What is Islamic Democracy? The Three Cs of Islamic Governance

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M. A. MUQTEDAR KHAN, JAN 7 2015

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What is Islamic Democracy? Is it a secular democracy in which Islamic leaning parties come to power and Islamic identity influences policy choices, as in Turkey? Or is it, like Iran, a theo-democracy in which Islam and Islamic values are constitutionally privileged and mandated, and where elections serve merely to elect the executive while the legislative function remains subordinate to Islamic law – The divine *Shariah*?

Islamists for decades have been striving to bring Islamic values to bear on the politics of their societies. There are many shades of Islamists, and they are advancing many different political models that integrate religious values, religious identity, and politics. Some are seeking to establish Islamic states in Muslim majority states (Egypt, Tunisia, Pakistan), some are seeking to establish a global Caliphate (Syria and Iraq), and others are fighting to break away from non-Muslim States (Kashmir and Palestine). The underlying assumption of all these political movements is that Islamic sources postulate a blueprint for governance, and includes the establishment of an Islamic state.

Since the collapse of the Muslim Brotherhood's government in Egypt in 2013, Islamists by and large have assumed the mantle of democracy and now call for democratisation and oppose authoritarianism. The calls to establish Islamic States and impose Islamic laws are limited to fringe, but armed, violent and increasingly brutal militias such as ISIS (Islamic state in Iraq and Syria) and the TTP (Tehrik-e-Taliban Pakistan), the Taliban movement in Pakistan. ISIS, which now controls a vast swath of area in Syria and Iraq, has even declared the establishment of the caliphate and named their leader, Abu Bakr al-Baghdadi, as Caliph.

Muslim theorists of the state argue that the essential Quranic principle of *Amr bil marouf wa nahy anil munkar* – "command good and forbid evil" – is the Islamic justification for the creation of an ideological state that is geared toward establishing the Islamic *shariah*. This principle is essentially drawn from the Quran [3:100, 3:104, and 9:710].

You are the best of the nations raised up for (the benefit of) humanity; you enjoin what is right and forbid the wrong [Quran 3:110]

Since what is good and what is evil, they insist, is articulated in the *shariah*, in order for Muslims to fulfil the duty to 'enjoin the good' and forbid evil, Muslims must "establish the Islamic *shariah*." This is the standard justification for the Islamic state and was essentially articulated by a now-prominent medieval scholar, Ibn Taymiyyah. While one can always dispute whether the text of the Quran necessitates the creation of a state, the fact remains that a large segment of the Muslim population believes in it.

Given that many Muslims feel that Islam mandates political engagement as part of religious practice, Islam will continue to play a role in politics and public policy. In this brief essay, I want to depart from discussing the role of Islamic political movements in secular or Islamic states, such Saudi Arabia or Iran, and argue that there has emerged an idea of Islamic democracy in modern Muslim political discussions. In this brief article, written primarily to introduce

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the readership to the idea of a democratic Islamic polity, I identify and explore some key concepts that have salience to both Islamic religious political tradition and democratic theory.

The Three Cs of Islamic Democracy

The key features of Islamic governance that I have found in Islamic sources – Quran and the Prophetic precedence (*Sunnah*), and contemporary Muslim discussions on the Islamic State – are **C**onstitution, **C**onsent, and **C**onsultation. Muslims who seek to implement the *Shariah* are obliged to emulate the Prophet's precedence and, given the rather narrow definitions of *Shariah* and *Sunnah* that most Islamist operate with, there is no escape for them from the three key principles identified here. While these principles need to be explored and articulated in the specific socio-cultural context of different Muslim societies, it is important to understand that they are essential.

Constitution

The compact, or constitution, of Medina that Prophet Muhammad adopted provides a very important occasion for the development of Islamic political theory. After Prophet Muhammad migrated from Mecca to Medina in 622 CE, he established the first Islamic state. For ten years, Prophet Muhammad was not only the leader of the emerging Muslim community in Arabia, but also the political head of the state of Medina. As the leader of Medina, Prophet Muhammad exercised jurisdiction over Muslims as well as non-Muslims. The legitimacy of his sovereignty over Medina was based on his status as the Prophet of Islam, as well as on the basis of the compact of Medina.

As Prophet of God, he had sovereignty over all Muslims by divine decree. But Muhammad did not rule over the non-Muslims of Medina because he was the messenger of Allah. He ruled over them by virtue of the compact that was signed by the *Muhajirun* (Muslim immigrants from Mecca), the *Ansar* (indigenous Muslims of Medina), and the *Yahud* (several Jewish tribes that lived in and around Medina). It is interesting to note that Jews were constitutional partners in the making of the first Islamic state.

