AMERICAN UNIVERSITY OF ARMENIA

A STUDY ON THE COMPATIBILITY OF

ISLAM AND DEMOCRACY: THEORY AND PRACTICE

A MASTER'S ESSAY SUBMITTED TO

THE FACULTY OF THE GRADUATE SCHOOL OF

POLITICAL SCIENCE AND INTERNATIONAL AFFAIRS

FOR PARTIAL FULFILLMENT OF THE DEGREE OF

MASTER OF ARTS

BY

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YEREVAN, ARMENIA

NOVEMBER 2005

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November 2005

ACKNOWLEDGEMENTS

I would like to express my sincere appreciation to my faculty advisor Dr. Ashot Galoyan for his support and guidance throughout the research. I would also like to extend my appreciation to Dr. Danielian and all my professors who educated and encouraged me throughout my study at AUA.

My sincere gratitude goes to Dr. Khachik DerGhoukassian who initiated the idea for this study and encouraged me to follow up on this subject so close to my heart.

Special thanks to my friend Ani Sarkissian for all her advice and support, and for her patience in proofreading my draft and answering numerous questions regarding the subject of religion and democracy.

I would also like to express my deepest gratitude to my family and my friend (you know who you are) who were always by my side, cheering me on and keeping me right on track. Thank You.

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ABSTRACT

Whether democracy is compatible with Islam or not has been under discussion for more than a century. The issue has again come into focus in the wake of the war on terrorism, since the assumption is that terrorism is a consequence of undemocratic and authoritarian polities. Broadly speaking, two views have emerged in this regard. One view holds that democracy is a foreign Western concept and does not go along with Islamic teachings and hence Muslim countries have not been able to achieve democracy. The other view claims that democracy is not only compatible with Islamic teachings but also that Islamic polities in history have been democratic.

This essay studies these two divergant views, and comparing the general principles and ideas of both Islam and democracy, tries to answer the question of compatibility of these two.

Introduction

During recent decades, there has been much consideration over the relationship between Islam and democracy. Although the prevalent scholastic point of view is that Islam is compatible with democracy, however, there remain a significant number of those who view Islam as being antithetical to democracy. This study seeks to understand whether Islam is compatible with democracy by examining these two divergent views regarding Islam and democracy, and comparing the governments of two Muslim states- the Islamic Republic of Iran and the Republic of Turkey.

The increasing importance of the role of Muslim countries in world affairs has been increasingly emphasized by the international community in recent years. Today, especially after the terrorist attacks on the United States on September 11,2001, the international community has acknowledged that it cannot underestimate the role of Muslim states in world politics and that excluding these countries from the political mainstream of the world can have significant consequences. The Muslim world itself has acknowledged the necessity to change its image as being on the periphery of world affairs and rapidly integrate into the international setting of the world. For this, they are trying to find their way in this rush of modernization and democratization. This transformation is marked by clashes between the challenges of the twenty-first century and the persistence of tradition, which is a fundamental reality in the world of Islam.

The insistence by the western nations--with their democratic societies based on Judeo-Christian standards--that the Muslim countries become more democratic, raises the issue of whether and to what extent these countries can follow suit and democratize themselves without losing the essence of Islam.

To write a complete study of the compatibility of Islam with democracy in the Muslim world would require research and findings from numerous, if not all, Muslim countries and would need more time and resources than are available for this study. For this reason, this essay aims to study the democratization processes in Iran and Turkey, two large countries of almost 70 million people, each on the edge of the Middle East.

The Republic of Turkey and the Islamic Republic of Iran are successors of the Ottoman and Persian Empires respectively. Both empires played an important role in the spread of Islam and development of Islamic thought and culture. Both countries are Muslim majority states, but they do have some differences, for while Turkey is a Sunni majority country (approximately 68%) without an official religion, Iran is a Shia majority country (approximately 91%) with Islam being the official religion. These two neighboring countries are also in different stages of the democratization process. Turkey has already been 'given the green light' to begin talks for integration in the European Union, this pointing perhaps to a higher level of democratization, while Iran appears to have its own perceptions on democracy and the road to it.

Although these two countries are currently at different levels of democratic development, they both have one thing in common- Islam. Therefore, by studying their cases, we can deduce whether the religious ideology of Islam can be compatible and coexist with democracy in the contemporary world.

Research Questions

The following essay will try to discuss and answer the following research questions:

What are the major Islamic concepts that are compatible/incompatible with the general ideology of democracy?

Are Islam and democracy compatible/incompatible in theory as well as in practice?

Can Muslim countries democratize themselves without losing the essence of Islam?

In an attempt to understand and answer these questions, the essay has been divided into four chapters. The first chapter "Democracy" tries to define and give the general perceptions and principles of a political system of government that is being used and applied by many states today, and to which many others are striving. The second chapter "Islam" gives a brief and yet comprehensive history of one of the three major religions of the world, as well as underlining and explaining some of the major and fundamental principles of the religion. The third chapter "The Compatibility of Islam and Democracy in Theory" deals with revealing and comparing the two opposing views about the relationship of Islam and democracy. The fourth chapter "The Compatibility of Islam and Democracy in Practice: A Comparative Study of Turkey and Iran" is the logical continuation of the previous chapter. It begins with a brief historical overview of the aftermath of World War I in these two countries and carries on to discusses the current political and social developments, as well as major progresses and setbacks in the field of democracy. The fifth and final chapter is the conclusion, which sums up the previous four chapters, outlines the findings and answers the research questions.

Literature Review

Whether democracy is compatible with Islam or not has been under discussion for more than a century. Although the prevalent point of view in scholarly literature is that Islam is compatible with democracy (Abootalebi, Ali 2000, Tamimi, Azzam 1998, Esposito, John L. and John O. Voll 2001, Lewis, Bernard 1996), there remain a significant number of those who view Islam as

being antithetical to democracy (Kramer, Martin 1996, El Affendi, Abdelwahab 2002, Eldabry, M. 2001, Taheri, Amir 2003, 2004). Islam provides a comprehensive framework through which Muslims perceive their role within Muslim society, their relations with Muslims and non-Muslims, their understanding of nation building (Al-Tantawi, Ali 2000, Mufti, Siraj Islam 2002, Gannouchi, Rashid 2002).

In <u>Islam and the Challenge of Democracy</u>, Khaled Abou El Fadl (2004) engages the reader in a rich discourse on the challenges of democracy in contemporary Islam. The author argues that democracy, especially a constitutional democracy that protects basic individual rights, is the form of government best suited to promoting a set of social and political values central to Islam. Because Islam is about submission to God and about each individual's responsibility to serve as His agent on Earth, there is no place for the subjugation to human authority demanded by authoritarian regimes.

Ali Mazrui (2003), author of <u>Islamocracy: In Search of a Muslim Path to Democracy</u>, concludes that some democratic principles have been part of Islam from the beginning - concepts like consultation (shura), interpretation (ijtihad) and consensus (ijma), and that these provide an Islamic basis for believing in the people to rule and judge rightly for themselves.

Amir Taheri (2003) in his article "Democracy in Arabia" points out the fact that it is undeniable that the transition to democracy in Muslim societies depends, as it does everywhere, on a pluralization and differentiation in society and a separation of powers in the state. Little of this process is uncharacteristic to the Muslim world. What is distinctive, however, is that such a transition remains impossible in the Muslim world unless a religious movement accepts and legitimizes these changes in the state and society supports it. Muslims can build democratic society provided they treat Islam as a matter of personal and private belief and not as a political

ideology that seeks to monopolize the public space and regulate every aspect of individual and community life.

In <u>Islam and Democracy in the Middle East</u> Larry Diamond, Marc F. Plattner, and Daniel Brumberg (2003) provide a comprehensive assessment of the origins and staying power of Middle East autocracies, as well as a sober account of the struggles of state reformers and opposition forces to promote civil liberties, competitive elections, and a pluralistic vision of Islam. In several chapters on Iran, the authors analyze the benefits and costs of limited reform. There, the electoral successes of President Mohammad Khatami and his reformist allies inspired a new generation but have not as yet undermined the clerical establishment's power. By contrast, in Turkey a party with Islamist roots is moving a discredited system beyond decades of conflict and paralysis, following a stunning election victory in 2002. Turkey's experience highlights the critical role of political Islam as a force for change. While acknowledging the enduring attraction of radical Islam throughout the Arab world, the concluding chapters carefully assess the recent efforts of Muslim civil society activists and intellectuals to promote a liberal Islamic alternative. Their struggles to affirm the compatibility of Islam and pluralistic democracy face daunting challenges, not least of which are the persistent efforts of many Arab rulers to limit the influence of all advocates of democracy, secular or religious.

Methodology

This study can be viewed as both explanatory and descriptive aimed at revealing different positions on the topic under study. The essay employs a comparative, historical, and qualitative methodology. It is based on secondary sources, such as scholarly and analytical literature on the

issues covered by the essay. Due to the large quantity of available sources on this topic, this essay incorporates only the most relevant materials from the fields of academia, journalism, and policy analysis. The position of different authors- both Muslim (Shia and Sunni) and non-Muslim- and specialists on the issue are considered in a comparative perspective to have a more complete understanding of the issue.

Chapter I: Democracy

The things that concern man most vitally are the most difficult to define. Who has ever succeeded to offer a definition of religion that would satisfy all creeds and all sects and all philosophers of religion? The difficulty is not less in every single religion, great or small. The subject of the relation of Islam to democracy would present further difficulties, because democracy seems to have become as indefinable as religion or love.

Democracy happens to be a transparent word, a word easily anchored to a literal, original meaning. Literally, democracy means "power of the people", that the power, the rule belongs to the people. However, a more precise definition is difficult to formulate because democracy is a dynamic entity, an ongoing human artifact that has acquired many meanings over the course of time (Sartori 1987, 7-18).

Although there is much debate and uncertainty about the exact definition of democracy, however, generally democracy, as defined in the New Webster Dictionary (1988), has come to be known as:

> "government by the people; especially, rule of the majority; a government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free elections; the common people especially when constituting the source of political authority; the absence of hereditary or arbitrary class distinctions or privileges". (417)

As illusive as its definition, opinions about the nature and value of democracy also have been divergent and contradictory, from the beginning of democracy up to the present times. Since democracy originated from Greece, western political historians usually start studying the history of democracy with Greek democracies, paying special attention to Athenian democracy as a typical institution. However, the most famous of the Greek political philosophers Plato and Aristotle considered it to be an irrational and disgraceful institution. The whole of Plato's

Republic is a monumental and elaborate thesis against Athenian democracy and the whole concept of democracy in general. He explained that social systems that are the foundation for a political system are hierarchical. Majority of human kind are born to serve others. Only the elite can rule. Hence, only a philosopher King is an ideal ruler (McClelland 2004, 25-49).

In his Politics Aristotle defines democracy as "rule by the mob". He did not believe in any fundamental equality of humankind. He states that the ends of human relationships have their places in a hierarchy of ends. Nature's pattern is the pattern of subordination according to Aristotle. He has asserted that Nature creates some human beings for slavery, and so slavery is a natural institution (McClelland 2004, 56-67).

Looking at medieval history also, we find democracy problematic. The Magna Carta, which is often claimed to be the starting point for democracy, was in fact the product of negotiations between the king and the landed aristocracy; it was a declaration that limited the authority of a king and protected the rights of the elite. It was not governed by the principle of liberty and equality. In the nineteenth and early twentieth century also, it was the aristocracy who ruled in the name of the people.

Democracy, in the twentieth century, is a word much used and even more misused. The Jewish Holocaust was carried out in the name of German democracy and Hitler was elected by an overwhelming free democratic vote. The Italian Fascists also believed themselves to be true democrats wielding power for the glory of the people. France, during the French Revolution, raised the slogan of Liberty, Fraternity and Equality, and then Napoleon, the Caesar of Caesars, was the outcome of it. Democracy has also turned up in the Spain of General Franco, the Greece of the Colonels, the Pakistan of the Generals, and the Eastern Europe of the Commissars.

Therefore, democracy, through its long and checkered history, has assumed many forms and shall in all probability assume many more forms in the future.

