. The evening function was a well-deserved, and well-attended tribute to a man held in high esteem by people the world over.

In his introduction of Prof. Mazrui, **Lord Ahmed of Rotherham** said that “During the last four decades, Professor Mazrui has epitomized the best of Africa: full of vibrancy, bravery, enthusiasm and hope”. “Prof. Mazrui is a visionary — a man who refused to be held hostage by fashionable trends of the time and had the courage — and the talents — to articulate a perspective of not what life is all about now but what it should be like tomorrow”, Lord Ahmed added.

In a letter from the UN Secretary General, and read by His Excellency Dr. Yakubu Gowon, **Mr. Kofi Annan** wrote “It gives me great pleasure to join you in paying tribute to Prof. Ali Mazrui, a visionary African scholar and intellectual whose writings I have long admired”. **Dr.**

Salim Ahmed Salim, Secretary General of the Organization of African Unity (OAU) commented that “Prof. Mazrui has earned the respect of fellow scholars, policy managers, and the people of Africa in general for his independent thinking, creative articulation of ideas, and a profound elucidation of the African condition”.

Professor Mazrui and Lord Ahmed in the House of Lords

During the ceremony, Professor Mazrui gave a speech entitled: “**The English Language and Its Rivals: From Latin to the Internet**”. On the following day, Professor Mazrui gave a Keynote address at the Royal Society of Art and the British Broadcasting Corporation (BBC). The address was titled: “**Pretender to Universalism: Western Culture in a Globalizing Age**”

CSID Fund-Raising Dinner

The Center for the Study of Islam & Democracy (CSID) cordially invites you to attend our first annual Fund-Raising Dinner on December 15, 2000, at the Leavey Center, Georgetown University, Washington DC. The Keynote speakers will be:

Prof. Ali A. Mazrui, *Binghamton University, and CSID Chair*

Prof. John L. Esposito, *Georgetown University, and CSID Vice-Chair*

The program will start with Dinner (*Ramadan Iftar*) at 5:00 PM and will end around 8:00 PM. Please join us to support CSID and to meet many of the CSID directors and fellow members. CSID needs your help and contributions to continue its mission. Tickets are \$100.00/person, \$150/couple. All Donations are 100% tax deductible. Seats are limited, so please RSVP by calling 202.251.3036 or e-mail: radwan.masmoudi@gte.net

HAVE MUSLIMS ARRIVED?

Nearly a decade ago, Daniel Pipes published an article in the Atlantic Monthly titled “Muslims Are Coming, Muslims are Coming”. He was trying to incite fear and hostility towards Islamic resurgence by representing Muslim search for authenticity and self-identity as an anti-West movement threatening its core interests. A decade later, one must concede that his literal prediction has come true, Muslims have arrived, but the substantive content of their arrival is so far away from his predictions. Muslims have truly arrived in the US but not as enemies of democracy and freedom but as full participants in American democracy, relishing as well as defending its freedoms.

This year, for the first time in American history, both the Republican as well as the Democratic national convention for the formalization of the two parties Presidential candidates began with prayers by Muslims. The Republican convention was kicked off by a ‘Dua’ (Islamic prayer) by Talat Othman, the Chairman of the Islamic Institute, and a ‘Dua’ by Dr. Maher Hathout blessed the Democratic convention.

The dual recognition underscores not only the openness of the American system but importantly it indicates the growing political influence of American Muslims. At the Democratic convention alone there was one hundred Muslim delegates. A remarkable achievement for a community that is still debating whether Islam is democratic or if it is permissible to participate in American politics. Once an internal consensus is achieved, the

community with its current numbers and resources alone has the potential to become one of the most powerful domestic groups.

It is obvious that the momentum in favor of engaging in democratic politics is increasing within the American Muslim community. Not only are more and more Muslims registering to vote, Muslims are also actively engaging in politics on behalf of both major parties. In other full and partially democratic societies like India, South Africa, UK and Singapore, Muslims who are in minority are politically active and full participants in the system that gives them an opportunity to express and defend their special interests.

Very rarely are the twin questions; Are Islam and Democracy compatible? And Can Muslims participate in the political systems where non-Muslims are in majority? even discussed by the above mentioned Muslim communities. While Islamic political theory lags far behind, Muslim practices on these issues is setting the trend. With American Muslims joining in, it is becoming apparent that “in custom” democracy has become acceptable to Muslims. At this point let me remind the readers that “*urf*” or custom has always played a major role in developing Islamic legal discourse (*fiqh*).

