How Islamic is an Islamic State?

A Theoretical Debate on Islamic Political Order

Zaman Stanizai

*Department of Political Science, California State University, Dominguez Hills, Carson,
California 90747 USA*

1-424 395-7400 zstanizai@csudh.edu or zstanizai@aol.com

Zaman Stanizai is a Professor of Political Science at California State University, Dominguez Hills, and Professor of Mythological Studies at the Pacifica Graduate Institute in Santa Barbara, California. Dr. Stanizai has earned an MA degree in linguistics at the University of Washington in Seattle as a Fulbright scholar and he has earned a Ph.D. and MA degrees in political science at the University of Southern California. His recent research in political theory focuses on national and sub-national identities and the viability of third world nation-states encountering globalization. He has lectured widely on Islamic contributions to world civilization.

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Abstract

The Muslim world is at the bottom rung of participatory democracy, representative governance, and political stability in comparison to the rest of the world. Prevalent and perpetual social disintegration, economic stagnation, and resistance to modernity are all problems in search of answers whose validity and relevance are constantly questioned. Some have vested hopes in the ideal of an ‘Islamic state,’ but very few have defined such a loosely defined state, and even fewer have critically analyzed or offered its theoretical parameters. In this regard, Islamist political activism suffers from a theoretical disconnect with the present political reality. They pursue two divergent paths: regression to a largely irrelevant political past or digression from historical models that the reformists claim to champion. In this writing, we delineate the inconsistencies between these arguments and offer solutions.

Keywords: Islamic state; Islam and democracy; Islamic democracy; theocracy; Islamic political traditions; political Islam; Salafism; vicegerency; sovereignty; civil rights and liberties in Islam; Religion and State; *Deen wa Dawla*; *ummah*; *hakimiya*; *estekhlaf*;

The Tradition of Governance in Muslim Societies

The concept of an Islamic state is misunderstood by Muslims and non-Muslims alike. The ever-widening cultural divide and today’s Muslims’ inability to reconnect with their past in a meaningful way may be the main culprits, but there is also the challenge to re-contextualize the tradition of governance in the political reality of our times. Caught between a sense of mission and a veil of perception, the Salafists, for instance, idealize the Medina Caliphate and wonder why it worked so well then and why it doesn’t seem to work now. Perhaps we should join them on that journey, not out of an idealized nostalgia, rather for an analytical look at the difference between the two

realities and the historical events that bridge the present with the past of Muslim civilization.

When speaking about a model Islamic state, the city-state of Medina established by the Prophet of Islam is often cited. Medina, however, was not a city or an Islamic state, in the theocratic sense of the word as is commonly believed, but more akin to a republic: A government having a chief of state who was not a monarch but the equivalent of the modern-day president, governed by *Madani law*, a civil law etymologically derived from the very name of Medina, serving the *ummah*, a religiously diverse constituency that is the modern equivalent of “we the people.”

When Prophet Muhammad arrived in Yathrib, people favored him over, Abd-Allah ibn Ubayy,¹ one of the two contenders for the rulership of the city. Muhammad ended the political conflict by reconciling the tribes of Banu Aus and Banu Khazraj. He named the city Medina, a city of civil order, and under the provisions of *Mithaq-al-Medina*, ‘the compact’ or ‘the Constitution of Medina,’² that he signed with the various faith communities, he established a politically and religiously pluralistic polity. By accommodating not just political pluralism, as is the norm in modern democracies, but also religious pluralism, the Medina model was more democratic than modern democracies.

These faith communities followed their own scriptures in matters of faith, family law, rites, and rituals, whereas in matters of social welfare, defense, and external affairs they all adhered to the civil law:

¹ Maxime Robinson, *Muhammad: Prophet of Islam* (2002), Page 156.

² The Islam Project. The Constitution of Medina and the Mayflower Compact

http://www.islamproject.org/muhammad/muhammad_09_PrimarySourceDocuments.htm

Identity and loyalty were no longer to be based on family, tribe, kinship, or even religion: the overriding identity was membership in the *ummah* of Muhammad. The Constitution of Medina decreed that the citizens of the Islamic State were one and indivisible regardless of religion. Be they heathen, People of the Book, or Muslims, all those who were subject to the Constitution belonged to the same *ummah*. In so doing, he [Muhammad] created a tolerant, pluralistic government which protected religious freedom.³

Specific provisions of the Constitution of Medina state, for instance, that “The Jews of Banu ‘Awf are one community with the believers, the Jews have their religion and the Muslims have theirs...”⁴ It follows, “The same applies to Jews of Bani Al-Najjar, Bani Al Harith, Bani Saeeda, Bani Jusham, Bani Al Aws, Thaalba, and the Jaffna, (a clan of the Bani Thaalba) and the Bani Al Shutayba.”⁵

Orientalist Peters finds it fascinating that “The Jews of Banu ‘Awf are one community with the believers,” adding, “If the Jews were permitted from the outset to practice their religion *within* the newly constituted *ummah*, then Muhammad’s original Medinan ‘community’ was a purely secular one, and the word *ummah* was being used in a sense different from its Qur’anic occurrences”⁶

³ John Andrew Morrow. *The Covenants of the Prophet Muhammad with the Christians of the World*. Angelico Press/Sophia Perennis. 2013. Page 32.