However, despite debates on its definition the truth remains that democracy hinges on the set of ideas and ideals that make it, uphold it in its makings, and that if misunderstood and mismanaged will unmake it (Sartori 1987, 7-18). The generally accepted principles of democracy include sovereignty of the people, representative government, constitutional limits on government, majority rule, protection of minority rights, guarantee of basic human rights, free and fair elections, equality before the law, social, economic, and political pluralism, a balance of power among the executive, independent judiciary and legislative branches of government and, above all, the rule of law. Therefore, a democratic system is based on values of tolerance, pragmatism, cooperation, and compromise. (Gregorian 2003)

According to Sorensen, there are four sets of preconditions that sustain democracy:

1. Modernization and wealth (economic level)-that is, higher rates of literacy and education, urbanization, the development of mass media.

2. Political culture- that is the system of values and beliefs that define the context and meaning of political action.

3. The social structure of society- that is specific classes and groups making up the society.

4. External factors- that is, the economic, ideological, political and other elements that constitute the international context for the processes that take place in single countries (Sorensen 1993, 26-28).

However, democratic institutions, and hence democracy, can emerge even when none, or very few of the aforementioned preconditions are present. Equally important is the fact that in

many countries different preconditions may exist that point in different directions: for example, cultural factors may be conducive to democracy while economic factors may not be.

Democratic institutions started to form in many western countries by the beginning of the 20th century. In reference to Samuel Huntington (1991) "these institutions emerged in waves of democratization". Three waves of democratization have occurred in the modern world. The "Third Wave," as Huntington calls it, encompasses the third and most significant spike in the number of democracies created, following those born after World War I (the "First Wave") and during post–World War II decolonization (the "Second Wave"). These recent periods of changes or transitions that began in Portugal and Spain in the mid-1970s, reached Latin America and East Asia in the 1980s, and crested following the dissolution of the Warsaw Pact and the Soviet Union. However the wave of democratization that has swept over many parts of the world during the past two decades has left the Muslim world and especially the Middle East struggling. It is the only region where authoritarianism appears to thrive. (15)

According to Brumberg and Diamond, since 1974, the absolute number of democracies in the world has nearly tripled, while the precentage of the world's states that are democratic has doubled. Democracy has expanded significantly in every other region of the world. In Eastern Europe and the former Soviet Union, the number of democracies has gone from none to 19, or 70% of the 27 states. In Latin America and the Caribbean, 30 of the 33 states are democracies. In Asia (excluding the Pacific Island states), the number of democracies has increased from five in 1974 to 12 in 2002, about half of the 25 states. Even in Sub-Saharan Africa, which came late to the third wave, the number of democracies has increased from three to 19, about two-fifth of the 48 states. Only in the Middle East and North Africa has democracy failed to expand in the past three decades (Brumberg and Diamond 2003).

Some analysts point to economic and social factors for this anomaly, such as low literacy rates, the states' economic independence from society, and the weakness of civil organizations and of the middle class (El-Affendi 2002). Others, however, search for 'cultural' reasons. Huntington summarizes that the obstacles to democratization "in the rapidly developing countries of East Asia and in many Islamic countries, are primarily cultural." (1991, 315). According to Sorensen "there appears to be only one major ideological opponent to the dominant idea of democracy and that is Islam." (1993, 127)

However, one should keep in mind that there are 43 countries in the world where the populance is predominantly Muslim. Of these, 27 are outside the Arab world, and seven among them (Bangladesh, Mali, Niger, Senegal, Indonesia, Turkey and Albania) are democracies. Further, non-Arab Muslim countries have witnessed considerable electoral competition over the last three decades, while the Arab world- with the sole exception of Lebanon for a few years before civil war broke out in the mid-1970s- has been none. In the light of this, to make the assumption that Islam as a religion presents a formidable obstacle to democracy would be incorrect. (Brumberg and Diamond 2003).Therefore, before coming to any conclusions regarding the relationship between Islam and democracy it essential to understand Islam as a religion, it's unity, diversity and culture.

Chapter II: Islam

Most people tend to think of Islam as exclusively a religion of Arabs. But Muslims are as diverse as humanity itself, representing one in five people in the world. Only 15 percent of the world's 1.2 billion Muslims are Arabs, while nearly one in three Muslims lives on the Indian

subcontinent. The largest Muslim nation is Indonesia, with 160 million Muslims among its 200 million people. Muslims represent the majority population in more than 50 nations, and they also constitute important minorities in many other countries. Islam is the second largest religion in France and the third largest in both Germany and Great Britain. (Gregorian 2003)

Islam, like Judaism and Christianity, is a prophetic religion. It, too, emphasizes God's relationship to humanity and reveals God's will through the medium of prophets- with warnings of punishment that will befall those who reject the divine message or are guilty of the cardinal sin of idolatry.

A Brief History of Islam

To understand Islam, one has to appreciate the central role of Prophet Muhammad ibn Abdallah (570–632 A.D.) in the formation and propagation of Islam as a religion. Muhammad was an Arab merchant, respected and wealthy, who belonged to the Qureish tribe in Mecca, then a great trading and religious center of pagan Arabia. Muslims believe that Muhammad, following God's instructions through the Archangel Gabriel, called humanity to a faith acknowledging Allah[1]. The faith was Islam, the Arabic verb meaning, "surrender" or "submission," as in surrendering to God's will[2]. Muslims believe that the Prophet Muhammad received divine revelations from 610 A.D., starting in the ninth lunar month (Ramadan), until his death in and that these oracles were transcribed during his lifetime and, within subsequent decades, were

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[1] Contrary to what many believe, Allah is not a new god, but simply the Arabic word for God—the God of Abraham, Moses, Jesus and Muhammad.
[2] Muslim is the active participle of the verb islam, meaning "I surrender."

officially collected in the Qur'an[3]. Muslims consider the Qur'an to be the revealed and eternal Word of God and believe that the Qur'an completes and perfects the revelations given to earlier prophets, including Moses and Jesus. Muslims maintain that Muhammad was the greatest prophet and that he was the last one.

The fundamental principles of Islam are *Towhid* (unity or oneness of God); *Nowbowat* (belief in the prophetic mission of Muhammad); and *Ma'ad* (belief in the Day of Judgment and resurrection). In addition, Islam has five cardinal tenets, called the Pillars of Faith, which all Muslims must observe. They must:

- bear witness (*Shihada*) that "there is no God but God, and Muhammad is his Prophet."

- pray five times a day as a regular reminder of their commitment to Islam. To symbolize the unity of the faithful, Muslims orient their prayers toward Mecca. Muslims must prostrate themselves in prayer, repeatedly touching their foreheads to the ground, to dispel arrogance and promote humility.

- give a portion of their income as tax (*zakat*) and one-fifth of their income (*khoums*) to the poor. The *zakat*, meaning "purification," is based on the concept that a society cannot be pure as long as there is hunger and misery.

- fast during the day for the whole month of Ramadan to experience hunger- that most visceral suffering of the poor.

- make at least one pilgrimage to Mecca (the city of the Prophet), if physically and financially able.

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[3] Qur'an is from the Arabic verb qara'a, meaning to recite, read or transmit. The Qur'an, which Muslims consider to be a supernatural text, has 114 chapters, suras, of varying lengths, from 3 to 286 lines, and they are arranged not in chronological or narrative order, but rather by their length, with the longest chapter near the beginning and the shortest chapter last.

In addition to the Qur'an and its Five Pillars, the study of Prophet Muhammad's life, known as the *Sunna*, became a part of the Islamic faith, law and theology. This occurred because Muhammad was considered to be the Perfect Man, and though he was not deemed divine, his life eventually became a source of inspiration and a guide to practicing Muslims. The Sunna, the oral history of the Prophet, is the second most important source of Islamic law, after the Qur'an. The third source is the *Hadith*, which consists of thousands of references to Prophet Muhammad's sayings and teachings that are documented through a reconstructed, uninterrupted chain of people, traced to his immediate family and entourage.

The entire body of Islamic law is called the *Shari'ah*, or Divine Law. The Shari'ah has five main sources: the Qur'an, the Sunna, the Hadith, legal analogies based on the Qur'an and the Hadith, and legal decisions that arise from consensus, in the belief that God would not allow the whole community to go astray.

The Qur'an singles out Jews and Christians as "People of the Book" and sets them apart from non-believers. After all, Jews and Christians, like Muslims, worshiped the transcendent God of Abraham. But the "Book" mentioned is not the Bible; it refers to a heavenly text, written by God, of which the Qur'an, according to Muslims, is the only perfect manifestation.

As in Judaism and Christianity, Abraham (Ibrahim), occupies a central place in Islam. Abraham is at the root of all three religions: just as Jews trace their lineage to Abraham and his wife Sarah, through their son Isaac, the Arabs trace their genealogy to Abraham and Hagar—Sarah's Egyptian maid—through their son Ishmael. In the Qur'an, Abraham is recognized as the first Muslim because he surrendered to God rather than accept the idolatrous religion of his parents. Muslims believe that it was Abraham and Ishmael (Ismail), who rebuilt Islam's holiest shrine in Mecca- the Kaaba, believed to be the oldest monotheistic temple.

Moses (Musa) is also considered to be a great prophet; his confrontation with the Egyptian pharaoh, his miracles in the desert and his ascension to the mountain to receive God's commandments are all acknowledged in the Qur'an. For Muslims, Jesus (Isa) is a great prophet and messenger of God- the promised Messiah who brought the Word of God and Spirit from Him. Jesus is considered the son of the sinless Virgin Mary (Maryam), who is mentioned more often in the Qur'an than in the Bible. Muslims believe that Jesus preached the Word of God and worked miracles; but like Jews, Muslims reject the Christian concept of Jesus as the divine Son of God. Muslims consider that blasphemy, for they believe there is only one divinity, God. The crucifixion of Christ is mentioned in passing only, and the Qur'an states that Jesus did not die, but was rescued by God and taken to heaven. In the end, Jesus and other prophets will descend to be at the final judgment. Muslims also believe that Jesus' true message had to have been distorted by his followers and that the Prophet Muhammad was sent to bring the definitive message of God.

By 632 A.D., when Islam was only decades old and just solidifying into a religion, almost all the tribes of Arabia had converted to Islam or joined Prophet Muhammad's confederacy. Within less than a century of Islam's birth, the Muslim community had grown by conquest into one of the largest empires—one that lasted longer and, indeed, was bigger than the Roman Empire. Unlike Christians, who consider the Church to be the mystical body of Christ, Islam did not sustain a centralized organization. Instead, Prophet Muhammad's Kulafah, Caliphs or successors, provided leadership, but succession disputes frequently arose and divided and redivided the faithful.

The debate over succession began immediately after Prophet Muhammad's death, for he had left no indisputable instructions about the rules of succession or whether spiritual leaders were

political leaders as well. Since Muhammad did not have a son, one faction (the *Sunni*) wanted the Caliph to be elected from the ranks of respected leaders in the *Ummah* (the Muslim community). A rival group contended that the leadership should be confined to the Prophet's immediate family and descendants. His closest surviving male relative was Ali ibn Abi Talib, who was both a cousin and the husband of his daughter, Fatima, as well as the father of two of Muhammad's grandchildren, Hasan and Husayn.

Muhammad's first successor was Abu Bakr, a compromise candidate because he was an honored leader as well as one of Muhammad's fathers-in-law. Abu Bakr was the first of the four "Rightly Guided Caliphs," as the first leaders are known. All four had been close companions of the Prophet and were considered authoritative sources of information about the Prophet's life and teachings. Abu Bakr died a natural death, but the next three Rightly Guided Caliphs were all assassinated: Umar ibn al-Khattab in 644 A.D.; Uthman ibn Affan in 656 A.D.; and Ali ibn Abi Talib, Muhammad's son-in-law, in 661 A.D.. These assassinations sparked violent conflicts or outright wars.