The compact of Medina can be read as both a social contract and a constitution. A social contract, a model developed by English philosophers Thomas Hobbes and John Locke, is an imaginary agreement between people in the state of nature that leads to the establishment of a community or a State. In the state of nature people are free and are not obliged to follow any rules or laws. They are essentially sovereign individuals. However, through the social contract they surrender their individual sovereignty to a collective one and create a community or a State.

The second idea that the compact of Medina manifests is that of a constitution. In many ways, the constitution is the document that enshrines the conditions of the social contract upon which any society is founded. The compact of Medina clearly served a constitutional function, since it was the constitutive document for the first Islamic state. Thus, we can argue that the compact of Medina serves the dual function of a social contract and a constitution. Clearly the compact of Medina by itself cannot serve as a modern constitution. It would be quite inadequate, since it is a historically specific document and quite limited in its scope. However, it can serve as a guiding principle to be emulated, rather than a manual to be duplicated. Today, Muslims worldwide can emulate Prophet Muhammad and draw up their own constitutions, historically and temporally specific to their conditions.

Consent

An important principle of the Constitution of Medina was that Prophet Muhammad governed the city-state of Medina by virtue of the consent of its citizens. He was invited to govern, and his authority to govern was enshrined in the social contract. The constitution of Medina established the importance of consent and cooperation for governance.

The process of *bayah*, or the pledging of allegiance, was an important institution that sought to formalise the consent of the governed. In those days, when a ruler failed to gain the consent of the ruled through a formal and direct process of pledging of allegiance, the ruler's authority was not fully legitimised. This was an Arab custom that predates Islam, but, like many Arab customs, was incorporated within Islamic traditions. Just as Prophet Muhammad had done, the early Caliphs of Islam, too, practiced the process of *bayah* after rudimentary forms of electoral colleges

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had nominated the Caliph, in order to legitimise the authority of the Caliph. One does not need to stretch one's imagination too far to recognise that in polities that have millions rather than hundreds of citizens, the process of nomination followed by elections can serve as a necessary modernisation of the process of *bayah*. Replacing *bayah* with ballots makes the process of pledging allegiance simple and universal. Elections, therefore, are neither a departure from Islamic principles and traditions, nor inherently un-Islamic in any form.

The Quran, too, recognises the authority of those who have been chosen as leaders, and in a sense extends divine legitimacy to those who have legitimate authority.

O you who believe! Obey Allah and obey the Messenger and those in authority from among you. [Quran 4:59]

Consultation

The third key principle of Islamic governance is consultation, or *Shura* in Arabic. This is a very widely known concept, and many Islamic scholars have advanced the Islamic concept of *Shura* as evidence for Islam's democratic credentials. Indeed, many scholars actually equate democracy with *Shura*.

…and consult them in affairs (of moment). Then, when thou hast taken a decision put thy trust in Allah. [Quran 3:159]

[righteous are those] …who conduct their affairs through [shura baynahum] mutual Consultation. [Quran 42:38]

Muslim scholars dispute whether the Quranic injunction for consultation is advisory or mandatory, but it nevertheless remains a divine sanction. Pro-democracy Muslims see it as necessary, and those who fear democratic freedoms and prefer authoritarianism interpret these injunctions as divine suggestions and not divine fiats. The Prophet himself left behind a very important tradition that emphasised the importance of collective and democratic decision making. He said that "the community of Muhammed will never agree upon error." Consultative governance, therefore, is the preferred form of governance in Islam, and any Muslim who chooses to stay true to his faith sources cannot but prefer a democratic structure over all others to realise the justice and wellbeing promised in Islamic sources.

Conclusion

There is much in Islamic sources and Islamic tradition that is favorable to making democracy the vehicle for delivering the products of Islamic governance, such as social justice, economic welfare, and religious freedoms. I am convinced that Islam is not a barrier to, but instead a facilitator of, democracy, justice, and tolerance in the Muslim world. That said, for that to happen, Muslims must revisit their sources and re-understand them without a bias against things that they erroneously label as Western. Democracy is inherent to Islamic values and Islamic historical experience.

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About the author:

M.A. Muqtedar Khan is Associate Professor in the department of Political Science and Contributors International Relations at the University of Delaware and a Fellow of the Institute for Social Policy and Understanding. His website is www.ijtihad.org and his academic depository is https://udel.academia.edu/MuqtedarKhan.