

# FREEDOM AND SELF-GOVERNANCE IN ISLAMIC DISCOURSE ON DEMOCRACY

Mohd Izani Mohd Zain

*mohd\_izani@upm.edu.my*

*Department of Government and Civilization Studies*

*Faculty of Human Ecology, Universiti Putra Malaysia*

*43400 UPM Serdang, Selangor Darul Ehsan, Malaysia*

## Abstrak

Wacana Islam terhadap demokrasi dapat disifatkan sebagai pelbagai dan kompleks apabila wujud pandangan dan perspektif berbeza oleh para sarjana Muslim terhadap perdebatan mengenai keserasian antara Islam dan demokrasi. Pandangan yang ditawarkan adalah bercampur-campur, sama ada positif, skeptikal dan rigid. Artikel ini membincangkan konsep *theo-democracy*, *popular vice regency* dan *faraghaat* yang telah mengemukakan gagasan penting seperti kebebasan dan kerajaan sendiri sekaligus memberikan asas kepada keserasian hubungan antara Islam dan demokrasi. Berdasarkan perbincangan, konsep-konsep ini telah menjelaskan hubungan antara Islam dan demokrasi, batasan dan keserasiannya terutama berkaitan dengan soal kedaulatan, sumber-sumber hukum dan peraturan, pemerintahan dan konsep kebebasan. Artikel ini memberi kesimpulan bahawa elemen demokratik dalam Islam, iaitu kebebasan dan kerajaan sendiri telah dapat mendukung wacana Islam terhadap demokrasi.

**Kata kunci:** *freedom, self-governance, theo-democracy, popular vice regency, faraghaat*

## Abstract

Islamic discourse on democracy can be described as diversified and complex due to the offering of different views and perspectives by progressive Muslim scholars on the relationship between Islam and democracy. The views are often mixed, some are positive while others sceptical and rigid. This article discusses the concepts of *theo-democracy*, *popular vice regency* and *faraghaat* that posit important ideas such as freedom and self-governance, providing the very foundation to the understanding of the relationship between Islam and democracy. Such concepts define and explain the links between Islam and democracy, their limitations and compatibility especially in areas pertaining to constitutional sovereignty, the sources of law and regulations, the nature of government and the concept of freedom. This article concludes that the democratic elements in Islam, which are freedom and self-governance, have been able to support the Islamic discourse on democracy.

**Keyword:** *freedom, self-governance, theo-democracy, popular vice regency, faraghaat*

## INTRODUCTION

The discourse on Islam and democracy has always attracted special interests among scholars of politics, religion and democracy. The debate can be described as controversial and critical yet constructive and progressive due to the diverse perspectives offered by scholars from different school of thoughts. While democracy is always regarded as the product of the Western political system and tradition, the discussion on Islam and democracy will ultimately centred on the debate between Islam and the West indirectly (Mohd Izani, 2007). In fact, the adoption of democratic values by the Muslims in matters of state affairs and government, have always been viewed as the appreciation and the acceptance of Islam towards the Western ideas and traditions (Urbaningrum, 2004).

In order to have a better understanding of the whole issue, it is argued that any discussion on Islam and democracy should never be restricted to a rigid definition of both the concept. The discussion on Islam and western democracy must not be centred on

what constitute individual freedom and fundamental human rights per se. The same goes with political Islam and its comparison with democracy, should never be confined to the concept of the Supremacy of Allah alone (Esposito, 1996). The discourse on Islam and democracy must seek to establish the common attributes between both systems and determine how best it can co-exist and complement each other.

However, the search for the common attributes should never be expected to result in an outcome that Islam is democracy and democracy is compatible to the Islamic political systems. Such an exercise is futile because Islam is not just a political system but it is regarded more as the way of life and encompasses every aspect of human existence from politics to economy, culture, ritual and even ethics. What we must seek to determine is what are the attributes that are common between Islam and democracy and how such common attributes should be celebrated to promote a cohesive political system that would lead to an improved political system.