After Ali's assassination, *Shiat Ali* (the Party of Ali) created its own *Shia* branch of Islam. Shia believe that Ali was divinely inspired and infallible in his interpretations of the Qur'an and the Prophet's teachings and that only his descendants possessed the sacred blood ties and religious knowledge to qualify as *Imams*, the Shia's exemplary leaders. Hence, according to Shia theology, called Imami, the line of succession passed through Ali and Fatima; and the Imam could be any male descendant of their sons, Hasan and Husayn. However difficulties and succession disputes arose after Ali and Fatima's elder son Hasan died in 669 A.D. and their second son Husayn was assassinated in 680 A.D. in the Battle of Karbala. Ali's third son (with

another wife) Hanafiyya died in 700 A.D.. Shia sects and other denominations emerged around each son as well as around other branches of the Prophet's clan.

The major divisions occured over the question of succession to the fourth, sixth and 12th Imams. Consequantly the origins of almost all Shia sects can be traced to the followers of the fifth, seventh or 12th Imam. By the 15th century the sect known as the "Twelve Imam" Shia had emerged as the predominant Shia sect[4]. They recognize Ali and 11 of his direct descendants as the legitimate successors to the Prophet.

The "Twelve Imam" Shia had many conflicts with Sunni Muslims, who kept several of the "Twelve Imam"s under house arrest. Many Imams were apparently poisoned as well, including the 11th Imam. The 12th Imam, a young boy, disappeared in 874 A.D.. Followers of the 12th Imam- hence, Twelvers- believe that God rescued him and took him up, and that he will return as a messiah to restore peace and justice in the world. Until he returns, political and religious authority are exercised, fallibly, by the clergy; in order of rising rank, they include *mujtahids*, *hujjatu-l-islam*, *ayatullah*, *ayatullah uzma*[5] and, the highest rank, *marja-e-taqid*, the one who sets the norms to be followed.

As mentioned, while the Shia favored a succession based on blood ties to the Prophet, other Muslims favored an elective system. The latter came to be known as Sunni, taking their name from Sunna, which in this context refers to the customs, actions and sayings attributed to the Prophet and the first four Caliphs[6]. The Sunni represent the overwhelming majority of Muslims. The Sunni are also different from the Shia in that although, somewhat inconsistently, they have

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[4] Twelver Shiism became the official religion of Iranians during the Safavid empire in the early 16th century. Currently, there are also Twelvers in Pakistan, Iraq, Saudi Arabia, Bahrain and other oil-rich countries.
[5] Ayatullah, meaning "sign of God," is used only among Shii in Iran. Ayatullah Uzma Ruhollah Khomeini, who led the 1979 revolution in Iran, was often called "Imam." This was an innovation because, unlike in Sunni Islam, in Twelver Shii Islam the term Imam refers only to the twelve Imams. Ayatullah Khomeini stressed the point that he was imam only in the sense of prayer leader and spiritual guide and nothing more.
[6] Otherwise, Sunna refers only to the Prophet's sayings and deeds.

many religious leaders they don't have any religious hierarchy; they consider Islam to be a decentralized religion.

Islam also developed a mystical component, called *Sufism* that drew followers from both Shia and Sunni Muslims. Sufism is named after the coarse shirts of wool (*suf*) worn by early ascetics who wore the garments to demonstrate their rejection of materialism and worldly temptations and their devotion to a life of asceticism and prayer. Sufis had a mystical interpretation of Islam; they were reformers and, according to some mainstream Muslims, heretics. Sufis seek to commune directly with God through meditation, ritual chanting and even dance[7]. Some Sufis even worshiped Jesus and others worshiped Muhammad- practices considered polytheistic and blasphemous to mainstream Muslims, who sometimes persecuted the Sufis. Yet Sufis often served as Islam's most energetic missionaries in addition to their many contributions to Muslim literature, especially love poetry, in Arabic, Turkish, Persian and Urdu.

Even this thumbnail sketch of each of the three main Muslim denominations conveys a sense of Islam's complexity as a religion. However despite this complexity of structure Islam is a compassionate religion; it is a practical faith, based on the realities of life.

General Principles of Islam

In reference to Shaikh Ali Al-Tantawi:

"Every creed, whether its basic principles are based on truth or falsehood, every society, good or bad and every political party, regardless of whether its intentions are noble or not, operates on certain basic principles and precepts that define its goal and outline its course of action. These principles and precepts are put together in the form of a constitution to guide its members and followers[8]." (2000, 34).

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[7] The Mevlavi Sufis were famously known as the whirling dervishes.
[8] For Muslims, the source of the Islamic constitution is the Qur'an, the Sunna, and anything deemed relevant, effective, but not inconsistent with Islam.

Islam is a God-centered religion. Allah is Sovereign. The Qur'an tells us that Allah is the Creator and Lord of the whole universe including humankind and all that is associated with them. It is His power that is established and none can interfere in it in anyway. Therefore, the sovereignty of the entire universe only belongs to Allah alone and none other than Him has a share in it. Similarly, sovereignty over all of humankind rightfully belongs to Allah and no human or non-human power could control or decide any of the human affairs. (Mufti 2002)

The only difference between humans and others of Allah's creation is that humankind is Allah's vicegerent (*calipha*), or Allah's representative on earth. This calipha has been entrusted on all those who accept Allah as their Lord and Sovereign. The concept is one of popular vicegerency, shared by all believers alike. This vicegerency also means that limited authority has been delegated to those who run the affairs of believers. Therefore, the two cardinal principles of governance as laid down by the Qur'an are: first, sovereignty belongs to Allah and second, the popular vicegerency belongs to all believers. Thus legitimacy in the Islamic political order comes first and foremost from accepting Allah as the Sovereign and His Law (Shari'ah) as the Divine Law, and secondly that the society must be governed by and in accordance with the will of the people. (Al-Tantawi 2000, 79-103)

Shura (consultation) is referred to here as the best quality of the believers and an important pillar of the Islamic way of life. The process of consultation in Islam begins at the family level and continues to the highest level of national and international issues. Conducting the affairs of collective life without the facilitation of this discourse is not just a way of ignorance, but an express violation of the law prescribed by Allah. The head of the government should be chosen by the common consent of the people, and he should conduct the national affairs in consultation with the leaders of opinion, whom the citizens regard as people of integrity and vision.

The people, whose rights and interests relate to collective matters, should have full freedom to express their opinion and they should be kept duly informed of how their affairs are being conducted. The rulers must be accountable to those they serve and people should have the power to change their rulers if found incompetent or dishonest. The person who is to be entrusted with the responsibility of conducting the collective affairs, should be appointed by people's free consent, and not through coercion, temptations, fraud or deceptions. (Mufti 2002)

With all the significance placed on consultation in any Islamic setting, it must also be kept in view that this consultation is not open ended or autocratic in its nature. Rather it is subject to the Shari'ah and common bounds legislated by Allah. Consultations in order to render an independent judgment in a matter, which has already been decided by Allah and His Messenger, would constitute defiance against Allah and a rebellion against His injunctions. (Khan 2002)

Thus the practice of shura is the mechanism followed at all levels in the selection of political leadership. The essential principle is consent and confidence of the community and the accountability of those selected before the community. *Ijma* (consensus) is, therefore, an outcome of the shura process at large; a process which involves a great number of members of the Muslim Ummah that aims at discovering an objective truth in connection with the issue that has been raised by the community.

In Islam rule by justice is compulsory, however Muslims are given the freedom to determine the course of justice, ways of appointing the judges and legal procedures. With regards to legal contracts Muslims are given general rules that ensure the rights and privileges of the parties involved. Any type of contract which will harm the good of the public or put one of the parties down is banned. (Al-Tantawi 2000, 219)

Islam also preaches tolerance and forbids coercion regarding non-Muslims. It enjoins upon every Muslim to respect other prophets, and therefore any criticism or disrespect against other prophets goes against Islamic principles. However no Muslim, male or female, should wear any type of clothing or symbols associated with other religions. Clothes which show parts of the body which should be covered, or styles that are not in harmony with decency and modesty are also forbidden in Islam[9]. Clothes should not reflect extravagance or be ostentatious. Apart from these rulings Islam permits any type of clothing. (Al-Tantawi 2000, 220-232)

One can easily conclude that Islam is an inalienable factor in the life of every Muslim from birth to death. He/she is guided by its teachings on every aspect of life- from prayer, marriage, and funeral to business transactions and pilgrimage-, informed of all that is lawful or forbidden.

Summarizing the various political theories developed by Muslim thinkers Khalifa Abdul Hakim delineates the following principles in Islamic political thought:

- Sovereignty belongs to God alone, whose chief attributes are Wisdom, Justice and Love. He desires human beings to assimilate these attributes in their thoughts, words and deeds.

- Though ultimately God moulds destinies, He has endowed man with free will so that he may freely attune his will to the will and purpose of God.

- In matters of faith, God has compelled nobody to believe; the ways of righteousness and their opposites have been clearly indicated. Anyone may believe or disbelieve and bear the consequences. There must not be any compulsion, in the matter of faith. An imposed faith is no faith at all. Everybody should be free to follow his own way of life, either because of personal preference or because of his belonging to a community, provided his conduct is not subversive

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[9] Muslim women should only expose their faces and the palms of their hands, and Muslim men should not wear anything made of silk.

of fundamental morality or disruptive of the peace of the realm or does not trespass on the legitimate freedom of others.

- An Islamic State is not theocratic but ideological. The rights and duties of its citizens shall be determined by the extent to which they identify themselves with this ideology.

- Non-Muslims can live peacefully as citizens of a Muslim realm. They are free to not take part in the defense of the State, and in lieu of this exemption pay a poll tax which shall entitle them to complete protection of life, property and liberty in the practice of their faith. If they are prepared to defend the realm as loyal citizens, they shall be exempt from this tax.

- There shall be no racial discrimination within a Muslim realm. People become high or low only because of their character.

- All avenues of economic exploitation must be blocked so that wealth does not circulate only in the hands of the few.

- Women shall enjoy an independent economic status. All their inherited wealth and their personal earnings shall be their own property, which they can dispose of as they please.

- A truly Islamic State cannot be a monarchical state. It must be a democratic republic in which the president is elected by a free vote of the community on the basis of his capacity and character.

- It is incumbent on the ruler to have a council of advisers and consultants for purposes of legislation or major decisions. They shall be chosen on grounds of their wisdom, experience and integrity. The mode of their selection is left to circumstances. In matters not pertaining to faith, non-Muslims are not debarred from consultation.

- There shall be no special class of priests in an Islamic society, though persons leading a better religious life and possessing a better knowledge of religious affairs have a legitimate claim to honor. They shall enjoy no special privileges, legal or economic.

- There shall be perfect equality of opportunity and equality before the law. The law shall make no distinction between a Muslim and a non-Muslim either in civil or in criminal cases. Every citizen shall have the right to seek a judicial decision - even against the head of the state (Masud 2005, 5).

As mentioned, theses are some of the principles most commenly accepted by most scholars. These according to them, are the fundamentals of an Islamic constitution that are unalterable. No ruler or no majority possesses any right to tamper with them or alter them.

Chapter III: The Compatibility of Islam and Democracy in Theory

The relationship between Islam and democracy in the contemporary world is complex. It presents a broad spectrum of perspectives ranging from the extremes of those who deny a connection between Islam and democracy to those who see democracy as an integral part of Islam. Those who see Islam and democracy as incompatible argue that the concept of popular sovereignty denies the fundamental Islamic affirmation of the sovereignty of God and is, therefore, a form of idolatry. Others argue that not only are Islam and democracy compatible, but under the conditions of the contemporary world democracy is a requirement for Islam.

Islam is incompatible with democracy

Those who believe Islam and democracy are incompatible argue that democracy is alien to the Muslim mind. According to the Iranian scholar Amir Taheri not only there was not a word in any of the Muslim languages for democracy until the 1890s[10], but there are no mentions of such words as government and the state in the Qur'an. (2004)

According to another Muslim scholar Khalifa Abdul Hakim:

> "Neither Arabic nor any other Muslim language has any word that could be called an exact equivalent of the word "democracy". The word Jamhur'iyat derived from Jamhur, meaning "the people", is a twentieth-century translation which is now adopted in many Muslim languages. When even the word did not exist, the presumption is that democracy, as understood in the West, neither existed in ideology nor as an institution." (Masud 2005, 4).

