Political Islam Secularism & the Survival of Democracy

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It has become almost a fashion for under secretary level foreign diplomats stationed in Dhaka to often advice Bangladesh government which sometimes tantamount to interference in the internal affairs of our country. No doubt this could happen because of the weakness of our political system. We observe that our politicians time and again behaved in a manner that created opportunities for outsiders to unnecessarily poke their nose in our domestic affairs. Foreign dictation also becomes clear when national budgets are prepared on the prescription of International Monetary Fund and World Bank and aid accepted by our government on the terms of donor countries.

I would however draw the attention of the readers to a recent statement of the Indian High Commissioner Pinak Ranjan Chakrabarty in which he raised objection about Bangladesh having a Ministry of Religious Affairs and advised Bangladesh to pursue meaningful secularism, as in India, to strengthen democracy in Bangladesh [The Daily Naya Diganta of 19.5. 2007]. The weakness of our government became too manifest for neither a clarification was sought by Bangladesh Government for such unwarranted statement of the Indian High Commissioner on our governing system nor any protest was made by the Bangladesh Ministry of Foreign Affairs. Not even a Verbal Note was exchanged. The normal practice of an envoy being called by the Ministry of Foreign Affairs to explain his conduct was not followed. Nor the Indian High Commissioner was censured.

Notwithstanding of the recurrence of communal riots in India every year in which Muslims are the principal victims, to refute the claim of the Indian High Commissioner that there is no discrimination among different religious communities in India, it would suffice to quote the Sachar Committee Report on the 'Socio-economic Status of India's 150 Million Muslims' which mentioned that Muslims share in government jobs is just 4.9 percent although they represent 13.4 percent of the Indian population.

Here the intention is not to refute the Indian High Commissioner. It needs to be discussed at the academic level whether democracy can flourish and be strengthened in a Muslim country if Islam is a state religion, and if such a country has a ministry of religious affairs, or whether it is essential for a country to adopt secularism to strengthen democracy, and if there is any link between secularism and democracy?

The question is: Can a state that embraces religion be democratic? Britain has no separation of church and state. The queen is the Defender of the Faith and head of the Church of England. Anglican bishops sit in the House of Lords, and anyone who wants to change the Book of Common Prayer must go through Parliament to do it.

Yet Britain is the cradle of modern democracy. To take another western European example, in the German state of Bavaria, the schools are religious, mostly Catholic, ones, and almost every classroom displays a crucifix. No one seems to think that this makes modern Germany into something other than a democracy [Also see M. Shahid Alam (Professor of Economics, Northeastern University, Boston), Challenging the New Orientalism: Dissenting Essays on the War Against Terrorism, Chapter Two – A Clash of Civilizations? Nonsence, Islamic Publications International, North Haledon, New Jersey, 2005, p 30].

The prime question is: What is the measurement of a democratic state? Any democratic and constitutional state must guarantee equal rights and freedom of religion to all its citizens, Muslims and non-Muslim alike. This is the core principle of democracy, and whether a government is democratic or not is judged keeping this standard uppermost in consideration. Democracy may mean simply that the people rule, whether by referendum or by choosing representatives. A modern definition requires a range of basic rights to go along with the right to vote and to be elected in free elections: broad freedom of speech and association, equality before law, so on and so forth.

In Bangladesh, Islam is the state religion. The existence of state religion or the Ministry of Religious Affairs in no way has infringed any of the basic right. However Islam being state religion is not an uncommon phenomenon. In Egypt Islam is the official religion of the state. Shariah is the source of law under the Egyptian constitution [Article – 2 of the Egyptian constitution]. Islam is also the official religion of Malaysia and it defines itself as an Islamic country [Dr. Suzaina Kadir (Assistant Professor of Political Science, National University of Singapore), Mapping Muslim Politics In Southeast Asia after September 11, The European Institute for Asian Studies, WWW.EIAS.ORG, p 13, assessed on 10.7.2007] Even Thailand is thinking to incorporate Buddhist religion as state religion.