Islam for example offers concepts such as *shura* (consultation), *bay'ah*, (allegiance), *ijma'* (consensus), *ijtihad* (the exercise of discretion), *maslahah* (public interest), *al-ta'addudiyah* (diversity), *al-mas'uliyah* (public accountability and *shafaiyyah* (transparency) (Haddad, 1995) and all these principles proved that Islam are not lacking in terms of norms and fundamentals which are compatible with the objective of democracy and good governance as understood by the western world. Therefore, this paper will examine the discussion of Islamic discourse on democracy which focuses on the identified concepts which will be highlighted later.

## ISLAM AND DEMOCRACY

The discourse on Islam and democracy has resulted in an interesting and constructive outcome. The outcome can be classified into at least two different approaches to the subject. The first view as argued by Haddad (1995) is that Islam accepts democracy because Islam does provide the norms and principles which are compatible with democratic practices even though the interpretation of such norms may differ in its application under different circumstances. Abdul Bashir on the other hand argued that the second view represents the outright rejection of democracy on the basis that it is a product of western political system which is contrary to the concept of *musyarri*, which recognises that only Allah is the law maker and not any other institutions such as the legislatures in the democratic political system (Mohd Izani, 2007). Democracy is argued to have empowered the people the supreme authority in law making and this is against the fundamental of Islamic jurisprudence where the sources of the law is in the divine revelation which is al-Qur'an and the al-Sunnah, the tradition of the prophet Muhammad. Democracy is also considered as a 'new religion' which went against the concept of *tauheed* (oneness) of Allah Almighty, which mean that putting human power beyond the power of God. (Adnan, 1990).

However, the scholarly discourse on Islam and democracy which was mooted by few progressive Muslim scholars have contributed significantly to the emergence of a few concepts which provide a better and positive understanding of the relationship between Islam and democracy but at the same clarified the position through position of Islam in respect to the ideals of democracy. The concepts are known as *theo-democracy* and *popular vice regency* which was introduced by Mawlana al-Maududi (1967), Faraghaat as promoted by Rashid Ghannouchi (Azzam, 2001) and 'Islam as a semi-democratic religion', as articulated by Niaz Faizi Kabuli (1994).

These concepts have contributed to a new thesis which argued that Islam have laid down the basic principles and setting which are compatible with democracy but differ to a certain extent in its application in a western democratic framework. This article will seek to explain those concepts and define the parameters of compatibility between Islam

and democracy and at a later stage determine the significance such as an interaction for a better appreciation of Islam and democracy.

## THE CONCEPT OF *THEO-DEMOCRACY* AND *POPULAR VICE REGENCY*

Abul A'la al-Mawdudi (1903-1979), the founder of one of the most notable Islamic movement in Pakistan, the Jamaat-e-Islami, is among the prominent Muslim scholar who had seriously engaged in a scholarly discourse on Islam and democracy. al-Mawdudi's position is not a total acceptance of democracy but a partial acceptance which requires the practice of democracy to be in accordance with the Islamic jurisprudence and principles. al-Mawdudi's acceptance of the concept of democracy came with a strict condition that democracy must be subservient to the Islamic norms as sanctioned by Allah in the al-Qur'an and in accordance to the teaching of the Prophet. He was instrumental in introducing the concept of *theo-democracy* in which he defined it as a democracy which is founded on *shari'ah* (Israr, 1998). In fact, the word '*theo*' is referred to the *syariah*.

This concept is founded on the notion that it is the religion that must provide the guidance to the democratic process and it differs from the western notion of democracy which bestowed upon the people an absolute power to determine the affairs of the state and the sanctity of individual freedom as the most fundamental democratic ideals. al-Mawdudi argued that the concept of democracy should only be accepted on condition that it is in harmony with the *shari'ah* and in compliance with Islamic norms.