Democracy means the rule of the demos, the common people, or what is now known as popular or national sovereignty. This is why many believe Islam to be incompatible with democracy, since in Islam power belongs only to God. He decides the aim and purpose of a Muslims existence and sets the limits of his/her worldly authority. Divine Law has already been spelt out and fixed forever by God in the Holy Qur'an. Whoever gives anyone but Him the right to decide what is within or outside the Divine Law will either be worshiping someone other than God, or setting up partners in worship with Him. Thus the common people must do as they are told either by the text and tradition or by *fatwas* (edicts) issued by the *Ulema* (scholars and religious leaders).[11](Taheri 2004)

Saliba Sarsar (2000) insists that democracy and popular sovereignty in the western sense are not acceptable to Islam, because they challenge the concept of Divine authority and sovereignty of God, which cannot be questioned by a human or a government. Islam offers the governance

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[10] Even then the Greek word entered Muslim vocabulary with little change: democrasi in Persian, dimokraytiyah in Arabic, demokratio in Turkish.

[11] The Iranian leader Ayatollah Khomeini used the word "mustazafeen" (the feeble ones) to describe the general population.

by the Creator, whereas democracy implies rule by the created. Moreover the aim and purpose of the Islamic state is establishment, maintenance and development of those virtues that the Creator wishes Muslim life to be enriched by and the prevention of those evils that He finds abhorrent. According to Eldabry, no Islamic government can be democratic in the sense of allowing the common people equal shares in legislation (Eldabry 2001). In Islam, life is ruled by decrees from heaven, while democracy allows people to set their own rules and values as they see fit. Democracy postulates that a changing world calls for a changing mind and world-view. Consequently, what was forbidden or allowed in the past may be reversed in the future according to new outcomes of life and human experiences. Islam postulates that the decrees of heaven are absolute and not subject to alteration. Moreover, Islam divides human activities into five categories from the permitted to the sinful, leaving little room for human interpretation, let alone ethical innovations. (Eldabry 2001)

Continuing the same notion of God's sovereignty, Martin Kramer argues that Islamic values do not reconcile with democratic values, because Muslims believe in the authority of Shari'ah (Divine Law), which is divine and immutable. The Shari'ah supports inequality of women and non-Muslims and contravenes human rights. So, rule of law, as preached by Muslim fundamentalist is not a democratic value but an authoritarian principle. Islamists also speak of the principle of shura, consultation, which they claim defines Islamic democracy. However, this Shura is subjected to the authority of Shari'ah, and not binding. (Masud 2005)

Taheri stresses that one of the fundamental principles of democracy is equality. However, again no equivalent for the word can be found in any of the Muslim languages. The words that exist such as *barabari* in Persian and *sawiyah* in Arabic mean juxtaposition

or separation. He carries on saying that not only there is no word that means equality there

is also no idea of equality in Islam:

> "The very idea of equality is unacceptable to Islam. For the non-believer cannot be the equal to the believer. Even among the believers only those who subscribe to the three Abrahamic religions: Judaism, Christianity and Islam, known as the "people of the book" (Ahl el-Kitab), are regarded as fully human. Non-Muslims can, and have often been, treated with decency, but never as equals. Here, too, there is a hierarchy, with Muslims at the top". (2004)

This notion of inequality in humans is also present in Alan Caruba's reason for arguing that

Islam and democracy are incompatible. According to him under Islam women and non-Muslims

are declared to be inferior, slavery is acceptable, punishments for various crimes include

amputations, floggings, and stoning to death, a non-Muslim cannot testify against a Muslim, and

conversion from Islam carries with it the death penalty. (2003)

Islam also doesn't acknowledge the existence of the rights of the individual, which are

considered the cornerstone for any democracy. The Muslim thinker Ibn Warraq states that the

notion of an individual- a moral person who is capable of making rational decisions and

accepting moral responsibility for his free acts- is lacking in Islam. He says that "Individualism

is not a recognizable feature of Islam; instead, the collective will of the Muslim people is

constantly emphasized. There is certainly no notion of individual rights, which only developed in

the West, especially during the eighteenth century." (Caruba 2003)

Many Islamist thinkers are entirely opposed to democracy and regard it with horror. Many

fundamentalists reject democracy as part of Westernism. The late Iranian leader Ayatollah

Rouhollah Khomeini called democracy "a form of prostitution" because he who gets the most

votes wins the power that belongs only to God (Taheri 2004). The Egyptian Islamist Sayyid Qutb

spent a year in the United States in the 1950s and found "a nation that has forgotten God and

been forsaken by Him; an arrogant nation that wants to rule itself" (Taheri 2004). According to

the late Saudi theologian, Sheikh Muhammad bin Ibrahim al-Jubair "only one ambition is worthy of Islam; the ambition to save the world from the curse of democracy: to teach men that they cannot rule themselves on the basis of manmade laws. Mankind has strayed from the path of God; we must return to that path or face certain annihilation." (Taheri 2004). Yussuf al-Ayyeri, one of the leading theoreticians of today's Islamist movement, published a book in which he warned that the real danger to Islam did not come from American tanks and helicopter gunship in Iraq but from the idea of democracy and rule by the people. (Taheri 2004)

For supporters of this view, democracy of course, is compatible with Islam because democracy is serial and polytheistic. People are free to believe whatever they like to believe and perform whatever religious rituals they wish, provided they do not infringe on other's freedoms in the public domain. The other way round, however, it does not work. Islam cannot allow people to do as they please, even in the privacy of their bedrooms, because God is always present, everywhere, all-hearing and all-seeing. In democracy there is a constitution that can be changed or at least amended. The Qur'an, however, is the immutable word of God, beyond change or amendment. However as said by Amir Taheri "to say that Islam is incompatible with democracy should not be seen as a disparagement of Islam; on the contrary, many Muslims would see it as a compliment because they sincerely believe that their idea of rule by God is superior to that of rule by men, which is democracy."(Taheri 2004)

So with the basic political concept being that absolute sovereignty belongs to Allah, and that the ideal government, according to the Qur'an, is a theocracy, where society is governed by the values of Islam, it is not hard to see why the Western model of democracy and the separation of church and state isn't an easy fit in a Muslim society. In the words of Muqtedar Khan "There is

no separation of mosque and state under Islam and there never can be for any Muslim who accepts the Qur'an and the Hadith as the sacred rule of law". (2001)

Islam is incompatible with democracy, because Islam rejects any distinction between the religious community and the political community, because as Huntington stresses "political participation is linked to religious affiliation" (Huntington 1991, 307). Islam demands that Sha'riah should be the basic law, that the political rulers should be practicing Muslims, and that the Ulama should have the decisive vote in matters regarding all governmental policy. So Islam is incompatible with democracy to the extent that governmental legitimacy and policy emerge from religious doctrine and expertise. This simply holds that Muslims cannot be democratic unless they give up Islam.

Islam is compatible with democracy

As seen in the former section, a key and widespread misperception of Muslims in regard to democracy is based on the notion that in Islam sovereignty belongs to God, while in democracy it belongs to the people. Mohammad Omar Farooq considers this to be a naive and erroneous notion or interpretation. According to him:

> "God IS the true and ultimate Sovereign, but he has bestowed a level of freedom and responsibility upon the human beings in this world. God has decided not to function as the Sovereign in this world. He has blessed humanity with revelations and his essential guidance. Muslims are to shape and conduct their lives, individually and collectively, according to that guidance. But even though essentially this guidance is based on divine revelation, its interpretation and implementation are human." (2002)

Another prominent Muslim scholar, Khaled Abou El Fadl (2004), in referring to the above mentioned idea of human interpretation and implementation, brings the following example:

The *Khawarij* (believers of God's political dominion) accused the fourth Rightly Guided Caliph Ali ibn Abi Taleb of accepting the judgment and dominion of human beings instead of abiding by the dominion of Divine Law. Upon hearing of this accusation, Ali called on the people to gather around him and brought out a large copy of the Qur'an. Ali touched the Qur'an while instructing it to speak to the people and inform them about Divine Law. Surprised the people who had gathered around Ali exclaimed, "What are you doing? The Qur'an cannot speak, for it is not a human being!". Ali exclaimed that this was exactly the point. "The Qur'an,- he explained -is but ink and paper, and it does not speak of itself. Instead it is human beings who give effect to it according to their limited personal judgments and opinions." (8)

El Fadl argues that, although, in Islam Shari'ah or Divine Law, is Allah's Way, however for the most part, it is not explicitly dictated by God. Rather, Shari'ah, which is represented by a set of normative principles and a set of positive legal rules, relies on the interpretive act of a human agent for its production and execution. And since an essential characteristic of a legitimate Islamic government is that it is subject to and limited by Shari'ah, therefore all laws articulated and applied in a state are thoroughly human and should be treated as such. These laws are a part of Shari'ah law only to the extent that any set of human legal opinions can be said to be part of Shari'ah. A code, even if inspired by Shari'ah, is not Shari'ah[12]. Therefore 'a case for democracy presented from within Islam must accept the idea of God's sovereignty; it cannot substitute popular sovereignty for divine sovereignty, but must instead show how popular sovereignty expresses God's authority, properly understood." (30-36)

Muqtedar Khan stresses the same idea regarding the issue of sovereignty when he points out that:

"Regardless of where sovereignty is placed theoretically, in practice it is the state which exercises it and not God. Sovereignty in fact is always human, whether in a democracy or an Islamic state. The issue is not whether people are sovereign, but how to limit the de

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[12] To date, Islamist models, whether in Iran, Saudi Arabia, or Pakistan, have endowed the state with legislative power over Shari'ah. For instance, the claim of precautionary measures is used in Saudi Arabia to justify a wide range of restrictive laws against women. This is a relatively novel invention in Islamic state practices and in many instances amounts to the use of Shari'ah to undermine Shari'ah. The intrusive modern state invokes Shari'ah in passing laws that create an oppressive condition- a condition that itself is contrary to the principles of justice in Islam and under Shari'ah.

facto sovereignty of people, since they reign under both systems. Democracy with its principles of limited government, public accountability, checks and balances, separation of powers, and transparency does succeed in limiting human sovereignty." (Special report 93 2002, 4)

Another Muslim scholar, the Sudanese intellectual Abdelwahab El-Affendi states:

"No Muslim questions the sovereignty of God or the rule of Shari'ah. However, most Muslims do (and did) have misgivings about any claims by one person that he is sovereign. The sovereignty of one man contradicts the sovereignty of God, for all men are equal in front of God. . . . Blind obedience to one-man rule is contrary to Islam." (Esposito and Voll 2001)

Islam is against dictatorship, autocracy, despotism or military rule, since according to the

Holy Qur'an all men are created equal and have rights, which are natural and which must be

protected. Since Islam categorically abolished priesthood, there is no organized Mosque in Islam,

with a hierarchy of ordained priests, and so there is no body that can claim to be the be the

vicegerent of God on earth as the Catholic Church holds power in the name of Christ. According

to the Qur'an, this vicegerancy (caliphate) has been entrusted on all those who accept Allah as

their Lord and Sovereign. The concept is one of popular vicegerency, shared by all believers

alike. In reference to this concept the South Asian Islamist leader, Abu al-Ala Mawdudi says:

"The authority of the caliphate is bestowed on the entire group of people, the community as a whole. . . . Such a society carries the responsibility of the caliphate as a whole and each one of its individual(s) shares the Divine Caliphate. This is the point where democracy begins in Islam. Every person in an Islamic society enjoys the rights and powers of the caliphate of God and in this respect all individuals are equal." (Esposito and Voll 2001)

Muqtedar Khan describes a precedent set by Prophet Muhammad that demonstrates how

democratic practices and theories are compatible with an Islamic state. This is the compact of

Medina, referred to by some scholars as Dustur al-Madina (the Constitution of Medina).