Muslim intellectuals have so far not been able to advance a widely acceptable model of Islamic politics for our age. But it looks as if the people have become tired of waiting and recognizing the immediate benefits of political engagement, they are moving forward.



by **Prof. M. Muqtedar Khan**
Adrian College and CSID Director

Until the scholars can get over their circular arguments and deal with realities in a straight, forward, honest, practical and decisive terms, I recommend that Muslims everywhere and in particular in the West follow this simple principle:

While it may not be clear whether democracy as practiced in the West is representative of how an Islamic polity would look in our times, we do realize that Islam advocates universal participation. All Muslims are enjoined to do good and avoid evil and struggle to establish justice and order on earth. If participation through democratic politics gives Muslims in non-Muslim societies an opportunity to make some difference in the right direction then they should not hesitate.

It is not necessary that theory should always precede practice. I am convinced that the initiatives taken by the American Muslim community in the interest of Islam and the well being of Muslims will also pave open new directions of research and inquiry for Islamic political theory.

Hesham Reda Memorial Fund

So far, we have received \$5,000 in donations for the Hesham Reda Memorial Fund. Thanks to all those who donated to keep Hesham’s memory alive. Our goal is to reach at least \$10,000 for this fund. *Please* donate generously. All donations to CSID are *tax-deductible*.

COMPARING POLITICAL SYSTEMS:

ELEMENTS OF GOVERNMENT IN CLASSICAL ISLAM

Since the dawn of colonialism, people outside Islam have tried to classify it as distinctly anti-democratic and inherently authoritarian. These efforts have occasioned refutations and responses from the likes of Jamal al-Din al-Afghani (1883) and Syed Ameer (1922) to Rachid Ghannouchi (1990) and Mohammed Khatami (1998).¹ There is general agreement that the Orientalists are wrong about Islam, but differences of opinion remain in the Muslim community on the question of just what are acceptable forms of government in Islam. What qualifies as an Islamic form of government has been debated within the Muslim community since the demise of the Ottoman caliphate. While some have maintained the ideal of a single Muslim polity transcending regional and cultural differences, the majority have accepted the distinction between religious and political unity. But even accepting the need for localized governments within a spiritually or morally unified Muslim community, the question of the proper Islamic form of government remains open. The classical theories on this issue are the topic of this paper.²

Background

Unlike Judaism and Christianity, Islam developed from the very beginning in the context of political power. Prophet Muhammad left no detailed political theory nor institutions empowered to develop one. Classical Islamic theory, therefore, developed only gradually and in dialogue with actual political developments — specifically, the establishment of the caliphate, Islam's

classical form of government.

Institutionalization of the caliphate developed on an *ad hoc* basis, as Muslim sovereignty began to spread and the office of caliph, the head of the government, came to be a coveted prize. In 661 ce, following violent competition, the descendants of a leading Meccan family, the Umayyads, took control of the caliphate and established their headquarters in Damascus. Under their leadership, a distinction between specifically religious and coercive/executive levels of political authority became explicit. Damascus became effectively the political or administrative capital of the empire while Mecca remained the religious center. But still there was no theory upon which the government was based. Umayyad policy concerning their administration (particularly regarding matters of taxation) was generally to leave in place the system that had prevailed before Muslim conquest.

However, it soon became apparent, to some at least, that Umayyad leadership no longer was the model of wisdom and piety that Islamic leadership ideally symbolized. This recognition fostered the growth of opposition groups. Among them were scholars whose objections to Umayyad policies were based on what they perceived to be Islamic principles. It was only in this context that the Islamic community began to develop the foundations upon which to build political theory: the scholars' articulation of the components of legal reasoning, which gave rise to the four schools of Sunni Islamic law.³ The process began under the Umayyads and continued under their successors, the 'Abbasids, whose



Prof. Tamara Sonn
*The College of William and Mary
and CSID Director*

revolution was partially rationalized on the basis of the Umayyads' deviation from Islamic norms.

The Centrality of Law in Islamic Governance

Legal historian N.J. Coulson pointed to the key element of Islamic governance: the centrality of law. There has been agreement from the earliest days of Islam that the essential element in Islamic life is Islamic law. This is indicated first of all by the fact that the major effort of intellectuals was devoted to establishing the Islamic legal system. The contrast to Christianity is instructive. When Christianity became politically institutionalized in Rome in the fourth century, it devised a way to determine who was in fact a Christian by developing a creed, a list of beliefs. Whoever claimed to agree with the creed was a Christian and therefore a full citizen; those who rejected the creed were non-Christian and considered therefore a threat to the Christian community. In Islam, on the other hand, those who followed Islamic law were considered Muslim, while Jews and Christians were not only allowed but expected to follow their own law (provided it did not contravene Islamic law).