One of the most fundamental principles of Islamic political thought that form the basis for *theo-democracy* introduced by al-Mawdudi is the idea of *al-hakimiyyah al-siyadah* or the sovereignty of Allah, the Almighty god. al-Mawdudi's contention is that there is no substitute to the sovereignty of Allah and the main source of jurisprudence and the law is the divine revelation which is the al-Qur'an (al-Mawdudi, 1967). To him, there shall be no compromised on the supremacy of divine revelation and this doctrine is not subject to any challenge or dispute. Only when this condition is fulfilled and accepted, then the process of democracy can be regarded as in compliance with Islam and the *shari'ah*. In addition, the notion of *theo-democracy* can be seen as 'guided democracy' which is from al-Mawdudi's perspective that Islam should guide and define democracy with their way.

Beside of emphasizing on the need to acknowledge the sovereignty of Allah as the basis of Islamic acceptance of democracy, al-Mawdudi was also the proponent of the concept of collective leadership responsibility. al-Mawdudi (1967) argued that the responsibility for leadership does not belong to a special group or class of people and he was never in favour of the dominance of the clergy or any particular group as the *khalifah* or leaders. He was of the view that the role of leadership should be exercised collectively and it must accommodate the participation from the various stakeholders of the state affairs. al-Mawdudi justified such an argument by citing the example that before the death of Prophet Muhammad SAW, no particular person among his companions were named by him to be the successor to his leadership position in the event of his demise. After his death the Muslim community had to elect among themselves a leader, giving a space for everyone in the community to nominate the most able and credible.

Such a practice has given legitimacy to the concept of collective leadership responsibility where the role of providing leadership is not the exclusive rights of certain individual or inherited by a particular class or group of people (Israr, 1998). It is argued that this concept would encourage a wider participation of the society in deciding crucial issues such as the appointment to the position of authority besides subjecting the potential candidates to rigorous public scrutiny of their potentials and charisma. The concept of *khalifah* according to al-Mawdudi was meant to be applicable to all the Muslims Prophets only because they were sent as the messenger of Allah and their role was to

provide a divine guidance. This argument can be substantiated by Surah Sad 36:26 as follows,

(And it was said unto him): O David! Lo! We have set thee as a viceroy in the earth; therefore judge aright between mankind, and follow not desire that it beguile thee from the way of Allah. Lo! Those who wander from the way of Allah have an awful doom, for as much as they forgot the Day of Reckoning.

The above verse from the al-Qur'an explicitly explained how Allah have appointed Prophet Dawud AS as the *khalifah* and his messenger on earth and this provides a justification that the concept of *khalifah* or individual vice regency were only meant to be applicable among the Prophets and not to any other ordinary individuals. According to al-Mawdudi, after the death of Prophet Muhammad SAW, the idea of individual vice regency was replaced by the concept of popular vice-regency which promotes the idea of collective leadership responsibility. This view is derived from Surah al-Nur 24:55 as follows,

Allah hath promise such of you as believe and do good works that He will surely make them to succeed (the present rulers) in the earth even as He caused those who were before them to succeed others; and will give them in exchange safety after their fear. They serve Me. They ascribe no thing as partner unto Me. Those who disbelieve henceforth, they are the miscreants.

The above verse, clearly manifested that the role of leadership is to be exercised collectively and the word 'they' refers to the ummah and not to any particular group of individual.

The arguments above clearly illustrate that there are relationship and common attributes between the concept of *popular vice regency* and the concept of democracy and its practices. It is widely acknowledged that in democracy, the very foundation of leadership belongs to the people and it is the right of the people to elect among themselves their leaders through the democratic election system. "It is the power of the people for the people by the people", to quote the famous saying of the late President John. F. Kennedy. The democratic practices require the people to take responsibility in determining who should be in the position of authority and how those elected are accountable to the people who have elected them and no one should be given the privilege to inherit the position because of his status, ethnicity or faith. In fact, the concept of leadership in a democratic system is very much associated with the idea of majority leadership or what is known as government by multitude.

However al-Mawdudi (1967) was of the view that the democratic leadership concept based on the notion of popular sovereignty is not compatible with Islam because to him, the right to leadership is exclusively meant for Muslim and not the community at large, irrespective of religion and faith. His contention is that only the Muslim should be elected as leaders and their election should only be done by the Muslim community and not the larger section of the society. He mooted the idea of popular vice regency which is defined as collective Islamic leadership but this view unfortunately is contrary to the Western concept of democracy which allows the position of leadership to be open to all segment in the society irrespective of religion and faith. While popular vice regency resembles some element of democracy by getting a wider participation of the society in determining the affairs of the state, its limited application to only among the Muslim community can be considered as anti democracy to a certain limited extent.