⁴ Ibid. Page 30.

⁵ Woven Teaching | Human Rights Documents: Constitution of Medina (accessed February 7, 2019) Page 3.

<https://static1.squarespace.com/static/5097fe39e4b0c49016e4c58b/t/5c8153eeec212d7117477f8f/1551979503244/Constitution-Medina.pdf>

⁶ Francis E Peters. *Muhammad and the Origins of Islam*. Albany: State University of New York Press, 1994. Page 201.

According to Houtsma, “In the Quran the *umma* typically refers to a single group that shares common religious beliefs, specifically those that are the objects of a divine plan of salvation. In the context of pan-Islamism and politics, the word *umma* can be used to mean the concept of a Commonwealth of the Believers (أمة المؤمنين *ummat al-mu'minīn*).”⁷ Since Islam is not a new religion, but a continuation of the monotheistic tradition, the Medina usage of the term *umma* complies with the Qur’anic usage of the term *umma*. “The apostle, and the believers with him, *believe in* what has been bestowed upon him from on high by his Sustainer: they all believe in God, and His angels, and His revelations, and *His apostles, making no distinction between any of His apostles;*”⁸ (emphasis added). In stressing on the literal, “we make no distinction between any of His apostles,” Muhammad Asad elaborates that, “Inasmuch as all the apostles were true bearers of God's messages, there is no distinction between them, albeit some of them have been ‘endowed more highly than others’”⁹

In essence, the spirit of this Qur’anic injunction was reflected in the body of the Medinan *umma* comprising of Jews, Christians, non-theists as well as Meccan Muslim refugees and Medinan converts to Islam.

⁷ Houtsma, M. Th. (1987). *E.J. Brill's First Encyclopedia of Islam, 1913–1936*. E.J. Brill.

⁸ The Qur’an: 2:285 *Al-Baqara* (The Cow). آمَنَ الرَّسُولُ بِمَا أُنزِلَ إِلَيْهِ مِنْ رَبِّهِ وَالْمُؤْمِنُونَ كُلٌّ آمَنَ بِاللَّهِ وَمَلَائِكَتِهِ وَكُتُبِهِ وَرُسُلِهِ لَا تَفَرَّقُ بَيْنَ أَحَدٍ مِّنْ رُّسُلِهِ

⁹ The Qur’an: 2:285: *The Message of the Qur’an: Translated and Explained by Muhammad Asad for people who think*. The Ayah literally says, “we make no distinction between any of His apostles.”

Footnote 277 Page 64.

“The Prophet Muhammad’s Community was a unique system which had never existed before and which has never been seen since despite honest efforts to emulate it.”¹⁰

The critical distinction of the Medina state lost on many in the West can be understood only when contrasted with the Greek and Roman models idealized in European political thought. In the Greek democracy of 5th century BCE only free adult males of Athens or Sparta were considered citizens, but not slaves, women, children, and foreigners, or peasants who constituted more than 50% of the population. Similarly, in the Republic of Rome, only the aristocracy and the landowners who controlled the Senate were represented, but not the common people. “[T]he plebeians, which comprised the vast majority of Romans... could not rule, elect rulers or make use of land, all of which was reserved for the patricians or nobles.”¹¹ In fact, “The social structure of Ancient Rome revolved around the distinction between the patricians and the plebeians.”¹²

Public perception and the prevalent slant in academia notwithstanding,¹³ the idea of a popular rule proposed by the Achaemenid Otanes in 522 BCE seems as original as that of his contemporaries in the Athenian *demokratia* in the Greek city-state. Based on that proposal, Giulia Sissa considers democracy, ‘a Persian Invention.’ “The law ought to be the same for all, tight limitations are imposed upon the executive, and all the adult free-

¹⁰ John Andrew Morrow. *The Covenants of the Prophet Muhammad with the Christians of the World*. Angelico Press/Sophia Perennis. 2013. Page 32.

¹¹ Ibid.