After Muhammad migrated from Mecca to Yathrib in 622 A.D., he established the first Islamic

State. For ten years he was not only the leader of the emerging Muslim Ummah in Arabia but

also the political head of Medina. He ruled as political head as a result of the tripartite compact

that was signed by the Muslim immigrants from Mecca, the indigenous Muslims of Medina, and, significantly, the Jews of Medina. Thus, the first Islamic state was based on a social contract, was constitutional in character, and had a ruler who ruled with the explicit written consent of all the citizens of the state.

According to this compact, Muslims and non-Muslims were equal citizens of the Islamic State, with identical rights and duties. Communities with different religious orientations enjoyed religious autonomy. The constitution of Medina established a pluralistic state- a community of communities. The principles of equality, *ijma* (consensus), and pluralism were central to the compact of Medina. (Special Report 93 2002, 5)

The Islamic society is not only based on consensus and equity in the duties and in the rights of all, but it also contains other tenets and practices that are compatible with democracy and pluralism like the traditions of *shura* (consultation) and *ijtihad* (interpretation). The Qur'an instructs the Prophet to consult regularly with Muslims on all significant matters and indicates that a society that conducts its affairs through some form of deliberative process is considered praiseworthy in the eyes of Allah. Islam does not accept the concept of a theocracy in which a ruler can decide on his own all matters concerning the community. Consultation is required because humans are diverse, as are their needs and rights. The Qur'anic celebration and sanctification of human diversity incorporates that diversity into the purposeful pursuit of justice and creates various possibilities for a pluralistic commitment in Islam. (El Fadl 2004, 20)

The democratic principle of participatory governance also exists in Islam. The Prophet Mohammed himself set the precedent of this tradition. When he was on his deathbed, many sincere Muslims asked him repeatedly to appoint a "successor". To the disappointment of many, the Prophet refused to do so sending the signal that it is up to them to pick and choose by who

and how they will be ruled. According to Dr. Radwan Masmoudi, the wisdom of the Prophet underlines two major points. First, if the Prophet appointed a "successor", that person could claim infallibility and really abuse his position and authority. So by acting the way he did, the Prophet wanted to give the Ummah (community) rather than the Ulema (scholars or religious leaders) the right and the responsibility to select who will rule them, and to hold him/her accountable. The source of political authority was therefore transferred to the Ummah and not to a single individual, group of people. (Masmoudi 2000)

The Tunisian Islamist Rashid Ghannouchi points out, that the idea of transferring the political authority to the community was revolutionary in the sense that no similar system of government existed at the time whereby the community had a say in electing its ruler.[13] (Ghannouchi 2002) Secondly, by not appointing a successor the Prophet made the point that the political system needed to evolve and change depending on changing conditions in history and geography. If the Prophet had fixed it in time before his death, it would be a complete disservice to the future generations of Muslims. (Masmoudi 2000). This is why Islam is said to include *faraghat* (spaces) that are left for humans to fill in accordance with the respective needs of time and place. This is the process known as *ijtihad*. According to Azzam Tamimi, what it means is a distinction between the areas that have been filled by Divine commandments and the areas that were intentionally left vacant so as to be filled with what is needed to cope with changes through ijtihad but within the framework of Islamic Faith. (1998)

The same idea is stressed by Shaikh Yusuf Al-Qaradawi, who notes that the acceptance of the principle that legislation of rule belongs to Allah does not take away from the Ummah its

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[13] Rashid Ghannouchi's theory of compatibility between Islam and democracy stems from the assumption that government in Islam embodies a civilian authority whose political conduct is answerable to public opinion. Stemming from the concept of enjoining good and forbidding evil is the conviction that standing up to the

right to seek for itself the codes necessary to regulate its ever changing life and worldly affairs. What is important to remember though is that the legislations and codes should be within the limits of the flawless texts and the overall objectives of the Shari'ah. (2002). Therefore, according to Khaled Abou El Fadl "democracy is an appropriate system for Islam, because it both expresses the special worth of human beings- the status of vicegerancy- and at the same time deprives the state of any pretense of divinity, by locating ultimate authority in the hands of the people rather than the Ulema." (2004, 36)

In conclusion it can be said that Islamic ideals never advocate the creation of a regimented and totalitarian society. Absolute rule either in the name of an individual, family or a group is not allowed in Islam. Islamic law in general does hold for, demand elections, rule of law, demands the ruler be bound by law and that that ruler cannot decide by himself what the law is that people will live by. So Islam requires a constitutional, participatory and accountable form of governance, which is essentially based on the consent of the people or those who are governed, and thus democratic.

As the primary goal of democracy is also preventing the abuse of power through a systematic means and ensuring the representation and participation of the people, therefore according to Mahbubur Rahman, "democracy comes closest to Islam. For Muslims, democracy is thus not an alternative to Islam or is better than Islam, rather, it is a system that complements and carries many of the sublime teachings and traditions of the Prophet of Islam and his companions." (2002)

So for all those who are for democracy in the Muslim world, Islam and democracy are compatible. From their view, at the core of the Islamic belief system lies a relationship with all

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authorities when they go wrong, or endeavouring to correct them, is one of the most important duties in Islam. This, he argues, is where the concept of *jihad* lies.

levels of human existence, which grants humanity its basic freedom in negotiating as well as maintaining all social relationships with a sense of equality, of human dignity and freedom of human conscience. This is where consensus between the ideologies of democracy and Islam overlap. This is where Islam is congenial to democracy, making it possible for them both to coexist and be compatible.

Those, however, who see no relationship between Islam and democracy argue that there is no individual freedom or equality in Islam, since laws are already layed down by God. In Islam, life is ruled by decrees from heaven, while democracy allows people to set their own rules and values as they see fit. Islam postulates that the decrees of heaven are absolute and not subject to alteration, while democracy postulates that a changing world calls for a changing mind and world-view. This is why Islam is antithetical to democracy.

Chapter IV: The Compatibility of Islam and Democracy in Practice: A Comparative Study of Turkey and Iran

In an article to the National Review, the Iranian scholar Amir Taheri argues that in every Muslim country, including the still hermetic Saudi Arabia, the democratic discourse is finding growing audiences (2003). The West, understandably focusing on monsters such as Khomeini, Saddam, and bin Laden, has persuaded itself that democracy is a lost cause in the Muslim world. But it is not, and the West would do well to get to know the other Muslims, those who are trying to revive the democratic tradition within Islam, often at the risk of their lives.

It is important to note that the picture in the Islamic world with respect to democracy is not entirely bleak. Dynamic reforms underway in many Muslim countries demonstrate that democracy and Islam are compatible in practice. In 2002, citizens of Morocco voted in the

freeest, fairest, and most transparent elections in the country's history, creating a diverse new parliament, while the people of Bahrain cast votes for the first time in 30 years to elect a parliament. That election also marked the first time women ran for national office in Bahrain. In early 2003, Qatar announced a new constitution in anticipation of upcoming parliamentary elections. Yemen can now boast not only a multiparty system and an elected parliament, but also directly elected municipal officials and, since 1999, a directly elected president. Following the Persian Gulf War, Kuwait reinstated its directly elected National Assembly and elected a new parliament in 2003. (Haass 2003)

Last year the Crown Prince Abdullah of Saudi Arabia proposed a new Arab charter calling for internal reform and enhanced political participation in nations of that region. (MacAskill 2004) The secular rulers of Egypt, Algeria, Jordan, Syria, and even Libya have increasingly begun to talk about "openness" and transparency. Other examples of partial democratization, including relatively free elections, can also be noted in Muslim-majority states such as Malaysia, Pakistan, Indonesia, Albania, Mali, Niger, Senegal, and Sierra Leone. Even Iran, the most avowedly "Islamic" state in the Middle East, shows signs of democratization from the bottom up. And of course one should not forget that today Turkey, once the heart of Islamic orthodoxy, is a recognizable, if imperfect, democracy.

Some observers, especially among those who see in Islam an obstacle to democratic development, point to secularism- the principle of separation between religion and the state- as the crucial difference between Turkey and the rest of the Muslim world.Unlike other Muslim Countries, which tend to be ruled by authoritarian regimes and whose constitutions mostly include Islam as a defining characteristic of the state, Turkey's recent history includes the theoretical separation of religion and state and a functioning, if imperfect, democratic system.

The Republic of Turkey

In practical life Turkey is a great example for many that democracy and Islam coexist, and that democratic Muslim countries can exist. After taking the oath of office, Turkey's then Prime Minister Abdullah Gul said it best: "Our aim is to show the world that a country which has a Muslim population can also be democratic, transparent and modern and cooperate with the world." (Haass 2003).

Culturally, Turkey represents what most Westernized and liberal Turks like to call a "synthesis" between Islam-centered traditional culture and Western-type modernity. Many of the themes, values, norms and behaviors that shape and guide Turkish culture and way of life today are rooted in two fundamental sources. The first are norms and traditions shaped by Islam[14]. The second fundamental input to Turkish culture has been made by the Turks long journey in search of modernization and Westernization. This journey was initiated under the Ottoman Empire as far back as the eighteenth century, in the hope of acquiring the technological and administrative skills to help reverse the empire's defeat and retreat before the Europeans. (Sezer 2003)

For over 600 years, the Ottoman Empire was seen - and saw itself - as the Islamic antithesis of the Christian West. In 1919, after defeat in World War I had brought the Ottoman Empire to the point of collapse, an army officer, Mustafa Kemal (later known as "Atatürk"), led a successful revolt against both the ailing a discredited Sultanate and an invading Greek army, which was attempting to annex a large swath of Anatolia. When Atatürk founded the Turkish Republic in 1923, it was to Europe that he looked for inspiration for the nation-state, in which identity was defined by political allegiance rather than religion. Atatürk believed that Islamic

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[14] The fact that roughly 98% of the population professes to be Muslims explains the real and potential influence of Islam on the society.

conservatism had been the main reason for the Ottoman Empire's failure to keep pace with Europe. Under his leadership the country turned to the implementation of a highly ambitious modernization and Westernization project. In response the monarchy was replaced by a republic; the office of the Caliph (the religious leader of the world's Muslims) was abolished; the Sha'riah (the law of the land in the Ottoman Empire), was dropped in favor of secular law; the principle of secularism was adopted in the Turkish constitution; a uniform system of national education was introduced, ending education offered by theological seminaries. (Jenkins 2004)

The new Penal Code was adopted from Italy and the Civil Code from Switzerland. The Gregorian calendar was adopted, the Roman alphabet replaced the Arabic one and citizens were even required to wear Western dress. The Western inspired new dress code banned the traditional headgear for men (*fez*) and the veil for women (*hijab*). It was in this revolutionary background that Turkish women became equal to men before the law. They obtained the right to vote in 1936, earlier than women in several West European countries. A far cry from the political culture of the Ottoman Empire is the fact that Turkey has had a woman Prime Minister- Ms. Tansu Ciller. (Gregorian 2003)

According to Sezer, at the core of the Turkish reforms stood two principles: republicanism, meaning government by the people, for the people; and secularism, meaning the separation of religion and state (2003). The termination of the 600-year old Ottoman dynasty and its replacement by a republic was difficult enough for the country to adjust, but it was the principle of secularism that threatened to unravel centuries old traditions, norms, and value systems. This was because it posed a direct challenge to Islam's power in the Turkish State that had lasted for centuries, and an indirect challenge to Islam's influence in the Turkish society. However Atatürk's teachings, which later coalesced into the ideology now known as Kemalism, were

based on the principle of secularism and designed to fill the ideological gap left by the removal of Islam as the state religion.

Like many of the European regimes of 1920s and 1930s, Atatürk's new Turkey was an authoritarian single-party state. More than anything else it was the introduction of multi-party politics at the end of the Second World War that helped in the implementation of secularism. The decision of the Turkish government in 1946 to liberalize and democratize the political system by allowing the opposition to found a new political party was greeted as a relief especially by the conservative countryside longing to see an end to government repression. (Sezer 2003)

It should be noted that Islamically-oriented political parties have operated successfully in the secular electoral politics of Turkey, with the leader of one such party, Necmettin Erbakan, serving as prime minister briefly in 1996-1997. Although in succession, the Islamically-oriented Turkish parties have been suppressed and many of their leaders jailed, the response of the members of the parties has simply been to form new parties and try again within the political system rather than withdrawing into a violent underground opposition. (Esposito and Voll 2001)

Today Turkey is a Parliamentary Republic. Its present Constitution was ratified in 1982 and has been amended several times since then. The parliamentary system is unicameral, with the 550 members of the Turkish Grand National Assembly facing election every five years. The National Assembly's powers include exclusive authority to enact, amend, and repeal laws. It also can pass legislation over the veto of the president. The assembly supervises the Council of Ministers and authorizes it to issue government decrees. In addition, the assembly approves the president's ratification of international treaties and has authority to declare war. The constitution stipulates that the assembly can request that the executive respond to written questions, investigations, and interpellations, and can vote the Council of Ministers out of office.