On the other hand, an interesting aspect about popular vice regency, which recognized the concept of collective leadership responsibility is its rejection of the idea of theocracy or leadership by the clerics. Theocracy has always been closely associated with Islamic leadership practices. However, from what have been articulated by al-Mawdudi, it is clear that Islamic leadership is never the exclusive rights of the clerics or the ulama but meant to be exercised by the Muslim Ummah collectively.

### **FARAGHAAT OR SELF GOVERNANCE**

Beside al-Mawdudi (1967) and his scholarly work on Islam and democracy, another Muslim scholar known for his significant contribution to the understanding of Islam and democracy is Rashid Ghannouchi (Azzam, 2001). Muhammad Uthman El-Muhammady (2007), considered Ghannouchi as among the very few progressive Muslim scholar who have done substantive scholarly work in explaining the compatibility between Islam and democracy. Ghannouchi's works on Islam and democracy (Azzam, 2001) differed from Al-Maududi (1967) because Ghannouchi has taken a more positive position in promoting greater understanding of the compatibility between Islam and democracy. He was the proponent of the idea of freedom and space and how Islam has given the flexibility to exercise freedom and space in matters relating to the state's affairs and crucial contemporary issues.

The idea of freedom or space is regarded by Ghannouchi's as the most important element and attributes which help connects between Islam and democracy. His thought on the concept of *Faraghaat* or space was an outcome of his reflection on the decision of the Prophet Muhammad SAW not to name anyone among his companions to succeed him after his death, allowing the position of leadership left to be decided by the Muslims community at that time (Azam, 2001). Ghannouchi argued that such an example is sufficient to justify that Islam provides the freedom to the Muslim community to determine their own affairs including when it comes to decision on leadership and the state administration.

He argued that the Prophet had given the Muslim an opportunity, space and freedom for them to decide on their own on who among them should be given the role of leadership after his death. Ghannouchi further argued that Islam does recognise the significance of freedom and space and entrusted the Muslim community to determine the affairs of their state. Such freedom is deemed necessary and crucial due to the dynamic circumstances of contemporary issues and this is what he term as 'self government' of *Faraghaat*, an attribute which is compatible with the idea of democracy (Mohd Izani, 2005).

The concept of *Faraghaat* which was introduced by Ghannouchi (Azzam, 2001) is similar to the practice of Ijtihad in Islamic jurisprudence. Ijtihad can be defined as the process of making a legal decision by independent interpretation of the legal sources, the al-Qur'an and the al-Sunnah. *Ijtihad* provides the Muslims the freedom to search for a solution to an issue by making an independent interpretation and judgment of the sources available to him in the absent of clear sanctions provided in the al-Qur'an and al-Sunnah. However *Faraghaat's* application is only appropriate in determining the issues related to the affairs of the state and conflict resolutions or what is known as *siyasi*, for as long as those solutions are not against the Islamic principles found in the al-Qur'an and al-Sunnah (Azzam, 2001). However in matters of *adini*, such as '*aqidah*, the fundamental belief system of Islam, the '*ibadah*, the rituals and the *akhlak* or morality, Muslims are required to follow the principles stipulated in the al-Qur'an and to stand guided by the tradition of the prophet. Muslims are not given the freedom to interpret independently those sanctions and the exercise of Ijtihad ceased to be applied.

However in all other issues, Muslims are allowed to interpret, innovate and reinvent new solutions to emerging new problems for as long as it is in harmony with the teaching of Islam as laid down in the al-Qur'an and al-Sunnah. *Faraghaat's* as articulated by Ghannouchi, reflects the magnitude of freedom given by Islam to encourage the Muslim to engage in an intellectual engagement that will lead to new discovery of solutions, innovative ideas and viable solutions.