¹² Wikipedia. Patricians: [https://en.wikipedia.org/wiki/Patrician_\(ancient_Rome\)](https://en.wikipedia.org/wiki/Patrician_(ancient_Rome))

¹³ E. Harris, “Pericles’ Praise of Athenian Democracy, Thucydides, 2.37.1”, *Harvard Studies in Classical Philosophy* 94, 1992, p. 157-167.

born male citizens can participate in the decision-making process.”¹⁴ Add to that the contributions of the many Muslim thinkers throughout the centuries we alluded to make democracy as much an Eastern tradition as it is Western.

With the rise to power of the Umayyads, the word *ummah* was hyphenated as *ummat al-Islām*, 'the faith-exclusive Islamic community' depriving it of its comprehensive universality. This shift in the meaning and emphasis of the word is the reason for the failure of all the subsequent Islamic states.

Today's Muslims steeped in the post-Umayyad revisionism are ignorant of the fact that the *ummah* in the Medina model was a religiously diverse citizenry. Ignoring that critical distinction renders a modern Islamic state as a theocracy which stands in stark contrast to the pluralistic polity that the Islamic State of Medina was.

Fair governance is characterized not just by the relationship between the governing and the governed, but by the way each is defined. In the Islamic State in Medina, the governing body was headed by Muhammad, the Prophet, the philosopher-king, and more importantly a peacemaker who brought warring factions into a city-state of civil order. Equally significant was the governed, the citizenry, or the *ummah* in contradistinction to today's political terminology of *qawm*, *millat*, and/or *sha'b*.

In contemporary parlance, *qawm*, means people, *millat*, a national/ideological following, and *sha'b*, a nation with common ancestry or geography. The modern

¹⁴ Otnes' whole proposal reads: "firstly, justice is regularly administered and respected. The law ought to be the same for all. Second, tight limitations are imposed upon the executive. Access to the office is assured by elections at random, and magistrates are subjects to examination. Third, all the adult free-born male citizens can participate in the decision-making process, which relies on the majority." G Sissa, "Democracy: A Persian Invention?" *Anthropologies des mondes grecs anciens* N.S. 10 2012. p. 228.

equivalent of *ummah* is a supra-national community with a common history as reflected in its plural usage of *umam* meaning nations as in *Al-Umam Al-Mutahedah*, the United Nations.

The Evolving Relationship Between Religion and State

Traditionally, *Deen wa Dawla* or the affairs of ‘religion and state’ were kept separate by the early *ulema* or Muslim theologians and jurists who took pride in the independence of their thought and resisted co-optation into the government apparatus. Concordance was incidental and not necessarily obligatory. Muslim scholars and theologians consistently rejected theocracy both as a matter of principle and practice. In essence, this separation of the state and the non-existing ‘church’ may well have prevented the formation of theocracies in the Muslim world.

The great jurist Abū Ḥanīfah (699-767 CE) “suffered severe persecution [as he] steadfastly refused a judgeship”¹⁵ of a high standing offered by the Caliph Al-Mansur who wanted to make his Ḥanafī school of thought as the only official version of *shari’ah* jurisprudence throughout the Abbasid Caliphate. Abū Ḥanīfah rejected the offer saying that his systematization of Islāmic legal doctrine carried more weight and prestige in its own right and in competition with the legal opinion of other jurists and he did not want to jeopardize that by becoming a ‘mouthpiece’ of the caliphate. That obviously didn’t bode well with the caliph.

¹⁵ Zafar Ishaq Ansari, *Abū Ḥanīfah: Muslim Jurist and Theologian*. ENCYCLOPÆDIA

BRITANNICA. Encyclopædia Britannica, Inc. January 01, 2020

URL: <https://www.britannica.com/biography/Abu-Hanifah>

Abū al-Hasan al-Māwardī, known in Latin as Alboacen (972-1058 CE), the first political scientist in Islam, did not see any incompatibility in bringing religious norms into politics but took the necessary steps preventing the formation of theocracy in the Muslim world.¹⁶ In *Tashil al-Nadhar wa Ta'jil al-Dhafar* (Facilitating Administration and Accelerating Victory) al-Māwardī discusses the concept of ‘checks and balances’ between state and religion, but he “does not entertain in any way a theory of divine rights of kings. In his view, the ruler is needed to protect religion, but he is not a God-appointed person. He has to be chosen by the people, and he is only their *mandub* (deputy).”¹⁷

Al-Māwardī’s work inspired Ibn Khaldun (1331-1406) who in his own right became the first social scientist. In his *Muqaddimah*, Ibn Khaldun advocated that any *shari’ah* law must protect an individual’s right to the free exercise of religion, life, intellect and reason, progeny, and property¹⁸—the essence of the bill of rights.