The constitution vests executive authority in the president, who is the designated head of state. The president ensures implementation of the constitution and the orderly functioning of the government. The president serves a seven-year term and cannot be reelected. Subsequent presidents are elected after being chosen by the National Assembly from among its members. A deputy nominated for the presidency must obtain a two-thirds majority vote of the assembly. The president is empowered to summon meetings of the National Assembly, promulgate laws, and ratify international treaties. The president also may veto legislation passed by the National Assembly, submit constitutional amendments proposed by the assembly to popular referenda, and challenge the constitutionality of assembly laws and cabinet decrees. The president also is authorized to dispatch the Turkish armed forces for domestic or foreign military missions and to declare martial law.

The Council of Ministers, or cabinet, is headed by the prime minister, who is appointed by the president from among the elected deputies of the National Assembly. In practice, the president asks the head of the party with the largest number of deputies to form a government. The prime minister then nominates ministers for appointment by the president. The prime minister supervises the implementation of government policy. Members of the Council of Ministers have joint and equal responsibility for the implementation of this policy. In addition, each minister is responsible for the conduct of affairs under his or her jurisdiction and for the actions of subordinates.

The Turkish constitution guarantees judicial independence and prohibits any government agency or individual from interfering with the operations of the courts and judges. Members of the National Assembly also are not allowed to discuss or make statements concerning pending

court cases. Although trials normally are held in open court, the constitution provides that they can be closed for reasons of public morality or public security.

In recent decades, Turkish leaders have faced enormous challenges in defending secularism and internalizing it by the people, as a natural way of life for a Turkish Muslim. This is done by means of public education. Because of this Turkish secularism as it was understood and implemented in the formative decades of the republic holds no longer. The rise of the Islamist AK Party (the acronym stands for "Justice and Development") and its leader Recep Tayyip Erdogan, to presidential power through peaceful means is the most striking evidence of this evolution. (Smith 2004)

One however should not attribute Turkey's success in establishing a relatively democratic system solely to the westernization and modernization reforms of Atatürk. There were, in both the Islamic and Ottoman heritages, elements that might well have been conducive, in favorable circumstances, to the functioning of free institutions and respect for human rights.

According to the Islamic juridical statements on the institution of sovereignty, the ruler does not derive his authority from descent, and even God is the ultimate but not the immediate source of authority. The immediate vesting of authority is in principle by a process of election and contract, which in Arabic is called *bay'a*, and in Turkish becomes *biat*. The principal obligation assumed by the sovereign under the terms of this contract is to maintain, enforce and obey the Divine Law, which in principle he did not create and cannot change, and by which he is bound no less than the humblest of his subjects. Based on the same doctrine, the ruler has obligations toward the subject, and his contract is in theory dissoluble, sometimes in practice dissoluble if he fails to carry out the terms of his contract. The Caliphate, and later the Sultanate, were

autocracies, however they never became the unbridled despotism imagined by many European observers of the Ottoman state in its heyday. (Lewis 1994)

As stated in an article by former president Süleyman Demirel:

"The Turkish revolution led by Atatürk has successfully demonstrated the compatibility of Islam, democracy and secularism. Thus, Turkey has taken its distinct place among the commonwealth of secular democracies that are in the forefront of universal civilization. Today values such as freedom, equality, human rights and democracy essentially harbor principles that no widely embraced belief system or religion denies. Islam is a case in point. The Republic of Turkey has set the example throughout its history that Islam is fully in accord with secular pluralist democracy." (Demirel 1997, 2).

However, in the context of human rights, Turkey is far from being a democratic country. Although there is much progress (especially since starting talks for joining the European Union), there are still many violations of basic human rights. According to the Human Rights Watch report, there still remains a lack of freedom of expression. Journalists and politicians who in earlier years would have received prison sentences for their statements have been acquitted, but prosecutors continue to indict people for their non-violent expression, and several writers served prison sentences during 2004[15]. State security courts, commonly used to prosecute and imprison people for their non-violent opinions, were abolished in June 2004, but laws used to stifle free speech such as articles 159 of the criminal code (insulting state institutions) and 312 (incitement to racial hatred) remain in place, and were copied into the new criminal code that was adopted in October[16]. In June 2004, state television began broadcasts in Kurdish, Bosnak, Circassian, Arabic, and Zaza. The programs were short with uninspiring content, but represented a significant change in official attitudes to minority languages. Private radio stations in

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[15] For Example in May, Hakan Albayrak (Milli Gazete) began a fifteen-month sentence at Kalecik prison near Ankara under the Law on Crimes against Atatürk for writing that prayers were not said at the funeral of Mustafa Kemal Atatürk, the founder of the Turkish Republic.

[16] In June 2004 Turkey's longest-standing prisoners of opinion, the four Kurdish former deputies Leyla Zana, Orhan Doğan, Hatip Dicle, and Selim Sadak, were released pending retrial, after ten years at Ankara Central Closed Prison. They had been convicted in 1994 for their non-violent activities as parliamentary deputies in an unfair trial under the Anti-Terror Law.

southeastern Turkey applied to the High Council for Radio and Television for permission to broadcast in Kurdish, but have not received permission yet.

According to the same report, there were fewer cases of torture and ill-treatment in 2004, largely due to safeguards imposed in recent years, and by the government's frequent assertions of zero-tolerance for such abuses. Nevertheless, detainees from all parts of the country report that police and gendarmes beat them in police custody. In some cases, detainees still complain that they have been subjected to electric shocks, sexual assault, hosing with cold water, and death threats. The persistence of these violations is a consequence of poor supervision of police stations, which permits security forces to ignore detainees' rights- and most importantly, the right to legal counsel.

Turkey's ethnic and religious minorities remain subject to discrimination and, in some cases, persecution. Christian and other non-Muslim communities do not have the same rights as Muslim communities. Kurds in particular are subject to violent treatment. Even those who attempted to draw attention to the plight of minorities risk official persecution. In January 2004, Şefika Gürbüz, president of the Migrants' Association for Social Cooperation, was convicted of "incitement to racial hatred" for preparing a study of the difficulties faced by displaced Kurds. Gürbüz received a ten-month prison sentence converted to a fine. (Human Rights Watch 2005)

It becomes obvious that Turkey is a still-fledgling democracy, that there are massive problems (especially in the sphere of human rights) and powerful challenges that she still has to face. But despite these difficulties, the successes of Turkish democracy, as compared with other countries of comparable background, traditions, and experience, have been remarkable. They were made possible by profound and far-reaching changes in social, cultural, and intellectual life, which preceded, accompanied, and followed economic and political changes.

However, Turkey can be seen as an exception in implementing secularism within its true meaning- separation of religion and state. In many other Muslim countries, the state wanted to destroy the mosque because it felt threatened by it. Instead of leaving religion alone, secularists wanted to remove and/or destroy Islam. Partly as a response to the "secular" attack, and partly as a way to establish and strengthen their identities, the people became more religious. This is indeed a strange, but not unique, phenomenon: the more the rulers wanted their societies to "leave religion aside", the more these societies became religious. (Masmudi 2000)

The best example of this phenomenon is Iran. In 1979, the Islamic revolution in Iran, that toppled the Shah, sent shivers of fear into the hearts of rulers, proving that Islam was still a very powerful political force, even at the end of the 20th century and in one of the most secularized countries in the Muslim world.

The Islamic Republic of Iran

Following World War I, in 1925, Reza Shah Pahlavi established a new dynasty and imposed a version of the Draconian formula used by Atatürk to modernize Iran. The Shah's aim was to make Iran a modern, secular state. He, too, imposed Western dress codes as well as a secular constitution, a national banking system, a modern army and compulsory education. He revised criminal laws based on French codes and commercial laws based on Belgian models. He also opened modern schools and the University of Tehran. But the Shah kept the Arabic script and Muslim calendar. He built museums, libraries and other cultural institutions to preserve Iran's Persian heritage as distinct from that of the Turks or Arabs. In order to Westernize without opposition from the ulama, he co-opted them through financial subsidies and administrative

appointments- and occasionally did away with resistant clerics. He curbed the strength of the Shia clergy and made a start towards replacing the age-old bazaar economy with a modern industrial and financial sector. He destroyed with his new armed forces the autonomy or semi-autonomy of the ethnic, tribal and feudal factions and established for the first time in post-Islamic history of Iran a centralised state with rudiments of Western-style administration and services. His policies were continued under his son, Muhammad Reza Shah Pahlavi.

Muhammad Reza Shah Pahlavi built rapidly and extensively on this foundation, particularly in the last fifteen years of his reign when he felt free of domestic competition from feudal landowners, tribal chieftains and the rest. By 1978, Iran was quickly developing from being an essentially agricultural state dotted with market towns into an urban society with relatively sophisticated financial and consumer services, an incipient industrial base, the beginnings of a welfare state with universal education and health services and so on - in short a very far cry from the medieval structure which Reza Shah had inherited sixty years previously.

The Shah had tried to turn Iran into something it had never been - a modern industrial economy. On the crest of the oil boom in 1973, he ruled with an iron hand, with the loyal support of the armed forces and the back-up of the notorious Secret Service, SAVAK. Then, when the boom failed, leaving a rootless and disgruntled urban proletariat, the Shah chose to lift the political lid with his liberalization reforms.This provided the atmosphere in which the three traditional forces - the mullahs, the intelligentsia and the bazaaris - could unite in opposition[17]. Scattered protests developed into country-wide rioting followed by civil disobedience and strikes which progressively paralysed the country and created the atmosphere for a revolution. (Parsons 1984)

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[17] The bazaaris were historically the allies of the mullahs, who relied, and still rely, largely on the bazaar for the financial contributions.

At the begining of the Iranian Revolution the grand Ayatollah of Iran was Kazem Shariat Madari, but his liberal views were in sharp contrast with those of Ayatollah Rouhollah Khomeini, who quickly emerged as the religious leader of the revolution. Ayatollah Shariat-Madari believed in separating the state and religion, while Ayatollah Khomeini wanted to make the Islamic clergy an essential part of government. During his years in exile in Iraq, Ayatollah Khomeini wrote a book- *Velayat-e-Faqih* (Government by the Jurist) - on the role of the supreme religious leader in Islamic government. Before Ayatollah Khomeini became the leader, Shiates in Iran always had the freedom to choose from several high religious authorities. Giving ultimate power to a single cleric in the Islamic government had never occurred before. What made the change possible was Khomeini's forceful personality, combined with the revolutionary atmosphere that swept Iran at the time. (Javadi 1999)

Led by Ayatullah Ruhollah Khomeini, the Iranian revolution replaced the pro-Western monarchy with an Islamic republic in 1979. The Islamist clergy came to dominate the Revolutionary Guard, the military, the media, the judiciary and parliament. In the name of Islam there was censorship of news and publications and ideological control of university curriculum. An edict was issued demanding that women wear the veil (regardless of whether or not they were Muslim). Islamic law was implemented in the constitution. Dissent, both Islamic and secular, was crushed. Some were driven out of office while others were driven into exile. Many were imprisoned. It is estimated that some 20,000 opponents of the regime were executed.