It is the centrality of law to Islam, in fact, that has allowed the Muslim community to remain coherent despite the political

upheavals that have marked virtually its entire history. Regardless of what was going on with the ruling families, the really critical work continued: developing the guidance and examples into practical law so that people could be guided in their daily lives. Highly motivated scholars took upon themselves the responsibility to draw out the implications of revelation for cases not directly covered in the sources, and to articulate the reasoning involved. Throughout the turmoil of the dynastic revolutions, it was the legal scholars who maintained continuity within the Muslim community.

Developing Political Theory

The centrality of law to Islamic life also explains the secondary status of political theory. The need for a comprehensive political theory apparently did not present itself until the early eleventh century, by which time the 'Abbasid caliphs were facing strong competition from regional usurpers, particularly in Egypt and even in Baghdad, the 'Abbasids' capital. It was this challenge that finally gave rise to a theory of government, that of Shafi'i jurist al-Mawardi (d. 1058).

Al-Mawardi's *Al-Ahkam al-Sultaniyya* was the first comprehensive work on the topic. It is essential to remember that al-Mawardi was working under the 'Abbasids, and in the context of serious challenges to their rule. It is not surprising in this milieu that he substantiated the legitimacy of the caliphate. (Had he not done so, it is unlikely his work would have been promulgated or even survived.) According to him, the office of the caliphate was established in order to continue the work of the Prophet both in his capacity as defender of religion and in "worldly governance."⁴ Al-Mawardi says it is necessary that someone hold this position.

Reason tells us that without political leaders, people would fall into chaos and savagery. Therefore, rational people agree to submit to some kind of authority. But revelation also confirms the need for political authority. Al-Mawardi quotes the Qur'an's command to "obey God, the Messenger, and those in authority among you." (4:59) For those who wondered about the legitimacy of the particular group in control at the time, al-Mawardi relates a hadith according to which the Prophet said, "Other rulers after me will rule over you, the pious according to his piety, the wicked according to his wickedness. Hear them and obey in all that accords with the truth. If they do good, it will count for you and for them. If they do evil, it will count for you and against them."



Professor Tamara Sonn speaking at the CSID 2000 Annual Conference, in Washington, D.C.

Because of this legitimation, some critics now call al-Mawardi a tool of the 'Abbasids. But a closer look at al-Mawardi's description of the leader's duties shows that his responsibilities are carefully circumscribed. According to al-Mawardi, the duties of the caliph fall into one of three categories: defense, treasury, and executive. He is to defend the community from attack (article 3), maintain frontier defenses (article 5), and wage war against those who refuse to either become Muslims or enter into treaty with Muslims (article 6). Regarding fiduciary responsibility, he is to collect both the alms payments required of all Muslims to be spent on the

needs of the community at large, and the legitimate spoils of wars (article 7). He is to fairly determine and pay salaries from the treasury (article 8), and make sure those he appoints handle treasury moneys honestly (article 9). Most importantly, he is to make sure that the established principles of religion are safeguarded (article 1), and that legal judgements and penalties are enforced (articles 2 and 4). Nowhere in al-Mawardi's description is the caliph accorded legislative or judicial authority. His authority is strictly executive/coercive.

How is the executive to be chosen? Al-Mawardi says that in his day most rulers are designated by their predecessors. But in case there were no designated leader, he said the community should come up with a group of candidates eligible for the position, and a group of electors to choose from among the candidates. And what are the ideal qualifications of this leader? He had to be sound of mind and body, of course, and ideally a descendant of the Prophet's family. (Again, this provision must be seen in context. Since the 'Abbasids claim to legitimacy rested on this lineage, al-Mawardi could hardly discount its importance.) He also says the caliph should be able to exercise *ijtihad* (independent legal judgement). But he also says that

the caliph can delegate certain tasks, and those associated with law are among them (undoubtedly another concession to existing reality). Another legal scholar, al-Juwayni (d. 1085), put it the other way around. The legal scholars do not get their authority from the caliph, al-Juwayni says; the real authority in the community belongs to the legal scholars in the first place. So the caliph could be a *muqallid* (follower of precedents, rather than an independent thinker) so long as he consulted the scholars. Either way, the first element of Islamic government in the classical theories is that executive authority is distinguished from legal authority, and may

even ultimately derive from it.

Three centuries further into Islamic history, Hanbali jurist Ibn Taymiyya (d. 1328) essentially confirms the distinction between the authority of the scholars and that of the executive authorities. He also notes that there is no official form of Islamic government. “The general and particular features of the various positions of authority...are not defined in the Shari`ah,” he says. They depend “on various opinions (*alfaz*), circumstances (*ahwal*), and custom (*urf*).”⁵ In his day, he says, in Syria and Egypt the military act as executive authority. They carry out legal punishments and certain limited litigation in cases where there is no evidence, leaving the legal authorities to deal with cases where there is documentary evidence. In the Maghreb, on the other hand, he says that the military has no juridical authority and acts solely as executive to the judiciary. The nature of executive authority may vary from place to place, depending upon circumstances. But legal authority — articulating and adjudicating the law — remains not only distinct from the vagaries of executive administration, but logically primary.