The idea of the compatibility of reason and revelation that Ibn Rushd or Averroes introduced to Thomas Aquinas and Moses ben Maimon or Maimonides further enhanced and refined the concept of political pluralism in a more comprehensive and inclusive system of government. People in Western societies who enjoy guaranteed civil rights and liberties owe it to the thoughts of Ibn Rushd.

¹⁶ Abūl Hasan Ali ibn Muhammad Māwardī, (Assadullah Yate. Trans.) *Al Ahkam As Sultaniyyah: The laws of Islamic Governance*. Dar ul Thaqafah, Doha, Qatar. 2018. Pp. 11-12.

¹⁷ Abdulqadir Hamid Eltigani, “Al-Mawardi’s Theory of State: Some Ignored Dimensions,” *AJISS*, Vol. 18, No. 4, 2001, Pp. 5-6.

¹⁸ Abd Ar Rahman bin Muhammed ibn Khaldun. *The Muqaddimah*. Translated by Franz Rosenthal. Princeton University Press, Princeton, NJ (1970).

In the Mirror of History

With all such great thoughts that Muslim thinkers presented to the world of political philosophy, there were occasional attempts by Muslim leaders with authoritarian tendencies who, short of establishing theocracies, were able to drag their religious convictions to the playing field of politics. The ensuing disasters of these tragedies are the result of the revisionist interpretation of *ummah* and its application as a privilege to an exclusive citizenry.

These efforts may have been successful for political mobilization for a time, but they all had devastating consequences, often with backlash from the affected non-Muslim citizenry. Often what was idealized was rarely analyzed or thoroughly thought out. The Medina model, whether it emulated Plato's Republic or as was later elaborated on by Abū Naṣr al Fārābī or Alfarabius (872 – 951) in *Al-Madina(t) al-Fadila*¹⁹ has never been replicated successfully since, in a good many cases, among them:

- The Fatimid Caliphate (al-Fāṭimīyūn - 909-1171) that ruled over North Africa and Egypt where al-Ḥākim bi-Amr Allāh, "The Ruler by the Order of God," the sixth Fatimid caliph and 16th Ismaili imam (996–1021) who deified himself by claiming sovereignty, vicegerency, and imamate or spiritual leadership was not only intolerant of the Sunnis, he also began attacks on

¹⁹ The complete title of al Fārābī's work is *Mabadi' ara' ahl al-madinah al fddilah*, 'Principles of the Opinions of the People of the Virtuous City' in which he sets forth his idea for the establishment of an ideal civil society, i.e. the best regime, with emphasis on opinions about natural science, the soul, and politics with religion.

Christians and Jews calling for the destruction of the Church of the Resurrection in Jerusalem. These events set the Crusades in motion.

- The Almohad Caliphate (al-Muwaḥḥidūn, "the monotheists" - 1121-1269) resorted to the strict rules of Muslim orthodoxy in Spain that met with Christian resistance from the north, culminating in the Battle of Las Navas de Tolosa, the loss of nearly all of the Moorish dominions in Iberia, leading to the fall of Cordova and Seville to the Christians in 1236 and 1248 respectively, that eventually ended Muslim rule in Spain.
- In the late Mughal period in India, the religiously conservative Muhi-ud-Din Muhammad Aurangzeb, Alamgir "Conqueror of the World" (1618 – 1707) who because of his conservative religious tendencies abandoned his predecessors' legacy of pluralism and religious tolerance, introduced the *jizya* tax and tried to impose policies based on Islamic ethics on non-Muslims. That resulted in a backlash by his Hindu subjects providing the British with an opportunity to exploit the chasm that speeded up the British colonization of India.
- The Safavid ("the pure ones," - 1501 - 1722) claimed their legitimacy to power in Persia on claiming descent from the Prophet²⁰ and established the Twelver Shi'i Islam. Even though they became great patrons of arts, literature, and architecture, their zeal for the forced conversion to Shiism and attempted Persianization resulted in political repression, the brain drain, and the flight of the intellectuals. Their persecution of the Sunnis led to the devastating seven-

²⁰ Historians believe that the Safavid were Kurdish lineage Turkicized in Azerbaijan where they thoroughly intermarried with Pontic Greeks, Georgians, and later Circassians.

decade-long wars with the Ottomans and their eventual demise at the hands of the Hotaki Afghans in 1722.

