



POINT OF VIEW

Three Living Arab-American Academicians on Islam-Democracy Discourse:

Analysing the Views of Prof(s) Abou El Fadl, El-Affendi, & Sachedina

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This essay analyses the thoughts of three (3) Prominent Arab-American Academicians on Islam-Democracy Discourse, namely jurist Khaled Abou El Fadl (b.1963, Kuwait), Professor of Law at the UCLA School of Law (USA); political scientist Abdelwahab El-Affendi (b. Sudan), Reader in Politics in University of Westminster (London); and theologian Abdulaziz Sachedina (b. 1942, Tanzania), Professor of Religious Studies at the University of Virginia (USA). These Muslim thinkers/ intellectuals have, along with others, contributed greatly to shape the theoretical understanding of "Islamic democracy" and thus have advanced this decades-old-discourse many steps further. The essay argues that the crucial issue, and the challenge ahead, faced by Muslim intellectuals is to turn the theory of Islamic democracy into a practicality.

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Introduction

Since the final decades of 20th century CE, and especially after the events of 9/11, the question of compatibility between Islam and democracy—a hotly debated and discussed issue—has gained an impetus and has highly intensified. In this direction, this essay exposes and elucidates how Muslim scholars—with special reference to the thoughts of three (3) living prominent Arab-American academicians—have employed certain concepts from the Islamic tradition like *Shura*, *Ijtihad*, *Bay'ah*, *Maslaha*, etc. for conceptualizing a conceivable and feasible, possible and practicable foundation of democracy in Islam. They all have, with different ideological orientations—which I term, in a unified form, as “theologico-cum-politico-philosophical”—contributed greatly to shape the theoretical understanding of “Islamic democracy”. In the final analysis, it is noted that although “Islamic democracy” has been discussed theory to a great extent, a “practical” Islamic democratic model has yet to emerge: and this is still a challenge—faced by Muslim intelligentsia in general and—particularly by Muslim political theorists in the second-decade-of-third-millennium.

Khaled Abou El Fadl: Prominent Proponent of Islam's Democratic and Pluralistic Ethos

Abou El Fadl—a Professor of law at the UCLA School of Law (USA) where he teaches Islamic law, immigration, human rights, international and national security law and is a prolific author and prominent public intellectual on Islamic law and Islam—is one of the prominent proponents of “Islam's basically democratic and pluralistic ethos as well as Islam's protection of basic human rights”.¹

In his *Islam and the Challenge of Democracy* (2004)², Abou El Fadl examines the foundational texts of Islam and argues that Islam is not only compatible with democracy but that Islamic values can best expressed today in constitutional democracies that protect individual rights—that is, liberal democracies. In his analysis, Islamic tradition is not only pluralistic but incorporates a number of concepts comparable to those of modern democracies as well; and one of them is need for consultation in government (*Shura*)—a concept based on Quran and Sunnah; and second is the concept of *ba'yah* (pledge of allegiance).

Abou El Fadl offers a further argument in support of democratic forms of government: that the Qur'an has charged human beings collectively to implement its principles. He acknowledges that some Muslims reject the idea of democracy on the basis of the belief that God is the sole legislator. But he argues that it is “a fatal fiction”, which is totally “indefensible from the point of view of Islamic theology”, because such arguments pretend that some human agents have “perfect access to God's will”.³

As justice and mercy are among the Qura'nic principles, in his view, Muslims collective responsibility is to establish governmental structures that promote these concepts/ values. In other words, to the extent that a social order (government) is successful in establishing justice and mercy, it reflects divine sovereignty. Thus the determining characteristics of a government reflecting divine guidance or sovereignty is not its legislative structure; rather, “principles of mercy and justice are the primary divine charge, and God's sovereignty lies in the fact that God is the authority that delegated to human beings the charge to achieve justice on earth by fulfilling the virtues that approximate divinity”.⁴

For Abou El Fadl, in today's world a just and merciful government is one that protects the basic human rights and protecting them must be “re-analyzed in the light of current

diversity of human existence”. In particular, he calls for the rights of free speech, association, and suffrage. In other words, his central argument is that democracy offers the “greatest potential for promoting justice and protecting human dignity, without making God responsible for human injustice or the degradation of human beings by one another”.⁵ By recognizing the human responsibility for articulating, executing, and adjudicating that government, divine sovereignty remains intact.

He, finally, reaches the conclusion that democracy is an appropriate system for Islam because it both expresses the special worth of human beings—the status of vicegerency—and at the same time deprives the state of any pretense of divinity by locating ultimate authority in the hands of the people rather than the *‘ulema*. Thus, for Abou El Fadl, the issue of human rights is closely related to arguments in favor of pluralism and democracy.