## ISLAM AS A SEMI DEMOCRATIC RELIGION

The freedom provided by Islam in matters of *siyasi* and its compatibility with *ijtihad* have found the support in Niaz Faizi Kabuli, another progressive Muslim thinker, through his thesis that Islam could be regarded as a '*semi-democratic religion*' (Kabuli, 1994). Niaz put forward the contention that Islam should be regarded as '*semi-democratic*' because there are a mixture of autocratic and democratic elements in its practices. The autocratic elements here refer to the mandatory obligation by the Muslims to obey all the sanctions provided by al-Qur'an and al-Sunnah especially in matters of '*adini*' such as *performing salat and zakat*. In Islam, the sovereignty of Allah is beyond dispute and his divine revelation, the Al Quran and complemented by the tradition of the Prophet, al-Sunnah is considered as the absolute source of laws and legislations, and the Muslims are expected to religiously obey such commandments with no room for contestation. This strict observance of religious rituals and sanctions are viewed as autocratic because Muslims are not allowed to question the rationale of such obligations.

On the other hand, there are also elements of democratic practices in Islam when it is recognized that the Muslims could act as the law making authority with the power to legislate on new laws in the event of an absence of a ruling or a sanction in the al-Qur'an and the al-Sunnah. The principles of Islamic jurisprudence too, such as *ijtihad*, *ijma'* (consensus of the community) and *qiyas* (analogical reasoning) do provide the freedom and space for Muslim scholars to search for a viable solutions to contemporary problems. The freedom of thought and expression as allowed by Islam formed the basis of Niaz's contentions that Islam is a religion with democratic values and elements, compatible with the Western notion of democratic principles.

Niaz's argument found the support in Ghanouunchi when he argued that *al-hakimiyah*, which is the most important fundamentals of political Islam, as a form of movement that provides an alternative to the rigid clergy leadership or *theocracy*. According to him (Kabuli, 1994), *al-hakimiyah* has given space and freedom to the Muslims from being dominated by any particular group especially the Muslims cleric who continuously claim that they are the legitimate class of people who should be in the position of leadership as manifested in *theocracy*.

## THE RELATIONSHIP BETWEEN *THEO-DEMOCRACY*, *POPULAR VICE REGENCY* AND *FARAGHAAT* IN THE ISLAMIC DISCOURSE ON ISLAM AND DEMOCRACY

The three concepts which were discussed earlier illustrate the diverse conceptualization of democratic practices from the Islamic perspectives and it distinguishes itself from the notion of contemporary western democracy. The concept of *theo-democracy* and *popular vice regency* as articulated by al-Mawdidi (1967) are significantly different from the modern concept of democracy although it is admitted that there are elements which are compatible with the idea of democracy in the concept that he had articulated. His rejection of theocracy, the leadership by the clergy, and finding a substitute in a new concept called

collective leadership responsibility is an interesting new innovation in the landscape of Islamic political thought.

On the other hand, al-Mawdudi's new concept of popular vice regency, where only Muslim should be in the position of authority, is argued to be anti-democracy because of its discriminatory elements. While in western democratic principles the appointment to leadership positions are open to a wider participation of every segment of the society, al-Mawdudi's concept will never find its way in a multiracial and plural society.

al-Mawdudi's contention are found to have been founded on the interpretation of Surah Ali 'Imran 3:110,

Ye are the best community that hath been raised up for mankind. Ye enjoin right conduct and forbid indecency; and ye believe in Allah. And if the People of the Scripture had believed it had been better for them. Some of them are believers: but most of them are evil-livers.

This verse has been used to justify that the Muslims are the best groups of people and as such, they are the legitimate choice that should be given the mandate to lead.

However the concept of vice regency may be found to be relevant in cases where the society is predominantly Muslims and the position in question is the highest position of authority which requires the leader's elected to implement the states system and laws in accordance to al-Qur'an and al-Sunnah. Should such position is given to the non-Muslim, then it will defeat the concept of *theo-democracy* in itself because the requirement of *theo-democracy* is for the practice of democracy to be compatible with the Islamic values and norms. In such a case, then the non-Muslim can be elected to other positions but not the positions of the highest authority whose mandate is to implement policies and laws in conformity with the *shari'ah*.