These examples indicate that every time Muslim rulers have played with the idea of combining *Deen* or religion with *Dawla* or state, the result has been devastating. These failures send political theoreticians back to the drawing board to review the most authentic sources for answers:

The Qur'an - Rights and Responsibilities

In addition to the misinterpretation and misapplication of the concept of *ummah* other elements are missing from the current debate on establishing an Islamic state, namely the duties and responsibilities assigned to a government as the principle of representation. The Qur'an establishes moral parameters by saying, "and whose rule [in all matters of common concern] is consultation **among themselves**,"²¹ and that of moral conviction, "and enjoin the doing of what is right and forbid the doing of what is wrong."²² Both injunctions begin with the same word **وَأْمُرْ** implying encouragement or recommendation, but the first injunction contains the word 'among themselves,' implying a collective responsibility, while the second does not contain such wording. We can conclude that:

- A. The Qur'an uses the word **وَأْمُرْ** implying encouragement or recommendation and not the command imperative **وَأَحْكَمْ** which would have implied order or command (imposed or enforced from above).
- B. The accountability of the government is collective and is clearly indicated by the wording, "consultation **among themselves**."
- C. A citizen, on the other hand, is personally responsible and individually entitled to his/her rights.

²¹ The Qur'an: 42:38. *Ash-Shura* (The Consultation) **وَأْمُرُهُمْ شُورَىٰ بَيْنَهُمْ**

²² The Qur'an: 22:41 *Al-Hajj* (The Pilgrimage) and 31:17 *Luqman* **وَأْمُرْ بِالْمَعْرُوفِ وَانْهَ عَنِ الْمُنْكَرِ** "And enjoin the doing of what is right and forbid the doing of what is wrong."

We can conclude that the different branches of government have a collective responsibility in their duties towards the people while citizens are individually accountable. This individual accountability has been stressed through repeated revelations that, “no bearer of burdens shall be made to bear another's burden.”²³ Therefore, people who are individually accountable in regards to moral values and ethical issues should not be forced collectively to follow certain norms and authoritarian regimes should not place matters of free will and individual responsibility under their jurisdiction. Moral prerogatives are matters of a citizen’s civil rights and are not subject to the authority of governments.

The so-called Islamic governments of today either deliberately misinterpret or otherwise misuse the clear injunctions of the Qur’an when it comes to consultation, instead they impose their will on the people in clear contradiction of the Qur’anic injunctions.

People are denied their civil rights in matters of personal prerogatives that are not the responsibility of the government. Worse yet, agencies for the enforcement of these restrictions are often named with the wording of these same Qur’anic Ayahs that recommend the otherwise: “وَأْمُرْ بِالْمَعْرُوفِ وَانْهَ عَنِ الْمُنْكَرِ”, And enjoin the doing of what is right and forbid the doing of what is wrong.

In reality, there isn’t much of “enjoining the doing of what is right,” but plenty of “the forbidding of the doing of what is wrong” in their rulings. The great majority of these prohibitions are imposed on women turning these so-called Islamic states into misogynistic theocracies.

Disconnected from the 21st-century reality, these authoritarians are neither understood by the world community nor are they appreciated by the people they rule over. Instead

²³ The Qur’an: 6:164, 17:15, 35:18, and 39:7. وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ

of planning a system of government that meets the challenges of the here and now, they validate their agenda by claiming a ‘return to the time of the Prophet.’

The second set of principles missing from the so-called Islamic states are *Hakimiya* and *Estekhlaf*. Western political thought recognizes sovereignty as the only principle of legitimacy in governance. When perceived as the sole domain of the Divine, sovereignty results in a theocracy, but when transferred to the people, the result is a secular democracy. This black and white perspective rejects any alternative to ‘Western’ democracy.

Islamic political thought addresses this either/or prerogative with a both/and alternative based on two principles: 1) The principle of *hakimiya*, (حاكميه/ سيادة) or Divine sovereignty that delineates the duties of the government, and 2) The principle of *estekhlaf* (استخلاف) or popular vicegerency that guarantees the rights of the governed i.e., that every human being as a vicegerent of the Divine on earth has free will and is entitled to its exercise in the context of political freedoms and civil rights and liberties. This critical distinction, lost on many both in the Muslim world as well as outside of it, is called caliphate—not as a slogan, but as a principle in governance.

Just like democracy, the caliphate has to establish its parameters a safe distance away from hereditary authoritarianism. Given the prism of historical adversarial relations between the Muslim East and the Christian West, Western cultural relativism looks at the concept of the caliphate with recalcitrant suspicion. The abuse of the name ‘caliphate’ by corrupt governments and extremist movements doesn’t help either. Muslim cultural sensitivities, on the other hand, reject Western secular democracy. Western political interference in Muslim societies on the pretext of exporting democracy makes matter worse. Thus, an Islamic state presented in the context of a

caliphate has become an unrealizable ideal for some Muslims and a boogiemane for the rest.