Abdelwahab El-Affendi: A Political Scientist favoring Islam’s Compatibility with Democracy and Multiculturalism

Dr. Abdelwahab El-Affendi (b. Sudan)—Reader in Politics at the Centre for the Study of Democracy, University of Westminster (London)—is a political scientist, student of Islamic thought, and a researcher and writer on topics dealing with Islam and modernity, Islam and politics, Islam and democracy, multiculturalism, Islam in the West, and on Muslim intellectuals and Sudanese and Middle Eastern politics. In his, “Democracy and its (Muslim) critics”,⁶ El-Affendi argues that the most counter proposal put forth for an authentic Islamic model is that of *Shūrā* (consultation), a term which occurs in two key verses in the holy Qur’ān (3: 159, and 42: 38).

Democracy, for him, means exactly “the self-rule of the people through their freely chosen institutions and representatives. Neither the rule of God, or *Shūrā*, nor ‘Islamic democracy’, but only democracy,”⁷ which for him designates “a certain form of governance, the rule of people (or the many), in contrast to rival forms, such as monarchy (rule by one person), oligarchy (rule by the few) plutocracy (rule by the rich), or anarchy (rule by no one)” or a system of government in which “all members of the community are permitted to participate in public decision making in some manner found acceptable to all or to the majority.”⁸

While describing the values of democracy, he says that however, from very early on, democracy was associated with a “constellation of substantive values, chief among which were liberty, equality, tolerance, public spiritedness, respect for laws, direct participation and popular sovereignty.”⁹ At the same time, he argues that an “Islamic alternative to liberal democracy is conceivable, even desirable. However, this alternative will inevitably exhibit some of the features we ascribe today to democratic systems.”¹⁰ El-Affendi is also of the opinion that although democracy in its normative sense has a long history as ideal, but the wave of democratization that has swept over many parts of the world during the past two decades has left the Muslim world high and dry. It is the only region where despotism appears to thrive. Some analysts, he argues, search for ‘cultural’ reasons for this anomaly—abnormality and irregularity. Democracy, some argue, is “alien to the Muslim mind”. Islam emphasizes conformity and obedience, and Muslim societies have failed to develop civil society institutions. Muslim societies remain excessively patriarchal and rigid, while Islam has proved “secularization-resistant”.¹¹

He goes further to argue that whatever the ‘Muslim mind’ dictates, the fact is that the overwhelming majority of Muslims are actively demanding democracy. By providing examples of Syria, Malaysia, Indonesia, and Turkey, he argues that Turkey is often cited as the

only genuine democracy in the Muslim world. However, even if specifically Western models are adopted, it would be difficult to regard Turkey as a full democracy. He concludes:

*To varying degrees Malaysia, Indonesia and Tunisia show how democracy could come to the Muslim world. In all these countries a broad alliance of democratic forces, which do not exclude Islamists or anyone else, has emerged to champion democratic reforms. Success is conditional on reaching and sustaining a democratic consensus, based on inclusion for all. And of central importance will be resolving the role of Islam in the public arena.*¹²

In his *Who Needs an Islamic State?* El-Affendi—making forcefully the point that Muslim communities should give the highest priority to freedom and democracy—is of the view that Islam really has no defined political system, so modern democracy is most suitable for the Muslims today. He passionately argues for a liberal democracy. He believes Muslims should be aiming for a political system that is not intrusive or coercive. To El-Affendi, “the central value governing the Islamic polity and giving it meaning is freedom”.¹³

Arguing that human experience shows that democracy, broadly defined, “offers the best possible method of avoiding such disappointments in rulers, and affords a way of remedying the causes for such disappointments once they occur”,¹⁴ El-Affendi proposes freedom and democracy as the solution to the Muslims’ problem; and portrays a choice only between despotic rule on one side and democracy on the other.

El-Affendi believes that values underlying democracy, such as justice, fairness, decency, rational conduct, can be said to be in “total harmony” with a certain broad and inclusive understanding of Islam. The anti-democratic thrust of much contemporary Islamic political thought is thus not a necessary outcome of Islam itself. Rather, it owes much to the fact that Islamism emerged as a response to Western colonialism and the collapse of the Ottoman Caliphate at the hands of Western powers.

While defending democracy and the rights of minorities, El-Affendi does not advocate that Muslim countries uncritically adopt Western-style secular, democratic state structures. In fact, he is bitterly critical of the modern state, which, instead of serving society, demands that society serve it. He draws inspiration from the polity set up by the Prophet Muhammad, which was, he says, characterized by voluntary participation, and was based on morality rather than coercion.