The next question, then, concerns the identity of these scholars or legal authorities who are so important in Islamic governments. Who are they and how do they get to be in positions of such authority? And what is the extent of their authority? According to the classical sources, anyone can enter the ranks of the *fuyaha*, provided one is willing and capable of undertaking the study of language, logic, and tradition required to qualify among one’s peers. Al-Shafi’i says the well-informed scholar is one fully acquainted with the Qur’an, the Prophet’s example as reported by authoritative sources, and decisions made by earlier generations through consensus.⁶ These qualifications can be achieved by anyone with sound judgement (*dhu’l-ray*) and good character, he says.

Wael Hallaq argues that the very science of jurisprudence was developed precisely to

set out the procedures whereby anyone with proper training could participate in this branch of the government:

The primary objective of legal theory...was to lay down a coherent system of principles through which a qualified jurist could extract rulings for novel cases. From the third/ninth century onwards this was universally recognized by jurists to be the sacred purpose of *usul al-fiqh* [the roots of Islamic legislation].⁷

In this sense — that legal scholars are essential to Islamic government and that theoretically anyone could become a scholar — Islamic government could even be considered populist. Others have called it elitist, due to the degree of training required to become a qualified scholar. Whether populist or elitist, legal scholars are the core of Islamic government in the classical sources.

Conclusion

The classical Sunni sources agree that there is a distinction between the legal and executive branches, that the legal branch is logically prior, and that it is technically open to anyone willing to undertake the training to qualify. Do these principles have any relevance for today’s discussions of the nature of government in Islam? They do allow some comparison between the dominant Western forms of government and Islamic principles of government. What Westerners think of as the three branches of the government are split in classical Islamic theory between those who wield coercive power (the executive branch) and the legislative-judicial branch. The former has authority over matters of defense and is charged with managing the treasury according to the law as well as executing the laws and judgements of the legal scholars. But by far the greatest emphasis is given to the latter branch, particularly in its legislative capacity.

The essential element in Islamic government is that its laws are based on revelation. The essential element in Western government is that its laws are formulated by a representative body of citizens. In both cases, whether the law is based on revelation or not, the law is interpreted by human beings. There is, therefore, clear commensurability between the two systems. Nevertheless, the insistence that the ultimate source of legislation is divine and that any human effort at interpretation be limited by the norms of revelation makes Islamic governance unique.

¹ See Jamal al-Din al-Afghani, “Answer of Jamal al-Din to Renan” in Nikki R. Keddie, *An Islamic Response to Imperialism* (Berkeley: University of California Press, 1983):181-87; Syed Ameer Ali, *The Spirit of Islam: A History of the Evolution and Ideals of Islam* (London: Christophers, 1922); Rashid al-Ghannushi, *Fi’l-Mabadi’ al-Asiyasiyah li’l-Dimuqratiyyah wa Usul al-Hukm al-Islami* (The Principles of Democracy and the Fundamentals of Islamic Government). N.p: 1990; Mohammed Khatami, *Islam, Liberty and Development* (Binghamton, NY: Institute of Global Cultural Studies, Binghamton University, 1998).

² I will confine the discussion to Sunni sources, especially the works of al-Mawardi and Ibn Taymiyya, because they provided comprehensive treatments of the topic and are therefore representative of classical thought.

³See N.J. Coulson, *A History of Islamic Law* (Edinburgh: The University Press, 1964), ch. 2-3, upon which this account is based.

⁴The following account is taken from pp. 3-6, 14-15, and 19-20 of al-Mawardi’s *Al-Ahkam al-Sultaniyya*, translated by Bernard Lewis in *Islam*, Vol. I: *Politics and War* (New York, Hagerstown, San Francisco, London: Harper Torchbooks, 1974):171-79.

⁵ *Al-Hisbah fi’l-Islam*, Damascus 1967, p. 8.

⁶ *Islamic Jurisprudence: Al-Shafi’i’s Risala*, Khadduri’s translation, p. 306.

⁷Wael B. Hallaq, “Was the Gate of Ijtihad Closed?” in *International Journal of Middle Eastern Studies* 16(1984):5.