The concept of *estekhlaf*, or vicegerency, a derivative of *khilafah* or caliphate, has no relevance in the Western world, but more critically, it has lost its place in the debate among Muslims too. As the advocates of Islamist agenda essentially reassigned *estekhlaf* to the realm of the Divine along with *hakimiya*, they make people obey the laws of the state but deny the citizenry their own rights. In assigning both vicegerency and sovereignty to God, such ‘Islamic states’ are not much different from the suppressive Christian theocracies of the Dark Ages of Europe.

Eliminating *estikhlaf* or vicegerency from the equation amounts to ignoring clear Qur’anic injunctions that are essential to good governance.²⁴ For instance: “We have sent you the Book in Truth that you [O Prophet] might judge between men, as guided by Allah.”²⁵ While literally, as in the case of the Caliphal city-state of Medina, a *khalifah* or caliph is perceived as a political successor to the Prophet, in general, however, every human being is the *khalifah* of God on earth, as the progeny of the archetypal Adam. “Allah has promised to those among you who believe and work righteous deeds that He will assuredly make them succeed (those who rule) and grant them vicegerency in the land just as He made those before them succeed others.”²⁶ The success and empowerment here obviously include political power.²⁷

²⁴ Inferences to *estekhlaf* are made in the Qur’an in 7:54, 12:40, 24:55, and 4:105.

²⁵ The Qur’an: 4:105 *An-Nisa* (Women).

²⁶ The Qur’an: 24:55 *An-Nur* (The Light).

²⁷ Additional references to the principle of vicegerency are made in the Qur’an in: 2:30, 6:165, 7:69, 7:74, 7:129, 24:55, 27:62, 35:39, and 38:26.

A traditionalist view of bridging sovereignty and legitimacy in an Islamic political order with the concept of *ummah* is that of Siraj Islam Mufti who writes: “The people or the *Ummah* are the actual repositories of *khilafah* and those in authority must have the confidence and support of the Muslim population. In this context, *shari’ah* provides a broad framework within which the people under the umbrella of Divine Guidance participate in developing civil society and its institutions including various organs of the state.”²⁸ Mufti correctly identifies the *ummah* as ‘the actual repositories of *khilafah*, however, he still defines the *ummah* as a ‘Muslim population.’

In practice, the few instances of declared ‘Islamic states’ have totally ignored the critical duties of a government such as social welfare, economic development, and political freedoms, instead, they have trampled on the principle of people’s vicegerency and have concerned themselves with issues of religious rites: prayer, dress codes, fasting... and the prohibition of arts, recreations, and cultural expressions primarily targeting women. But even if they can overcome all that, the perspective is devoid of the universality of the *ummah*.

Democracy vs. Theocracy: The Contemporary Debate

In the course of the past half a millennium or so the Muslim East and the Christian West have gone through a complete role reversal in several ways. In respect to governance, it would be interesting to assess the viability of an Islamic state based on the exegesis of the Qur’an and the *Sunnah* or the tradition of the Prophet. Based on the primary sources of *shari’ah* we discussed here, the establishment of an Islamic state will contradict the

²⁸ Siraj Islam Mufti. 2014. Basic Islamic Dynamics: “*Major Principles of Islamic Governance*.” Pastoral Care Publishers & Mufti Publishing. Chestnut Hill, MA. P. 91.

Qur'an and the Sunnah, unless it adheres to the Medina model in spirit and principle. To avoid the pitfalls of establishing 'unIslamic' Islamic states, we offer the following suggestions:

1. In an ideal Islamic state, the duties of the government are delineated through the principle of sovereignty and the rights of the governed are guaranteed by the principle of vicegerency. The absence of any one of these two essential components will result in a theocracy. A theocracy is un-Islamic because:

- A. all citizens of the state would be obligated to adhere to the laws of one religion, and
- B. forcing other faith communities to Islamic laws constitutes "coercion in matters of faith" which is strictly prohibited in the Qur'an.²⁹

2. A faith-based government in its modern sense denies religious pluralism in society that is clearly prohibited in the Qur'an: "Unto every one of you [denoting the various communities of which mankind is composed] have We appointed a [different] law and way of life [for the Jews, Christians, and Muslims]. And if God had so willed, He could surely have made you all one single community: but [He willed it otherwise] in order to test you by means of what He has vouchsafed unto, you. Vie, then, with one another in doing good works!"³⁰

3. Perhaps the most convincing injunction of the Qur'an against coercion,

²⁹ The Qur'an: 2:256 *Al-Baqara* (The Cow) "THERE SHALL BE no coercion in matters of faith. لَا إِكْرَاهَ فِي الدِّينِ

