

## Concepts: Democracy

Since the decline of the Ottoman Caliphate in the late 1800s, political leaders in various Muslim countries have made claims to fit the apparel of democracy on to the body politic of Islam. When one considers that the constitutions of most Muslim countries were directly drafted from the constitutions of the west, then these claims should not come as a surprise. Indeed, these leaders are mere tools of the west whose reverence and desire to implement everything that is western is only held in check by the vigilance of the Muslim people. Where regimes crush the Muslim people who dare to resist, such as in Syria, Iraq and Libya, democracy is seen often as their salvation. This mirage has been successfully formulated over the years by western influenced scholars, who are blind to our bright history and dismiss the concept of caliphate as having no place or bearing in today's modern world. Faced with the reawakening of the Muslim nation and the call for Caliphate there has been a growing trend by these scholars to call for democracy on the pretext that it does not contradict with Islam. They spend effort, time and resources in expounding the relationship between the Islamic principle of Shura and democracy, they use the two interchangeably as if they are the same thing. It should be understood that democracy completely contradicts Islam, it is a non-religious system, a form of government 'of the people, by the people and for the people'. The following six points indicate how democracy contradicts Islam:

1 Democracy assumes that sovereignty belongs to the people and renders all affairs in its hands, because the people are the supreme reference in everything. According to democratic principles the people are the reference for all authority: legislature, judiciary and executive. The people have complete power to enact any law they like. Whatever the people demand becomes law and is administered by the executive and applied by the judiciary in the courts of law. Thus, the people are sovereign under the democratic system.

In Islam sovereignty belongs to the Shariah (law) not to the people and referral is made in all affairs to the shariah. Allah alone is the sovereign and has ordained the shariah as a guidance for mankind.

"We made for you a law, so follow it, and not the fancies of those who have no knowledge." (Surah 45:18)

Thus, the supreme reference in everything is Shariah. As for the authority, Islam assumes the legislature authority to Allah not to the people, so Allah alone establishes the laws for deeds and penalties. It is not permitted for anyone to legislate even one judgement. As for the people, they have the ruling authority as they select the Caliph (the ruler) and establish him, hence they are the reference for the executive authority. The Caliph employs the judges whilst the people as individuals or groups have no power to appoint them.

2 The leadership in democracy is collective not individual and so too is the authority. Thus the ruling authority is handled by a Council of Ministers, whilst the head of the state, whether he be a king or president of a republic, is merely a formal head who reigns but does not rule, the authority and ruling is handled by the Council of Ministers.

The leadership and authority in Islam is individual not collective. The evidence for this is in the following hadiths:

Abu Sayeed-al-Khodri reported that the Messenger of Allah (p.b.u.h) said:

"When there are three on a journey, make one of them leader." (Abu Daud)

Abdullah bin Umar reported that the Messenger of Allah (p.b.u.h) said:

"It is not permitted for any three people in an open country but to make one of them Amir."

The expression 'one of them' expresses a number which is one, not more. Thus from inference it is prohibited to make more than one of them as Amir. This understanding of the two hadiths is supported by the conduct of the prophet (p.b.u.h) for in all the events in which he appointed Amirs, he employed only one in each event and never in any instance did he use more than one amir in any one place.

Abu Sayeed reported that the prophet (p.b.u.h) said: "When oath of allegiance has been taken for two Caliphs, kill the last of the two." (Muslim)

Abdullah bin Amr reported that the Messenger of Allah said: "whoso takes oaths of allegiance to an Imam and gives him the palm of his hand and the sincerity of his heart, let him obey him if he can. If another comes to quarrel with him, strike the neck of another." ( Muslim)

Thus, in Islam all the authority and the reign is empowered in the Caliph and no one shares with him the authority. Consequently, the leadership as the authority in Islam, is individual.

3 The state in democracy is composed of many organisation. The government is an organisation which is the executive authority, and every Professional body and trade union is inpowered to reign and rule in its own affairs. So the law profession is an organisation authorised to administer all the affairs of its members, such as permitting them to practice their profession, reprimanding them and even debarring them. Thus, the professional body is like the Ministry from the executive point of view.