When Secularism Clashes with Freedom of Religion

Q. Please tell us a little bit about yourself.

My name is Merve S. Kavakci. I was born in 1968 in Ankara, Turkey. I graduated from Ankara College, and then studied for two years in Medical school before I was forced to quit, in 1988, because I chose to wear the Hijab (Islamic headscarf). At that time, I came to the United States and studied Computer Engineering at the University of Texas at Dallas. After graduating, I went back to Turkey and started working for the Virtue Party as the head of Foreign Affairs. I also completed the memorization of the Qur'an at the age of 27, and I am the mother of two.

In 1999, I decided to run for parliament at the age of 30. The State accepted my candidacy and I was elected to represent the Anatolian side of Istanbul. However, when I went to the National Assembly, on May 2, 1999, to take the oath, several members of the ruling party started making noises and tapping on the tables and shouting "get out". Although the ruling Social Democratic Party has only 150 seats, out of 550, Prime Minister Ecevit said that this was "a challenge to the State" because I was wearing a headscarf. He said that the parliament must "teach this woman a lesson"!

All of this occurred despite the fact that the dress code of the parliament does not mention anything about wearing a headscarf. On the next day, the media started attacking me morally and physically. About 20 cameras were stationed in front of

my house around the clock and followed me wherever I went. They even went to my children's school and shot some kids who were 'booing' my children, after the media people and the policemen told them that I had committed a crime against the State because I wanted to challenge the secular nature of the State.



M.P. Merve Kavakci was not allowed to take the oath because she wears a Hijab

I am officially still a Member of Parliament, but I am physically prevented from taking my seat in parliament. The government went as far as taking away my Turkish citizenship on the basis that I held dual citizenship (I am also a US citizen). But, *alhamdulillah*, I regained my Turkish citizenship on Oct. 28, 1999.

Q. How can you explain the role of the media?



M.P. Merve S. Kavakci

We don't have a free media in Turkey. There are a few businessmen in Turkey who own all the media, all the TV channels, and all the newspapers, and they have close ties with the government and with the Prime Minister, as well as close ties with the powers-to-be. This small elite group are the only people who are happy with the system in Turkey. They don't mix with the real people, and they get to bid on all the major projects in Turkey. They own the phone system, the electric grid. So they work together in coordination with the government.

Q. What do they have against the Hijab? Why are they so threatened by women who wear the Hijab?

Hijab is the opposite of corruption. It means practicing religious beliefs and it means the end of corruption. They don't want the corruption to end. They are happy with the way things are. They don't care about the economy where inflation is about 100%. The country is suffering from very high inflation.

Q. So, in your opinion, they are not against the hijab because of ideological reasons?

I sincerely believe that they are not against religion. It's just a shield or an excuse. When Islamic principles govern, corruption has to end. Religious principles cannot coexist with injustice and stealing.

Q. Have they banned the Hijab on the streets in Turkey?

No, *alhamdulillah*, it's not like Tunisia.

Hijab is not banned in the streets, but it is banned in government offices. There is an official circular (article No. 657) that states that government officials have to have their hair uncovered. And there is another decree which applies to students in the University which was passed in 1980 by the High Educational Council. As a result of this decree, 37,475 female students have been expelled from schools for wearing the Islamic head-scarf, according to a well established human rights organization in Turkey (Mazlumder).

Q. Are there private universities that allow women to wear the headscarf?

No, private universities and even high schools do not allow women to wear the headscarf. So, you can't be a doctor, a teacher, a lawyer, or an engineer if you are a religious practicing woman. Approximately 23,733 teachers have been fired from their jobs also for wearing the headscarf.

Q. When they passed these laws, what did the religious scholars (Ulamas) say about them?

They can't say anything. Religion is under the control of the state. The State is secular, but secularism in Turkey is not the same secularism that we see in America or in Europe where the State and religion are separate. In Turkey, secularism has its own unique definition where secularism is used as a means of prevention of basic human rights and freedom of religion. Religion cannot interfere with the State but the State has all the rights to interfere and control religion. A very recent example of this is the law passed by the government which bans teaching Qur'an to children who are under the age of 12.

Q. When was this law passed?

Recently. Maybe a year ago. You cannot teach Qur'an to your children in your own house, in a mosque, or in a private preschool. Five or six months ago, they took five children, between 6 and 11 years old, to a police station with their

teacher because they were studying Qur'an in a mosque. We watched that on TV. The government wanted to close down the Foundation of Qur'anic Memorization (Hifdh) which teaches Qur'an to children.

Q. What is the justification for banning teaching the Qur'an to children?

They don't have to justify anything. The government, and the powers to be who are hiding behind it, simply give orders, and the Prime Minister himself is there just to obey orders. These people have an extremely twisted and distorted interpretation of secularism. In a country where 98% of the people are Muslim, the government bans the teaching of Qur'an to children on the basis that these children grow up to become a threat to the "secular system".