³⁰ The Qur'an: 5:48: *The Message of the Qur'an: Translated and Explained by Muhammad Asad for people who think:* لِكُلِّ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا وَلَوْ شَاءَ اللَّهُ لَجَعَلَكُمْ أُمَّةً وَاحِدَةً وَلَكِنْ لَيَبْلُوَكُمْ فِي مَا آتَاكُمْ فَاسْتَبِقُوا الْخَيْرَاتِ

especially in public life, is the following: “And so, [O Prophet,] exhort them; thy task is only to exhort: thou canst not compel them [to believe].” Lit., “thou hast no power over them”.³¹ In these two integrated Ayahs the Prophet is asked to **remind** people of their natural disposition to do good and by extension to exercise their free will in doing good. That should be enough to make coercion unnecessary. In essence, the Qur’an presents two mutually exclusive concepts, i.e. if reminding is done, coercion is not necessary; if coercion is allowed, reminding is irrelevant. If the Qur’an is telling a person of no less significance than the Prophet of God, as the head of state and the head of a religious community, that he is not authorized to use coercion in matters of faith or politics, that is a clear injunction that no other entity—political, religious or otherwise—has the right to compel people to their whims.

4. Islam recognizes the collective rights of all religious communities to exist in their equality before the law. “Islam does not restrict itself to providing merely a theological and philosophical framework for thinking about pluralism. Islam also provides a legal framework, the *shari’ah*, for the concrete practical realization of it in society, and the regulation of its societal expressions in the interest of the common good.”³² That common good must be all-inclusive regardless of faith.

³¹ Qur’an: 88:21-22 *Al-Ghashiyah* (The Overwhelming) فَذَكِّرْ إِنَّمَا أَنْتَ مُذَكِّرٌ أَسْتَ عَلَيْهِمْ بِمُصَيْطِرٍ

³² Osman bin Bakar, *Pluralism and the “People of the Book”* in Robert A. Seiple, Dennis R. Hoover (editors) *Religion and Security: The New Nexus in International Relations*. Lanham, Maryland: Rowman & Littlefield Publishers, Inc. 2004. Page 105.

5. The level of religiosity and the degree of adherence to it varies in every society. Outlining the strata and structure of a state based on a particular religion is a daunting task. Abdolkarim Soroush a contemporary Islamic thinker believes, “that no understanding of Islam can offer a detailed and effective blueprint for the foundation and administration of any form of religious government, democracy included. It is wrong, he maintains, to judge the religious nature of a state based on the degree to which its institutions reflect some aspect of religion. The institutional role of religion in government is at best limited to the establishment of a legal code that incorporates, and is congruent with, *fiqh*.”³³

6. Another critical distinction lost on most Islamists is that of administering an Islamic government versus establishing an Islamic state. An Islamic government implies that a political party with an Islamist platform, upon winning an election, can undertake the duties of the state institutions in the name of and on behalf of all its citizens. Such an administration has the political mandate to stay in power for a term specified by law. Islamists often do not differentiate between an Islamic state and organizing an Islamist party. When they come to power, they make the whole state subservient to their party platform—just like the communists did.

The ‘dictatorship of the proletariat’ that Lenin launched for political exploitation and political manipulation, to attain ‘ideological legitimacy’ became an instrument of totalitarianism throughout the communist world as they took over

³³ Valla Vakili, *Debating Religion and Politics in Iran: The Political Thought of Abdolkarim Soroush*. Council on Foreign Relations. 1997. Pages 26-27.

the state apparatus. Ultimately at the highest stage of their oppression, they dug their own grave. If Islamist movements and parties subconsciously imitate such a model and take over the state apparatus and impose their agenda on people in the name of ‘the rule of God’ and deprive people of their civil rights, their fate won’t be much different.

Alternatively, the many moderate Christian democratic parties in Europe, and some ultra-conservative Jewish and Hindu ones like the Shas/Likud and the Bharatiya Janata Party respectively, and the Justice and Development Party or AKP in Turkey; have successfully participated in the political process of their countries without creating theocracies. Their record, however, shows that over time, political parties with religious or ideological agendas have a strong tendency towards becoming oppressive and authoritarian.