The government can support one particular view of the good life. It can give money to mosques, churches and temples. But as long as the government does not force anyone to adopt religious beliefs that he or she rejects, or perform religious actions that are anathema, it has not violated the basic right of religious liberty or democratic principles.

Secularism however is a western concept and is not a necessary condition to establish and strengthen democracy in a society. Moreover secularism is of various kinds. British, French and American secularism are not the same. In U.S. and Britain religion form the core of the social and governmental system. We can however identify a value already implicit within Islam which is akin to democracy and this does not necessarily need incorporating a western idea like secularism.

In Islam the forms of government have not been fixed by the Quran and the Sunnah. It has been left to the people of each epoch. In the past Caliphs were understood to be selected by people, not God; they were expected to engage in some sort of

consultation with the community they governed. These features of the early Islamic society provide the basis for all modern theories of Islamic democracy.

Early Muslims agreed that the Caliph was not to be chosen by God but elected or approved by a group of people. Once the Caliph was nominated, he then had to be approved through *baya*, agreement of the general people. This was the case even in dynastic or monarchic type of Caliphate during the Umayyad and Abbasid.

Islamic scholars and academicians see the roots of modern democracy in the nomination of the Caliph and the agreement between the Caliph and people. The Caliph does not ascend the throne but is elected (or we can say selected) by a group of people who represent the entire community. Caliph therefore derives authority from the consent of the people [Justice Javid Iqbal, The Concept of State in Islam in Dr. Mumtaz Ahmad (Professor of Political Science, Hampton University, U. S. A.) ed. State Politics and Islam, American Trust Publications, Indianapolis, 1986, pp 42-43. Also see Reza Aslan (former visiting Assistant Professor of Islamic and Middle Eastern Studies, University of Iowa), No God but God: The Origins Evolution and Future of Islam, Chapter 5 - The Rightly Guided Ones: The Successors to Muhammad, Arrow Books, The Random House Group Limited, London, 2006, pp 107-139. Further see Syed A. Ahsani, Al-Mawardi's Political Paradigm: Principles of the Islamic Political System in M. Basheer M.D., Dr. Dilnawaz A. Siddiqui and others ed. Muslim Contributions to World Civilization, a joint production of The International Institute of Islamic Thought, U.K. and The Association of Muslim Social Scientists, U.S.A., 2005, pp 23-37].

Islam is not only an ideology but a vibrant faith which holds rulers accountable to justice and the rule of law. The ruler is subject to law, not above it. The Islamic state is a state of rights and law, not arbitrary or absolute power. In it, the ruler is accountable to the people who have assented to his rule. Once the ruler is in power, he must follow the Quranic command to engage in consultation (*shura*) which is binding [See Fazlur Rahman, The Principle of Shura and the Role of the Ummah in Islam, American Journal of Islamic Studies, 1 (1984), pp.1-9].

In this connection it would be pertinent to quote Saadedine El Othmani, Secretary General of the Justice and Developed Party Morocco, who in his article 'Islam and the Civil State' commented: "The state in Islam is essentially civil. Islam attributes no holiness to practices and decisions of leaders. It is a worldly state, one whose decisions are human and whose duty is to adopt the best of subjective and practical policies to manage the affairs of society. A leader in Islam is a person willingly authorized and chosen by the people and before whom he is liable.

"Muslim jurists, both ancient and contemporary, agree that people is the origin of legitimacy for the state. Prophet Muhammad (peace and blessings be upon him) died without appointing a successor. He totally left the matter for the people not only to select the person they want, but also to choose the method of selection. Such action on the part of the Prophet constitutes a meaningful constitutional precedent.

Leaders are chosen by their people; agreement of pledge of allegiance is a contract concluded between the ruler and the ruled, where total consent is the main condition without which the contract is null and void. The ruler, after all, is one individual selected from the people to manage power; he is not privileged as a result of that selection, and he should act according to the contract concluded.