Right now, they have another draft law, called GHK, which gives authority to government officials to kick out anybody who has religion in his life, like praying, like having a wife with Hijab, and observing Islam in his or her personal life. A few months ago, they tried to pass a government decree for the same purpose but President Ahmet Sezer, refused to sign it twice on the basis that it contradicted basic human rights. So now, they are trying to pass this law through the parliament. This law will make being a conservative and practicing Muslim like the biggest threat to the system.

Q. Does their interpretation of secularism say anything about freedom of religion?

Let me be honest with you. What they want is people should not practice anything, or if they practice something, it should be in their own homes where nobody can see them. They don't want any practicing Muslim to have a visible and high-level position in the society. It is OK to wear the hijab if you are a farmer or a maid, to clean up the windows of peoples' homes, but you can't have a respected position in the society. They want religion out of public life.

Q. Don't they realize that secularism

means separation of religion and state, and that the State has no right to legislate or control religious practices?

No, my party, the Virtue Party, has been asking the government and parliament to make it clear what the definition of secularism is so that we know what we are facing to avoid being closed down again (for anti-secular activities). But the government has refused to provide a clear definition of 'secularism'.

Q. Is the majority of the Turkish people religious or non-religious?

The majority of the people respect each other. We have no problem with the Turkish citizens because even those who are not practicing Muslims respect the rights of others to practice their religion. We lived with the Jews of Spain and allowed them to practice their religion so how can we not allow the Muslim majority to practice their religion as they see fit. The only problem we have is with the small number of individuals who control the State and want to fight religion in the name of secularism.

Q. Does your party believe in secularism?

The Virtue Party wants a proper and true implementation of secularism, like we see in the United States and Europe. We do not want another Iran, but we also do not accept the misguided and twisted interpretation of the current rulers. In our opinion, secularism and freedom of religion go hand in hand. The State has no right to interfere or dictate religious interpretations or practices. Our struggle for religious freedom and tolerance in Turkey is no different than the civil rights movement in the US during the 1960's.

Q. Do you have any hope that this conflict will be resolved soon and peacefully?

Yes, I have hope. The young generation knows how to respect each other and they

AMERICAN MUSLIMS MUST PARTICIPATE IN POLITICAL PROCESS

By **Dr. Taha Jabir Alalwani**, Chairman of the American Fiqh Council, President of the Graduate School of Islamic and Social Sciences (SISS), and Director of the Center for the Study of Islam & Democracy (CSID). This Edict or Fatwa was presented at the first Conference for Islamic Leadership and Imams in Arlington, VA September 29 to October 2, 2000.



It is the duty of American Muslims to participate constructively in the political process if only to protect their rights and to give support to views and causes they favor. Their participation may also improve the quality of information disseminated about Islam. We call this participation a “duty” because we do not consider it merely a “right” that can be abandoned or a “permission” which can be ignored. It falls into the category of safeguarding of necessities and ensuing the betterment of the Muslim community.

Every legitimate means or tool that can help achieve these noble goals is similarly judged. This includes:

1. The nomination of any competent American Muslim for election to any post where his or her presence may ensure their bringing benefits to American Muslims and other citizens or preventing harm to them. These posts range from those of mayor, state governor and membership in educational and municipal councils all the way up to membership in the U.S. Senate and House of Representatives.
2. Self-candidacy by an American Muslim, if the initiative for his/her nomination is not undertaken by the community, or if election laws require this form of candidacy.
3. Adopting a non-Muslim candidate if he/she would be either more beneficial or less harmful to the American Muslim community and the rest of the country.
4. Providing financial support to a non-Muslim candidate. God, the Almighty has permitted righteous conduct and good relations with non-Muslims in exchange for nothing. So more support is permitted if clear and tangible benefits were to result from such support.
5. Obtaining American Citizenship. Such citizenship emphasizes the true diversity of this country and is a necessary condition for participation in the political process.
6. Registering to vote and participating in elections and voting are means to a goal. Hence, they are subject to the same legal ruling as their intended goal.

AMERICAN MUSLIMS:

TOWARD ENGAGEMENT AND EMPOWERMENT

The newly-founded Westchester American Muslim Association (WAMA) held its first annual conference on Sunday, October 1, 2000 at Sarah Lawrence College, Bronxville/Yonkers, New York. The event featured four panels comprising 13 eminent scholars and activists from all over the United States. The first panel was on “ISLAM, PLURALISM, DISSENT AND DEMOCRACY”, and included Dr. Radwan Masmoudi, Executive Director of CSID, Professor Sherman Jackson of the University of Michigan, and Dr. Louay Safi, Director of Research at the International Institute for Islamic Thought (IIIT).