7. An Islamic state is sometimes framed in the concept of *dar el-Islam*, a term that implies a dominion of peace, a Pax Islamica, like its historical counterpart the Pax Romana. The term was coined at the height of the Islamic Civilization in the Middle Ages to distinguish the prosperous and relatively peaceful Muslim societies in contrast to the warrior culture of Europe. Some extremists incorrectly interpret *dar el-Islam* to mean the establishment of a global Islamic theocracy. This argument by the Islamists is as flawed as its portrayal by their Western ideological opponents who claim that Muslim jihadis are out to dominate the world. This recipe for an Islamic government does not meet the Qur’anic criterion either.
8. If interpreted correctly, the Qur’an is as relevant today as it was 14 centuries ago, says Osman bin Bakar, because Qur’an addresses human needs in the context of

changing time and circumstance: “Islamic *shari’ah* has to be necessarily broad and comprehensive in its treatment of societal laws and ethics since it is the last sacred law to be revealed to humankind. In this sense it must always be “contemporary” and even modern; it has to address itself to the needs of a world that is increasingly complex in its cultural makeup and societal organizations.”³⁴

The Salafist perspective on the “return to the time of the Prophet” constitutes a regression from the present reality and a digression from the belief that the Qur’an as the last revelation, is timeless, i.e. that its teachings and edicts defy the passage of time in principle, but the application of its commands may be interpreted to accommodate varying circumstances of time and place. The Salafists don’t seem to be aware of this critical point and consider Islam so rigid and inflexible that the only way to apply it is to replicate the times of the Prophet of Islam. Must we assume then that the many millions who lived Islamically in Muslim societies over the centuries were wrong?

Conclusions

A critical review of history shows that Muslim societies of today are not just adopting the medieval Christian theocracies of Europe, but in a complete role reversal, they are adopting the entire Dark Ages along with them. Today’s Muslims are holding on to the ways that kept medieval Europe in the Dark Ages but are avoiding the ways that

³⁴ Osman bin Bakar. *Pluralism and the “People of the Book”* in Robert A. Seiple, Dennis R. Hoover (editors) Religion and Security: The New Nexus in International Relations. Lanham, Maryland: Rowman & Littlefield Publishers, Inc. 2004. Page 105.

elevated them to the top of world civilization. Europeans who had been condemned to the Dark Ages of medieval theocracies ran to the Age of Enlightenment. Muslim societies are at a critical historical juncture: they can either learn from the bitter and bloody experience of Europe, or they will have to experience such miseries themselves a la George Santayana: *"Those who cannot remember the past are condemned to repeat it."*

For the Islamist movements to succeed, they will have to make sure their political agenda is rooted in an authentic theoretical understanding of the Qur'an and in a more accurate interpretation of verifiable historical facts. They must also adjust their 7th-century ideals for a present-day reality. Muslims will have to be able to reclaim their ideals in modernity and democracy, not because they are claimed as a 'Western' tradition, but because the Muslim's own tradition and their circumstances demand them. Therefore, any agenda aimed at establishing an 'Islamic state' or forming an Islamic political party, as an alternative to a strictly secular system, must redefine the *ummah* based on the Sunnah of the Prophet and accommodate the principles of sovereignty and vicegerency to address the duties of the government and the rights of the people.

Returning to the time of the Prophet may be a good spiritual journey, but in terms of the present reality, it doesn't make sense because the demands of a modern cosmopolitan Muslim society are very different and more challenging from the Medina city-state. While the universality of the principles of governance is timeless, the demands of the times and the methods and manners of their application are different. Idealizing the past is not to regress, but to learn from it and move forward.

Islamists disown democracy without realizing that the contributions of Muslim philosophers, theologians, and jurists in the development of democracy are greater than

those of the West. The name democracy may be rooted in Greek etymology, but the evolved concept of democracy is more of a Muslim tradition. The Prophet established the first republic in Medina, Abu Hanifah effectively prevented the formation of theocracy, Al-Māwardī explained the division of power in government and wrote about the balance of power between state and religion, Ibn Khaldun wrote about the basic human rights and their guarantee in the context of vicegerency, Iban Rushd wrote about the compatibility of reason and revelation...

Democracy is not the form or structure of a state. It is those principles of governance that are based on the expressed desires of a people for the ideals of governance, and people in every society manage their affairs by those principles. It's a pity that even in the dire circumstances of the Muslim world today they avoid implementing democracy practically and deny it theoretically. The dissemination of this negative mentality adds to the miseries of the Muslim world.

A deeper understanding of this reality by today's Muslims is imperative for any search for a meaningful solution to their problems: moral bankruptcy, religious hypocrisy, political corruption, economic stagnation, resistance to modernity, and crises of political identity that muddle the superstitious minds of Muslims with pain and agony.

In light of these recommendations and conclusions, the prevalent state of affairs demands a paradigmatic shift in the perceived roles of state and society in the Muslim world. The stakes are very high for the successful implementation of such reforms and they are certainly beyond the power of any one political party, movement, or state. Yet, the challenge awaits any existing or emerging political movement to carry the theoretical to the realm of a new reality.

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