On the other hand, the idea of *Faraghaat* (Azzam, 2001) differs significant from *theo-democracy* and *vice regency* because it is considered to be more liberal, open and compatible with the western notion of democracy where values such as freedom and fundamental human rights are cherished and celebrated. While in democratic practices, the people is the sole authority in determining the affairs of the state and freedom is the very foundation of such a democracy, the concept of *Faraghaat* or space and freedom as introduced by Ghannouchi is only considered legitimate and valid in matters of *siyasi* and on condition that there is an absent of sanctions found in the Quran and the Sunnah. It is not an absolute freedom and it has its limitation. On matters of *adani*, which form the fundamentals of Islamic faith such as aqidah, rituals and laws, the concept of *Faraghaat* ceased to be applied.

It is now obvious that *Faraghaat* is not a concept which is to be implemented arbitrarily and its applications have strict conditions and circumstances. However, the notion of *Faraghaat* provides a framework and mechanism for Muslims to determine the affairs of the state and its administration and this renders legitimacy to the claim that Islam cherishes democratic values such as freedom of thought and expression. (Esposito, 2001). *Faraghaat* is an important yardstick that Islam values freedom and does provide the space for the Muslims to determine how best to execute their role in leadership and governance in diverse circumstances and environment. Rather, this concept also influenced narratives in Islamists to be more open or to become Muslim democrats (Mohd Izani, 2014).

## CONCLUSION

The above discussion should lead us to conclude that the three different concepts of *theo-democracy*, *popular vice regency* and *Faraghaat* have their significance in the discourse

on Islam and democracy. In other words, theo-democracy, vice regency and *Faraghaat* are compliments each other and hand in hand to portray the freedom and good governance in Islam. These concepts have revealed the correlation between Islam and democracy though it is admitted that the proponents of the concept have taken a very cautious position so as not to endorse that Islam accepts the Western democratic values in total. What is obvious from the above discussion is that there are strong elements of democracy which are compatible with Islamic values such as the concept of self governance, collective leadership responsibility and the freedom or space which is however not absolute and subjected to the *syariah* and the supremacy of Allah.

## REFERENCES

- Adnan 'Ali Ridha. (1990). *Syura Bukan Demokrasi (Syura not Democracy)*. Kuala Lumpur: Polygraphic Press. Sdn. Bhd.
- Ahmad, Israr. (1998). Constitutional and legislative framework of khilafah. [www.islamabad.net/framework.htm](http://www.islamabad.net/framework.htm) [14th January 2007].
- Esposito, John L. & John, Voll O. (2001). *Makers of Contemporary Islam*. New York: Oxford University Press.
- Esposito, John L. (1996). *Islam and Democracy*. New York: Oxford University Press.
- Haddad, Y.Y. (1995). *Islamists and the Challenge of Pluralism*. Washington: Georgetown University.
- Kabuli, Niaz Faizi. (1994). *Democracy According to Islam*. New York: Dorrance Publisihing Co. Inc.
- Mohd Izani Mohd Zain. (2005). *Islam dan Demokrasi: Cabaran Politik Muslim Kontemporari di Malaysia (Islam and Democracy: Challengers for Contemporary Muslim Politics in Malaysia)*. Kuala Lumpur: Penerbit Universiti Malaya
- Mohd Izani Mohd Zain. (2007). *Demokrasi dan Dunia Islam: Perspektif Teori dan Praktik (Democracy and Islamic World: Perspective of Theory and Practice)*. Kuala Lumpur: Penerbit Universiti Malaya.
- Mohd Izani Mohd Zain. (2014). From Islamist to Muslim Democrat: The present phenomenon of Muslim politics in Malaysia. *International Journal of Islamic Thought*. 6(December), 37-45.
- Tamimi, Azzam. (2001). *Rashid Ghannouchi: A Democrat Within Islamism*. Cary: Oxford University Press.
- Urbaningrum, Anas. (2004). *Islam-Demokrasi: Pemikiran Nurcholish Madjid*. Jakarta: Penerbit Republik.