The second panel was on “Gender, Human Rights, & Civil Society in Islam”, and comprised Sister Sameera Fazili, of the Muslim Women Lawyers for Human Rights (Karamah), Naveen Salem of AMC, and Professor Mandana Nakhai, from Concordia College in New York. The Keynote speaker was Professor Ali A. Mazrui, Chair of CSID, who spoke on “Being an American and a Muslim: A Tale of Two Commitments”. The afternoon panels covered topics related to: “US Muslims: Diversity and Unity” and “Muslim Mobilization and Civic Empowerment”.

The local community has been showering accolades and praises upon the organization (WAMA) for arranging such an impressive cast of Muslim scholars and activists at a single function. The conference also received front page coverage in the White Plains **NEWS JOURNAL**, the principal newspaper of Westchester County and its surroundings. This conference was a unique contribution in helping to raise the standard of Muslim discourse and debate in the United States.

The conference organizers plan to publish the proceedings of the conference. In addition to his keynote speech, Professor Mazrui will also write the preface. For more information on this conference, please contact Professor Taj Hargey at: hargey@mail.slc.edu



Islam and Democracy in the Contemporary Middle East



CSID will co-sponsor a panel on "Islam and Democracy in the Contemporary Middle East" during the Annual Conference of the Middle East Studies Association (MESA' 2000). The session will be held on Sunday, November 19, 10:30am-12:30pm, and will be chaired by CSID Director Prof. **Louis J. Cantori**. The panel speakers are:

Democracy as a Contemporary Implementation of Islam

M. Fathi Osman, CSID

Islam & Democracy

Tamara Sonn, College of William & Mary

Shura and Democracy

Taha J. Alalwani, Graduate School of Islamic & Social Sciences

Reconciling Western and Islamic Conceptions of Democracy: A Shared Democratic Elitism

Louis J. Cantori, University of Maryland, Baltimore County

Discussant: Augustus Richard Norton, Boston University

The Conference will be held at Disney's Coronado Springs Resort, Lake Buena Vista, FL (phone: 407 939-1000). For more information on the MESA conference, please visit:

<http://w3fp.arizona.edu/mesassoc/MESA00/mesa00.htm>

Notice to CSID Members and Fellows.

As required by CSID bylaws, there will be an Annual General Body Meeting, during the CSID Conference, on April 7, 2001. The purpose of this meeting is to review the goals and activities of CSID and to elect one third of the board of directors. We urge all CSID members and fellows to attend this important meeting.

If you are interested in running for a position in the CSID board of directors, please e-mail your candidacy to: radwan.masmoudi@gte.net or fax to 704.846.0629. Please submit a photo, a brief bio, and a 2-paragraph description of how you would like to contribute to the goals and mission of CSID. All directors must be fellows of CSID.

CSID Second Annual Conference:

CALL FOR PAPERS

The Center for the Study of Islam and Democracy (CSID), Washington, DC, was established in 1999 in order to provide a forum for the analysis and understanding of the relationship between Islam and democracy. On April 7, 2001, CSID will hold its Second Conference and Annual Meeting on the theme:

Islam, Democracy, and the Secularist State in the Postmodern Era

The conference will take place at Georgetown University in Washington, D.C.

The members of the program committee for this conference hereby issue a call for papers that address the conference theme in one manner or another. Please submit a 250 word or one-page proposal outlining the theme of the proposed paper by **January 15, 2001**. If the proposal is accepted, the committee will ask you to write a 1000-word (4 page) statement that summarizes the argument of the paper. It will be circulated in advance to all participants so as to facilitate informed discussion.

Please send the 250 word, one-page proposal by mail, e-mail attachment, or fax to:

Professor Charles E. Butterworth

Department of Government & Politics
3140 Tydings Hall, University of Maryland
College Park, MD 20742-7215

Fax: 301 314 9690

Email: cebworth@gvpt.umd.edu

Editorial disclaimer. All views and opinions published in *Muslim Democrat* belong to their authors, and do not necessarily reflect the views of CSID or its board of directors. CSID and the *Muslim Democrat* are not affiliated with the U.S. Democratic Party, or any other political party or organization.