The political system that emerged is an innovative attempt to combine an Islamic theocracy with democracy. It is a complex political system that is like no other. In this system all Iranians aged 16 and above are entitled to vote. There are direct elections for the Presidency, the *Majlis* (Parliament) and the Assembly of Experts. However the most powerful center of power in the

Iranian system is the Supreme Leader, presently Ayatollah Ali Khamenei. The Supreme Leader is at the top of the political pyramid. He appoints the head of the judiciary who in turn appoints the head of the Supreme Court and the chief public prosecutor. He also appoints six out of 12 members of the powerful Council of Guardians and the head of radio and TV. He is also commander-in-chief of the armed forces. He is chosen from within the ranks of 86 "virtuous and learned" clerics who make up the Assembly of Experts. Clerics in the Assembly of Experts are elected directly by the electorate once every eight years. The Assembly has the power to appoint, oversee and if necessary dismiss the Supreme Leader.

The Council of Guardians, a conservative bastion of power, is made up of 12 persons- six clerics and six jurists. The Supreme Leader appoints the clerics while the jurists are nominated by the Judiciary and officially appointed by the Majlis. The Council of Guardians has the authority to decide who is eligible to contest elections. The Council has the power to veto candidates for elected political posts, including the presidency and the national parliament, based on vague criteria and subject only to the review of the Supreme Leader. The Council wielded its arbitrary powers in a blatantly partisan manner during the parliamentary elections of 2004 when it disqualified more than 3,600 reformist and independent candidates, allowing conservative candidates to dominate the ballot. The Council's actions produced widespread voter apathy and many boycotted the polls. Many Iranians regarded the move as a "silent coup" on behalf of conservatives who had performed poorly during previous elections in 2000. The Council also disqualified many sitting parliamentarians whose candidacy had been approved by the same Council in 2000.

The Council of Guardians also has the authority to determine whether laws passed by the Majlis conform to the Constitution and Islamic Law. In recent years, for instance, the Council

has repeatedly rejected parliamentary bills in such areas as women's rights, family law, the prohibition of torture, and electoral reform. The Council also vetoed parliamentary bills assenting to ratification of international human rights treaties such as the Convention against Torture and the Convention on the Elimination of all forms of Discrimination against Women.

The president is the head of the executive branch. The President is elected by the popular vote and can serve a maximum of two five-year terms. While the President is responsible for the day-to-day running of the country, his powers are limited. There are important portions of the Iranian power structure over which he had absolutely no control. Under the Iranian Constitution the entire executive branch appears to be subordinate to the Supreme Leader.

The parliamentary system is unicameral, with the 290 members of the Islamic Consultative Assembly (Majlis) facing election every four years and responsible for drafting legislation. All legislation passed by Parliament must however first pass the scrutiny of the Council of Guardians before becoming law. The Council of Guardians thus has effective veto power over the Majlis. If the Council is unhappy with a particular Bill, the Council can send it back to the Majlis for revision. Disputes over legislation between the Majlis and the Council of Guardians are sometimes referred to the Expediency Council. The Expediency Council, which was formed to arbitrate between the two, has for the most part sided with the Council of Guardians in its dispute with the Majlis. (Davaraj 2003)

Iran is the only country to contemplate combining a strict Islamist regime with democratic practices. The Islamic republic holds tolerably decent elections, proving at least that a theocratic state and a free popular vote can go together. However, in recent years a growing number of Iranians are asking why non-elected religious leaders should have more power than the democratically elected President. They want an administration and a judiciary that are free from

clerical despotism. And so although an Islamic state imbued with religion and religious symbolism, Iran has become an increasingly anti-clerical country. (The Economist 2000)

The 1997 presidential elections reflected the discontent of the public as well as the possibilities of, and the obstacles to, meaningful politics in Iran. In a hard-fought and highly competitive contest former minister of culture Mohammad Khatami gained an upset victory over the more conservative Speaker of the Majlis Ali Akbar Nateq-Nuri, winning almost 70% of the vote to become the Islamic Republic's fifth president.

Khatami did not want to overthrow the existing system. He wanted to make it work better. For example he noted that in the age of satellite dishes and the Internet, Iran cannot shut out the outside world. He argued that the young can be "immunized" against the attractions of the Western popular culture only through open debate and the free exchange of ideas. He quickly relaxed censorship and licensed numerous new publications. The increased flow of information as a result of this liberalization created a healthy intellectual climate that further accentuated the desire for reform. Although knowing that the Iranian Constitution enshrines the idea of religious rule, he sought ways to make the principle of clerical supremacy compatible with individual rights and liberties. (The Economist 2000)

In a television interview in June 2001 before that country's presidential elections President Khatami, noted that:

> "The existing democracies do not necessarily follow one formula or aspect. It is possible that a democracy may lead to a liberal system. It is possible that democracy may lead to a socialist system. Or it may be a democracy with the inclusion of religious norms in the government. We have accepted the third option. Today world democracies are suffering from a major vacuum, which is the vacuum of spirituality and Islam can provide the framework for combining democracy with spirituality and religious government." (Esposito and Voll 2001)

President Khatami's tenure ended this year. The new presidential elections resulted with the victory of the former Mayor of Tehran and fundamentalist Mahmud Ahmadi-Nejad, who won

62% of the votes.As to what effect the re-rise of the conservatists will have on the process of modernization and democratization only time will show. However one thing is for sure. Today Iran is a much more open place to live in than it was when Mr Khatami took office. There have, as yet, been no vast changes of policy, but, under the benign influence of the former president and his men, many of the petty rules and regulations that made things so drab for ordinary families have been forgotten about or, at least, are not so severely enforced. It is easier, for instance, for a boy and girl to go out together, for a family to own a satellite dish (though these are still officially banned), or for anyone to read a lively, dissenting newspaper[18].

However, despite reforms and positive progress the Islamic Republic faces challenges on many fronts, especially regarding human rights.

According to the Human Rights Watch report, the Iranian authorities systematically suppress freedom of expression and opinion. After President Mohammad Khatami's election in 1997, reformist newspapers multiplied and took on increasingly sensitive topics in their pages and editorial columns. Prominent Iranian intellectuals began to challenge foundational concepts of Islamic governance. In April 2000, the government launched a protracted campaign to silence critics: closing down newspapers, imprisoning journalists and editors, and regularly calling editors and publishers before what became known as the Press Court. Today, very few independent dailies remain, and those that do self-censor heavily. Many writers and intellectuals have left the country, are in prison, or have ceased to be critical. In 2004 the authorities also moved to block Internet websites that provide independent news and analysis, and to arrest writers using this medium to disseminate information and analysis critical of the government.

With the closure of independent newspapers and journals, treatment of detainees has worsened in Evin prison as well as in detention centers operated clandestinely by the judiciary

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[18] These I have studied and witnessed during my recent visit to Tehran in August- September 2005.

and the Islamic Revolutionary Guard Corps. Torture and ill treatment in detention has been used particularly against those imprisoned for peaceful expression of their political views. In violation of international law and Iran's constitution, judges often accept coerced confessions. The use of prolonged solitary confinement, often in small basement cells, has been designed to break the will of those detained in order to coerce confessions and provide information regarding associates. Combined with denial of access to counsel and videotaped confessions, prolonged solitary confinement creates an environment in which prisoners have nowhere to turn in order to seek redress for their treatment in detention. Severe physical torture is also used, especially against student activists and others who do not enjoy the high public profile of older dissident intellectuals and writers. The judiciary chief, Ayatollah Mahmud Hashemi Shahrudi, issued an internal directive in April 2004 banning torture and inhumane treatment of detainees, but as of yet no enforcement mechanisms have been established.

The report shows that Iran's ethnic and religious minorities remain subject to discrimination and, in some cases, persecution. The Baha'i community continues to be denied permission to worship or engage in communal affairs in a public manner. In a rare public protest, eighteen Sunni parliamentarians wrote to the authorities in 2003 to criticize the treatment of the Sunni Muslim community and the refusal to allow construction of a mosque in Tehran that would serve that community. The Baluchi minority, who are mostly Sunni and live in the border province of Sistan and Baluchistan, continue to suffer from lack of representation in local government and have experienced a heavy military presence in the region. (Human Rights Watch 2005)

Although in a far better situation than their counterparts in Arab countries, women continue to be discriminated in all areas. For example, while men can marry seven women and divorce

easily, women can marry only once and are not afforded the same divorce rights as men. In the courts, the testimony of two women is equivalent to that of a single man and the criminal accountability age in Iran is nine years for women and 15 for men. (Dobrota 2004)

Today the challenge to the Islamic republic is how to establish popular sovereignty under clerical rule and preserve a government with a divine mission whose real secular task is to run a modern state in a Western-dominated capitalist world. According to Ali Abootalebi, Iran's experience "has shown that fundamentalism-in-power cannot solve every problem, and actually complicates the challenge of implementing Islamic values in public life." (Abootalebi 2000)

The Islamic Republic of Iran as a system of government has received less attention from democratic thinkers than it deserves. It is true that the theocratic element is still top heavy, and the powers of the clerics excessive; however, the Islamic Republic's system is still an interesting combination of mass electoral politics and theocratic governance. Although Iran is not a true democracy, it also not a totalitarian state indifferent to public opinion. Elections occur regularly and are tolerably fair. And although elections do not guarantee the transition of popular demands to state policy, nevertheless they are the best measure of democratic practice within a country. However Iran will not become a more democratic country until it accepts that clerical rule, the concept of Velayat-e-Faqih, is not untouchable, and that seperation of religion and state are a necessity.

Chapter V: Conclusion and Recommendations

From examining previous chapters one can conclude that Islam is not democracy and democracy is not Islam for sure. Furthermore, Islam is not attributed to any principle or system. Islam is unique in its means, ends and methodologies. In answering the question of the compatibility of Islam and democracy one first of all should ask which Islam? Based on previous chapters one can conclude that there is neither a single accepted Islamic theology, nor a single interpretation of Islamic law, nor a single issue around which all Muslim societies are willing to place their people, future or fortune. The fact is that there is no unified "Muslim world" or unified Muslim ideology.

The main conflict surrounding the issue of compatibility of Islam and democracy is the idea of God's sovereignty versus the popular sovereignty. As observed, in Islam, God is the giver of laws. Only He can say how the violation of theses laws may be punished and only God has the right to forgive such violations. These laws are subject to the exclusive jurisdiction and dominion of God, and human beings have no choice but to follow the explicit and detailed rules that God set out for handling acts that fall within His jurisdiction. These laws, known as Shari'ah, apply to all aspects of religious, political, social, and private life. Interpreted literally, they leave the individual "right-less" and with only limited autonomy, and that, to implement and enforce God's laws. Thus in this way they can clash with Western democratic ideas of "rule of the people", where the rights of the individual are at the core of the system.

However if interpreted differently it can be harmonious with democracy. In this case also, it is not denied that God is sovereign and the ultimate rule maker, but humans and are deemed as His vicegerances on Earth, and vested with the power of knowledge and reasoning. Although they should accept that ultimately the Law belongs to God, however, they should realize that He

asserts His rights only for the benefit of human beings, and can vindicate His rights in the Hereafter if need be. By contrast, humans as God's representatives and caretakers of all His creations have rights as well and they need to vindicate those rights on Earth for the benefit of themselves and all humankind. In this view, Islam is corresponding to the concept of democracy, the cornerstone of which is existence of individual rights.

Other than this major issue of controversy, Islam contains a number of ideas that some Islamic scholars say support democratic ideas. Although not specifying a particular form of government, the Qur'an does identify a set of values that are central to a Muslim society. Three values are of particular importance: pursuing justice through social cooperation and mutual assistance, establishing a non-autocratic, consultative method of governance, and institutionalizing mercy and compassion in social interactions. Especially important are the principles of *shura* (consultative decision-making), *ijma* (the principle of consensus), *ijtihad* (reinterpretation with changing conditions and needs), enjoining the good and forbidding the evil, disobeying illegal orders and *jihad* (changing wrong by force when possible).

As mentioned, Islam teaches that a ruler should be selected by consensus of his nation, and that he should have the necessary qualities for performing the duties of the state. He should abide by the holy Qur'an, seek the opinion of those who elect him and be accountable to them.

It is well known that the principles of government by consent, elected representatives (rulers), public opinion and accountability to constituencies are all ideas of a democratic system. Therefore, in this sense, the main principles of the religion of Islam and democracy overlap, since the tools and guaranties created by democracy are as close as can ever be to the realization of the political principles brought to this world by Islam to put a leash on the ambitions and whims of rulers.