"In other words, it is a civil state with popular legitimacy with responsibility of protecting the people and their interests. State in Islam is essentially civil.

"By the same token, this principle can be applied to other constitutional articles such as the amendment of political institutions, elections, setting the terms of their office, and defining the relation between different authorities, their independence, etc. The aforementioned is subject to independent human reasoning.

"Institutional reforms, constitutional mechanisms, legislative and political interpretations during the golden era are mere human outcome governed by the historical context, cultural circumstances, and milieu of that age. This experience does not mean that it has direct implications that surpass its age, place, and the surrounding circumstances. Such legacy should not by any means turn into an indispensable part of religion binding on all Muslims in all ages. Human political thought and culture have always been overwhelmed by some axioms that have influenced the Muslim understanding of the Islamic political system. These axioms hindered Muslims from achieving the purposes of Islam except within limits of human cultural environment available in every age. The Quran however is an inspiration from which the people benefit in accordance to their potentials, which they will never exhaust its intended teachings.

"Having an Islamic state as a civil one that derives its legitimacy from its citizens makes Muslims more open to the incessant development of the form of government according to the humanly generated mechanisms and systems. This makes them, as well, more capable of applying the best form of democracy, which they can further enrich with Islamic principles and values that convey loftiness of belief, and social and human depth upon the endorsed democratic form" [Saadedine El Othmani, Islam and the Civil State, www.islamonline.net assessed on 14 April 2007].

Even Muslim Brotherhood of Egypt considers that Islamic state is not a state of clerics rather Islamic state is a civil state in all its activities. This was stated by Muslim Brotherhood leader Dr. Muhammad Marsi. Dr. Marsi told the Muslim Brotherhood website: 'The concept of a 'religious state' in its mistaken theocratic meaning refers to a western attempt that oppressed other peoples ... in Islam there is no perception of such a state [www.iokhwanonline.com 28.1.2007 quoted in L. Azuri's As Part of Its Struggle Against the Muslim Brotherhood, The Middle East Media Research Institute (MEMRI), Inquiry and Analysis Series- No. 341, April 13, 2007, www.memri.org/bin/articles.cgi?Page=countries&Area=egypt&ID=IA34107 assessed on 12.7.2007].

Eminent jurist Hasan al-Turabi, ideologue of the Sudanese Islamic movement, emphasized the flexibility of Islam and its potential compatibility with some forms of democratic government [Noah Feldman, After Jihad: America and the Struggle for Islamic Democracy, Farrar Straus and Giroux, New York, 2003, p 183]. Islam is compatible with a number of different systems of government. The inherent flexibility of Islam has made it compatible with the essence of democracy. This view is also shared by eminent Egyptian Islamic thinker Dr. Taha Hussein. He in a lecture at the American University at Cairo in 1942 emphasizing the plurality of the patterns of democracy stated that democracy does not take only one form [Dr. Taha Hussein, Literary Writings, Nabil Farah, p 281, Kitab al-Hilal, issue 638, February, Cairo, 2004, quoted in Dr. Abdulaziz Othman Altwaijri (Director General of the Islamic Educational Scientific and Cultural Organization)'s monograph Democracy in the Islamic Perspective, www.isesco.org.ma/pub/Eng/Democracy/Menu.htm assessed on 8.7.2007]

Democracy might emerge a number of forms. It is possible that each state would be a type of Islamic democracy and committed to the political principles of democracy. Islamic governments however do not mean democratic Muslims states would of similar nature. Indeed, so great is the diversity among Muslims about these and other matters that some academic writers prefer to speak of "Islams", plural, rather than Islam, singular [Noah Feldman, After Jihad: America and the Struggle for Islamic Democracy, Farrar Straus and Giroux, New York, 2003, p 21].