Center for the Study of Islam & Democracy

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

Phone: 202-251-3036

Fax: 704-846-0629

www.islam-democracy.org

Board of Directors

Chair: Ali A. Mazrui

Vice-Chair: John L. Esposito

Sana Abed-Kotob

Abdulwahab Alkebsi

Taha Jaber Alalwani

Laila Al-Marayati

Jamal Barzanji

Charles Butterworth

Louis Cantori

John Entelis

Muqtedar Khan

Radwan Masmoudi

Ali Memon

Fathi Osman

Tamara Sonn

Executive Committee

Radwan A. Masmoudi

Executive Director

■
Ismail Obeidallah

Event Coordinator

■
Svend White

Secretary

■
Mahir Haroun

Treasurer

■
Maher Kharma

Membership Coordinator

**Please support CSID.
Become a Member today.**

**CSID Membership Form
2000**

Name: _____

Institution: _____

Address: _____

City _____ State _____ Zip _____

Tel.: _____

Fax.: _____

E-mail: _____

I would like to join CSID as:

- Student Member** \$35
- Member** \$50
- Fellow** \$100

- Newsletter Subscription** \$25
- Institutional Member** \$200
- Founding Member** \$1000
- Lifetime Member** \$2500

I also would like to volunteer for the following positions:

- A Director
- Newsletter Editor
- Journal Editor
- Program Volunteer
- Fund raising
- Book reviews
- Membership drive
- Local seminars
- Other _____

Please include my name in the CSID directory Yes No

I would like to make a tax-deductible donation of \$ _____

Tax-deductible Donation to **Hesham Reda Memorial Fund** \$ _____

Comments and/or suggestions:

please send membership form, with payment, to: CSID, P. O. Box 864, Burtonsville, MD 20866



CSID Founding Members

- ◆ Mr. Ahmad M. Khatib, Herndon VA
- ◆ Dr. Mohammed Fetrat, Newnan GA
- ◆ Mr. Sufyane Ennifar, Washington DC
- ◆ Prof. John Entelis, New York, NY
- ◆ Dr. Jamal Barzanji, Herndon, VA
- ◆ Mr. Hesham Reda, Washington DC
- ◆ Prof. Ali Mazrui, Binghamton NY
- ◆ Dr. Radwan Masmoudi, Silver Spring MD
- ◆ Mr. Ismail Obeidallah, Bowie MD
- ◆ Mr. Ali Nawaz Memon, Potomac MD
- ◆ Dr. Felix Pomeranz, Plantation, FL
- ◆ Dr. Jamil Fayeze, Clemmons, NC
- ◆ Dr. Louay Safi, Sterling, VA
- ◆ Dr. Fathi Malkawi, Herndon, VA
- ◆ Dr. Ahmad Jarrah, Robbinsville, NJ
- ◆ Dr. Fayzan Haq, Buffalo, NY
- ◆ Prof. John Esposito, Washington, DC
- ◆ Mr. Abdulwahab Alkebsi, Washington, DC
- ◆ Mr. Iftekhar Hussain, Malvern, PA
- ◆ Dr. Ahmad Youssef, Springfield, VA
- ◆ Dr. Ghulam M. Haniff, St. Cloud, MN
- ◆ Mr. Khalid J. Qazi, Depew, NY
- ◆ Dr. Hans-Christian Heydecke, Germany

Note: If you wish to support CSID by becoming a "Founding Member", please send your membership form by Dec. 31, 2000. The membership fee of \$1,000 is 100% tax deductible and will cover your membership fees for the next 5 years. Every Founding Member will receive a nice plaque as a token of appreciation for his/her support. We especially invite women to join as Founding Members to keep CSID as a gender-inclusive organization. Please **donate generously**.

Nigeria, continued from page 2

a Northern gut response to these looming clouds of globalization.

In Nigeria the Sharia is caught between the forces of domestic democratization and the forces of wider globalization. The struggle continues.

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.

Merve Kavakci, continued from page 8

are real democrats. People who really believe in democracy know that we have to tolerate each other, even if we don't look the same, pray the same, or think the same. And, because Turkey is now a candidate for membership in the European Union, the government will have no choice but to respect personal freedoms, and especially religious freedom. The Virtue Party supports membership in the European Union because it is the only way to have freedom(*).

M.P. Merve S. Kavakci is currently visiting Washington DC, and may be reached at: blmsky01@aol.com

** see related story next column.*

E.U. rebuffs Turkey

BBC-Friday, 20 October, 2000 -- The European Union's enlargement commissioner, Guenter Verheugen, has told Turkey it will not be invited to open membership talks next year.

Speaking in Brussels after a meeting with the Turkish deputy prime minister, Mesut Yilmaz, Mr. Verheugen said the country had failed to improve its record on human and minority rights, or to make progress on the status of Cyprus.

In what analysts say was a strong rebuke to his hosts, Mr Verheugen added he could not foresee negotiating with Turkey at all unless — as he put it — it was a different Turkey.

Center for the Study of Islam & Democracy

P. O. Box 864
Burtonsville, MD, 20866