In theory, modernity allows for democracy, freedom (albeit one controlled by social responsibility and spiritual welfare), justice, and peaceful interaction between different peoples, thus promoting the creation of a truly global community, which, El-Affendi says, is in accordance with Islamic teachings. In his view, the debate over democracy, one of the most important debates in the Muslim world in 20th century, is still continuing without a resolution which is an indication of a serious crisis in the Muslim world. Thus, for El-Affendi, the most sacred duty of all politically active Muslims is to try to work hard to replace these systems, and to ensure that democracy must not only prevail in all Muslim lands, but must also put in deep roots.¹⁵

Abdulaziz Sachedina: A Keen Proponent of Democratic Pluralism

Abdulaziz Sachedina (b. 1942, Tanzania)—Professor of Religious Studies at the University of Virginia (USA), teaching mainly subjects like Islam in the Modern Age, Islam, Democracy and Human Rights, etc.—is regarded not only one of today’s major voices of pluralism in Islam, but is a keen proponent of democracy as an Islamic value as well. In his

The Islamic Roots of Democratic Pluralism (2001),¹⁶ and even more emphatically since 9/11, he has argued that Islam's essential pluralism demands democracy. In this book—always using the Quran as a yardstick, and analyzing critically Muslim teachings on issues of pluralism, civil society, war and peace, violence and self-sacrifice, etc.—he shows how the Qur'ānic philosophy is not only democratic in its nature, but also completely pluralistic and universal. The teachings in the Qur'ān, which Sachedina explains in this book, are essential in establishing the basis for mutually respectful and democratic relationships among Muslims, and between Muslims and the non-Muslim world. Democratic pluralism thrives on the ability of citizens to value each other and respect each other's dignity and human rights.

Highlighting some selected parts (verses) of holy Qur'ān that emphasize the dignity of the individual, freedom of conscience, etc. Sachedina argues that these are essential in reestablishing the basis for mutually respectful and democratic relationships among Muslims and between Muslims and Non-Muslim world.

While approaching the issue of Islam-democracy relationship (or democratic pluralism) as a theologian, Sachedina shows how strongly Islam advocated pluralism and thus underscores the necessity for the full blown development of Muslim/Islamic democratic theory. He argues that Muslims need to learn how to guide themselves and their community “back to the sources” and take seriously the emphasis that we find there on “building nurturing, constructive relationships of justice and charity at all levels of human existence”.¹⁷ Sachedina believes that, given that Islam provides comprehensive guidance, it is virtually unthinkable that it would not concern itself with governance.

Moreover, exploring the historical and the potential role that Islam has played and can play in governance, Sachedina argues:

*The Shari'a[h] regulates religious practice with a view to maintaining the individual's well-being through his or her social well-being. Hence, its comprehensive system deals with the obligations that humans perform as part of their relationship to the Divine Being, and the duties they perform as part of their interpersonal responsibility.*¹⁸

Thus, in the modern pluralistic society, Islam need not be marginalized; instead, its heritage of respect of religious diversity and human initiative offers clear guidance, if not governance, for Muslims to participate fully in democratic governance. Thus,

*Fostering a positive understanding of democratic ideals within an Islamic framework... is not a matter of superficial 'Islamizing' verbiage, but rather a deep and comprehensive effort to show... that democratic ideas can and must be thought from within the authentic ethical culture of Islam and its teachings about the awesome accountability of human beings in this world and the next.*¹⁹

Furthermore, Sachedina argues that there are sufficient grounds in Islamic tradition to vindicate democracy. For him, Muslims as a political community have developed a social order that unifies its members on a religious basis. But Islamic tradition has not developed a concept of inclusive governance based on citizenship. Herein lies the challenge to Muslim intellectuals: to make a case for democratic politics without ignoring the political agenda of Islam to foster a unified community.²⁰ While expressing his concerns about democracy and democratic ideals, he argues:

*I do not wish to imply that the Muslim public is so religiously inclined that democracy should be fictitiously 'Islamised' to suit its taste. Rather, my major concern is to find ways of demonstrating to Muslim[s] ... that democratic ideals are very much part of Islamic ethical culture, which speaks about human responsibility and accountability in day-to-day existence. ... Since Islam values the nurturing and maintaining of relationships, Islamic civic education should undertake to grant citizens in a Muslim country their basic freedom in negotiating and maintaining all social relationships with a sense of equality, dignity, and freedom of conscience.*²¹

Concluding Remarks

The views, opinions, and arguments presented by these three living Arab-American academicians on Islam-democracy discourse, establish that (i) there is complete harmony and consistency between Islam and the supposedly true democracy; (ii) the advocacy of democracy by them appears to be a creative envisioning of the Islam principles of freedom, equality, justice, and human dignity in the modern situation. Thus, taking into consideration the whole discussion, there is no reason at all why, in the present times, one should object to the adoption of certain democratic procedures, as the Islamic tradition in fact contains certain key concepts that can be used to conceptualize an authentically Islamic program of democracy. Moreover, several democratic values and principles like freedom, justice, equality, and human dignity are not only in harmony with the Islamic teachings, but are embedded in the primary sources of Islam, and its law.

Furthermore, it is worthy to note that although “Islamic democracy” has been discussed extensively theoretically, but a “practical” form of Islamic democracy has yet to emerge: and this is still a challenge—faced by Muslim intelligentsia in general, and by political theorists particularly now-a-days. Thus, the crucial issue and the challenge ahead that needs paramount consideration is that the theory of “Islamic democracy” needs to be explored, deliberated, and discussed, from the vantage point of practicality—and thus to knit and interlace this vision of Islamic-democratic-theory into the fabric of reality.

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