This diversity of the 1.2 billion Muslims spread out among many countries is manifest in the political systems and institutions of these countries. And of course not all Muslims are Eastern. There are Muslims all over Africa, and Europe and the Americas, in addition to East, South and Southeast Asia, and the Middle East. Muslims make up the majority of the population in as many as fifty countries, from the tiny to the very populous. What is true of Bahrain may not be true of Morocco or Senegal or Pakistan. It may not be even true of Saudi Arabia, even though Bahrain and Saudi Arabia are neighbors. Even in European Union practical applications of democracy differ from a country to another. In England for instance, democracy is different from that in Germany, and the same can be said of democracies in the United States and Switzerland.

After the revolution of Iran in 1979 the role of Islam in politics in the Muslim world changed. Iran now provides some indication of how democracy can tentatively begin to make itself felt in a thoroughly Islamic environment. Iran is also the one place in the Muslim world where an Islamic government is in power for the last twenty-seven years. And Iran also undeniably is one of the few countries in the Muslim world where homegrown democratic movement is now engaged in a struggle to reform the Islamic state from within.

Literally democracy means the rule of the people. The essence of Islam is submission to God, to always remain loyal and faithful to the command of God. To some people it is a limit to man's authority. U.S. Declaration of Independence does

not expressly say that the people are sovereign, but rather that all men are created equal and endowed by their Creator with certain unalienable rights. An unalienable right cannot be eliminated even if the people vote to abrogate it. Unalienable rights therefore place a limit on the sovereignty of the people, even in democracy [Also see M. Shahid Alam (Professor of Economics, Northeastern University, Boston), Challenging the New Orientalism: Dissenting Essays on the War Against Terrorism, Chapter Seventeen – A History of September 11, Islamic Publications International, North Haledon, New Jersey, 2005, p 174].

God's suzerainty does not mean that God has left no room for the people to rule themselves. God has left it up to humans to govern themselves on every subject on which He has not provided a definite law.

The people as a whole to be entrusted with the collective power and responsibility to interpret and apply God's will on earth. The community is to perform the task, and they can and must do so collectively. Abdolkarim Soroush, eminent Iranian Islamic scholar holds this view [Noah Feldman, After Jihad: America and the Struggle for Islamic Democracy, Farrar Straus and Giroux, New York, 2003, p 59]. Muslim community is thus entrusted with the task of interpreting and applying God's word.

The elected assembly would have the right to pass laws, and then the Supreme Court would decide whether these laws were consistent with Islam. Islamic values would therefore serve as a kind of constitutional grounding for the state, interpreted through judicial review. Over time, the Supreme Court would develop a body of precedents on the question of what Islamic values meant in practice.

To Muslims blasphemy is public acts that the state should be able to regulate, not private matters of faith that are restricted to the individual realm [Zafar Iqbal, Justice: Islamic and Western Perspectives, Islamic Foundation, U.K., 2007, p 42. Also see Justice Javid Iqbal, The Concept of State in Islam in Dr. Mumtaz Ahmad (Professor of Political Science, Hampton University, U. S. A.) ed. State Politics and Islam, American Trust Publications, Indianapolis, 1986, p 49].Britain has Law of Blasphemy and still it is considered the cradle of democracy. How a Muslim country becomes undemocratic for enacting Law of Blasphemy?

The existence of *hudud* punishments is not incompatible with democracy, unless we think that capital punishment makes a country undemocratic. It is important to realize that the *hudud* punishments cover just a small number of crimes, and therefore leave room for just about every further law one could imagine to be made. The rest of the criminal laws can be determined by the government, according to criteria that the government specifies.

Others raises objection to Islamic dress code for women as a mark of gender discrimination. Indeed, most of the western democratic countries have laws governing who can wear what and where, including different standards for men and

women. If that is not discrimination, how Islamic dress code can be termed as gender bias. Islamic dress actually frees women to participate in public space without being conceptualized as sex objects. In Britain, the Christians nuns use headgear and still it is the cradle of democracy. How a Muslim country then becomes undemocratic for using headgear by the Muslim women?

If Israel can be democratic though being an exclusively Jewish state, how a Muslim country becomes undemocratic only for adopting Islam as state religion or Shariah being the source of law.

Article prepared on: 13 July 2007