Another powerful argument for democracy emerges from the principles in the constitution of Medina, which was written by the Prophet Mohammed in 622 A.D. The document sets down the rules of the community of Medina -as agreed to by Muslims, Jews and other non-Muslims of the city- and grants equal rights to non-Muslims and Muslims who follow its laws. The Prophets example is an excellent model for an Islamic democracy. It once again goes to show that there are religious ideas in Islam that favor democracy.

So are Islam and democracy compatible? In addressing this question, we need to start with a general observation: religious traditions are a combination of text and context- revelation and human interpretation within a specific sociohistorical context. All religious traditions demonstrate dynamism and diversity, which is why there are conservative as well as modernist or progressive elements in all religions. Judaism and Christianity, the Old and New Testaments have been used to legitimize monarchies and feudalism in the past and democracy and capitalism, as well as socialism, in the present. The Gospels and Christianity have been used to legitimize the accumulation of wealth and market capitalism as well as religiosocial movements. Moreover democracy itself has meant different things to different peoples at different times, from ancient Greece to modern Europe, from direct to indirect, from majority rule to majority vote. Can Islam travel a similar path?

Generally speaking, the answer seems to be yes. Through history, Islam has proven dynamic and diverse. It has adapted to support movements from the city-state of Medina to empires and sultanates; it was also able to encompass different Sunni and Shia branches; and has been used to support both extremism and conservative orthodoxy. Islam continues to lend itself to multiple interpretations of government; it is used to support limited democracy and dictatorship,

republicanism and monarchy. Like other religions, Islam possesses intellectual and ideological resources that can provide the justification for a wide range of political models.

With respect to democracy in particular, a diversity of voices within the Islamic world are now debating issues of political participation. Secularists argue for the separation of religion and state. Rejectionists maintain that Islam's forms of governance do not conform to democracy. Extremists agree, condemning any form of democracy as *haram* (forbidden), and an idolatrous threat to God's rule or Divine sovereignty. Their "holy wars" aim to topple governments and impose an authoritarian Islamic rule. Conservatives often argue that popular sovereignty contradicts the sovereignty of God, with the result that the alternative has often been some form of monarchy. Modern reformers in the twentieth century began to reinterpret key traditional Islamic concepts and institutions- *shura*, *ijma*, and *ijtihad*- to develop Islamic forms of parliamentary governance, representative elections, and religious reform.

In any event, we now see much experimenting and learning taking place in many Muslim societies. The demand for democracy, the growth of prodemocracy movements, is now evident throughout much of the Muslim world, from "democratic" states like Turkey, Bangladesh, Pakistan and Indonesia to Qatar, Afghanistan, Iran, Iraq and even Saudi Arabia.

Even if in some cases miniscule, but progress and liberalization reforms are taking place in the Muslim world. Because of these, Muslim countries are implementing the harsher side of Islamic justice less fervently, relaxing their more repressive or tiresome rules, being fairer to women and minorities (especially non-Muslim), allowing free expression and association. As seen by Haass, "these experiments with democracy that is currently undergoing in the Muslim world have a long way to go before democracy is consolidated, but that should not obscure the fact that significant progress is being made." (Haass 2003)

In examining the compatibility of Islam and democracy in practice (given the wide range of Muslim countries and the time/space limitations of this essay) focus was placed on two Muslim countries, namely Turkey and Iran. Although both Muslim majority states, they proved to be on different sides of the democracy spectrum. Iran teeters between a return to full autocracy and a chaotic move into liberalized autocracy, while Turkey appears to be in the midst of going from a hybrid regime that blended elements of democracy, autocracy and pluralism to one that is more liberal and democratic.

The experience in Turkey, and in some respects in Iran, lead one to think that Muslims in both countries perceive democracy as not only being compatible with their beliefs but as a necessary aspect of political life, one that protects them from tyranny. Even hard-liners in Iran are unable to stop the democratic process in their country, despite several attempts at curtailing it through the Council of Guardians. This goes to show that democracy is not as antiethical to Islam as some claim it to be; that the generally accepted principles of democracy - representative government, political parties, free and fair elections, freedom of expression, protection of basic human rights, a separation and balance of power among branches of government, rule of law- are finding their way into Muslim societies as well.

What the West should understand, however, is that democracy could evolve a bit differently in different cultures. For example across the world of Islam, governments have adopted varying degrees of self-representation in response to unique historical circumstances. Democracy in the Muslim world does not have to be (and cannot be) a replica of the democracy in the United States of America. One cannot compare what the West has achieved as a society over two centuries with an emerging democracy, where people are just trying to test the boundaries and find out what democracy means.

Many scholars hope that an Islamic model of democracy will arise out of the marriage between democratic tools and Islamic values. This they assert is not impossible. The democratic system has worked within the framework of Christian values giving rise to Christian democracies and within the framework of socialist philosophy giving rise to socialist democracies. Why should it not function within the framework of Islamic values to produce an Islamic democracy?

So in answering the question "is Islam compatible with democracy?" I would argue that depending on its interpretation Islam *is* and *is not* compatible with democracy. Therefore the real focus should be not on what Islam is, but rather on what Muslims want. If Muslims genuinely seek to construct a democratic society in which international standards of human rights are both respected and protected, then it is up to them to work towards an interpretation of their religious tradition that can turn vision into reality. Otherwise, as long as the rights of individuals are constrained by the Divine Law (Shari'ah) there will be no democracy in the world of Islam.

In short, if sufficient numbers of Muslims deem democracy to be constitutive of their religion and institutionalize its processes, the question of the compatibility of Islam and democracy will become moot. Here indeed may lie the greatest challenge and greatest opportunity for the Muslim society, since as Gandhi says: "The spirit of democracy is not a mechanical thing to be adjusted by abolition of forms. It requires change of heart." (Attenborough 1999, 19)

LIST OF REFERENCES

Abootalebi, Ali. (2000) "The Struggle for Democracy in the Islamic Republic of Iran". <u>Middle East Review of International Affairs</u> (Fall). v4 i3.

Al- Tantawi, Ali. (2000) <u>General Introduction to Islam</u>. Jeddah, Saudi Arabia: Dar Al-Manara Publishing.

Al-Qaradawi, Yusuf. (2002) "Islam's Approach Towards Democracy". <u>The Message International</u>. May/April.

Attenborough, Richard. (1999) <u>The Words of Gandhi</u>. New York: Newmarket.

Brumberg, Daniel and Larry Diamond. (2003) "Introduction" In <u>Journal of Democracy: Islam and Democracy in the Middle East</u>. Larry Diamond, Marc F. Plattner, and Daniel Brumberg (eds). The John Hopkins University Press.

Caruba, Alan. (2003) "Islam versus Democracy". Persian Journal on the Web. November 30 (Webpage: www.iranian.ws).

Demirel, Süleyman. (1997) "The Compatibility of Islam, Democracy and Secularism". <u>Perceptions: Journal of International Affairs</u>. June-August. v2 i2.

Devaraj, Rajen. (2003) "Iran 24 Years After The Islamic Revolution". <u>Aliran Monthly</u>. Issue 3.

Dobrota, Alex. (2004). "Islam and Democracy Not a Contradiction". The Link on the Web. (Webpage://thelink.concordia.ca). October 19.

El Affendi, Abdelwahab. (2002) "Do Muslims deserve democracy? What's stopping democracy from taking root in Muslim countries?". <u>New Internationalist Magazine</u>. May.

Eldabry, M. (2001) "Islam & Democracy". Center for the Study of Islam and Democracy on the Web. April. (Webpage: www.islam-democracy.org).

El Fadl, Khaled Abou-. (2004) <u>Islam and the Challenge of Democracy</u>. Princeton University Press.

Esposito, John L. and John O. Voll. (2001) "Islam and Democracy". National Endowment for the Humanities on the Web. (Webpage: www.neh.gov/).

Farooq, Mohammad Omar. (2002) "Islam and Democracy: Perceptions and Misperceptions". <u>The Message International</u>. May/April.

Gannouchi, Rashid. (2002) "The Right of Non-Muslims in a Muslim State". <u>The Message International</u>. May/April.

Gregorian, Vartan (2003) <u>Islam: A Mosaic, Not a Monolith</u>. Washington, D.C.: Brookings Institution Press.

Haass, Richard N. (2003) "Towards Greater Democracy in the Muslim World". The Washington Quarterly on the Web. Summer. (Webpage: www.twq.com).

Huntington, Samuel P. (1991) <u>The Third Wave: Democratization in the Late Twentieth Century.</u> University of Oklahoma Press.

"Iran, Islam and democracy". (2000) The Economist on the Web. February 17. (Webpage: www.economist.com)

Javadi, Hasan. (1999) "Iranian Anniversary/ Religious Dimension". Federation of American Scientists on the Web. February 11. (Webpage: www.fas.org)

Jenkins, Gareth. (2004) "Can Islamists be Democrats?". <u>Democracy at Large</u>. v1 i1

Khan, Muqtedar. (2001) "Islam's Compatibility with Democracy". Ijtihad on the Web. April 11. (Webpage: www.ijtihad.org).

Khan, M. Riaz. (2002) "Shura and The Islamic Vision of Democracy". <u>The Message International</u>. May/April.

Lewis, Bernard (1994) "Why Turkey Is the Only Muslim Democracy". <u>The Middle East Quarterly</u>. March. v1 i1.

MacAskill, Ewen. (2004) "Saudi Regime Feels the Heat". <u>The Guardian Weekly</u>. July 2-8. v171 i2.

Masmoudi, Radwan. (2000) "Islam and Democracy: Between the Past, the Present and the Future". Center for the Study of Islam and Democracy on the Web. March. (Webpage: www.islam-democracy.org).

Masud, Muhammad Khalid. (2004) "Defining Democracy in Islamic Polity". <u>ICIP Journal</u>. v2 i2, March 2005.

Mazuri, Ali A. (2003) "Islamocracy: In Search of a Muslim Path to Democracy". Center for the Study of Islam and Democracy on the Web. May 16. (Webpage: www.islam-democracy.org).

McClelland, J.S.(2004) <u>A History of Western Political Thought</u>. New York: Routledge.

Mufti, Siraj Islam. (2002) "Major Principles of Islamic Governance". <u>The Message International</u>. May/April.

New Webster Dictionary. (1988) Dalhi, India: Furgeet Publication.

Parsons, Anthony. (1984) The Pride and the Fall: Iran 1974-1979. Frome and London: Butler and Tanner Ltd.

Rahman, Mahbubur. (2002) "Islam and Democracy: Coming Out of Misconceptions". The Message International. May/April.

Sarsar, Saliba. (2000) "Can Democracy Prevail?" The Middle East Quarterly. March. v1 i1.

Sartori, Giovanni. (1987) The Theory of Democracy Revisited: Part One, The Contemporary Debate. Chatham, New Jersey: Chatham House Publishers, Inc.

Sezer, Duygu. (2003) "Democracy and Islam: Turkey". The Aspen Institute on the Web. (Webpage: www.aspeninstitute.org)

Sorensen, Georg. (1993) Democracy and Democratization: Dilemmas in World Politics. USA: Westview Press, Inc.

Smith, Justin E.H. (2004) "Islam and Democracy: The Lesson from Turkey". CounterPunch. Weekend Edition, May 15/16.

Taheri, Amir. (2003) "Democracy in Arabia". National Review on the Web. March 3. (Webpage: www.nationalreview.com).

_____ (2004) "Islam and Democracy: The Impossible Union". The Sunday Times. May 23.

Tamimi, Azzam. (1998) "Democracy: The Religious and the Political in Contemporary Islamic Debate". Institute of Islamic Political Thought on the Web. October 1. (Webpage: www.ii-pt.com).

"The people against the mullahs". (2000) The Economist on the Web. February 17. (Webpage: www.economist.com)

United States Institute of Peace. (2002) "Islam and Democracy". Special Report '93. September.

World Report 2005. Human Rights Watch on the Web. January 2005. (Webpage: www.hrw.org).