Islam considers the state and the government as one organ, which is the power (Sultan) installed in the Caliph, who alone has the authority. The Caliph Umar bin Abdul Aziz said "Every ruler will be questioned about his subjects on the Day of Judgment. It is therefore necessary that we should look after all those things which might benefit them." (Kitab-alKaraj). The prophet (p.b.u.h) said "Every Imam is responsible for taking care of his subjects."

4 In democracy referring to the people in order to take their opinion in the affairs of ruling is compulsory. Thus, the government should observe the opinion of the people or the councils elected by the people. No premier is allowed to practice anything of the affairs of Ruling unless he is authorised by the people, and he has no right to disagree with the peoples opinion. Therefore, referral to, and compliance with, public opinion is compulsory in democracy.

In Islam the taking of the peoples opinion in the affairs of ruling (Shura) is preferable but not compulsory, for although Allah praised taking the advice, he made it of the permitted things, not the obligatory. Therefore, the Caliph is preferred to take the opinion of the Ummah (nation) because Allah praised the taking of advice and because its subject is in the allowed things only. Shura (consultation) was practiced during the Prophet's (p.b.u.h) era and after but it did not take any distinctive shape, there were neither consultative members nor a consultational arm such as Parliament. This is justified because consultation is not a basis of rule but is a right of the Muslims. If the Caliph refuses to consult the Muslims he would be negligent but the rule remains nevertheless Islamic as consultation is for abstracting opinion and not for ruling. This is quite clearly contrary to democracy.

5 In democracy the government is obliged with the opinion of the peoples majority in everything, legislation or otherwise, though they sometimes consider the majority as one more than half or some other stipulated percentage. The opinion of the majority is obliging.

The opinion of the majority in Islam does not outweigh everything and is not therefore obligatory.

In the legal judgements (Hukum Sharai), neither the opinion of the majority or the minority is observed or considered. All are obliged to submit to the shariah evidences. This can be clearly understood from the proceedings of the Treaty of Hudaibiyah which was based on revelation from Allah. Hence, the prophet ignored the opinions of Abu Bakr, Umar and all the other Muslims. In the situation where more than one shariah judgement is present, then that having the strongest evidence is adopted and put into law. Only the Caliph has the authority to weigh up the evidences or to adopt the legal judgement.

The opinion concerning actions whose subject matter requires thorough thinking, which will determine whether to initiate, stop or the method of carrying out an action. This type of opinion is known as 'the opinion, the war and the intrigue' it is concluded from the Battle of Badr when the

prophet (p.b.u.h) accepted the opinion of Habbab bin Al Monther without even consulting any of the Muslims, because in this type of opinion the right opinion is adopted without seeking the opinion of the majority or minority. Here also the Caliph is only empowered to tell which is the right opinion.

The opinion which leads to an action that does not require understanding, and thorough thinking, such an opinion is outweighed by the opinion of the majority and obliged with it. Examples of this type of opinions are: the election of a Caliph, the decision on whether to embark on a programme of building schools or hospitals. In all such issues the state should refer to the Ummah and adopt the opinion of the majority. The evidence for this is the Battle of Uhud, where the prophet accepted the opinion of the majority to meet the enemy outside Medina.

Thus, the opinion of the majority is sought in one case only, in action that do not require understanding and thorough thinking.

6 The basis of democracy in the Capitalist system is the principle of individual liberty, the democratic concept of individual liberty is based on the notion that man is the measure of all things and as such he enjoys the common liberties: freedom of the individual, freedom of ownership freedom of worship and freedom of speech. Thus, any person has the freedom to do whatever he likes, and so, there is no punishment for adultery, what's more, it is not permitted to establish a law criminalizing adultery because this would be an interference in the liberty of the individual. Similarly, any person has the right to own through any method he likes, such as gambling, cheating, usury and monopoly. Any person is free to believe in any religion or creed and to express any opinion.

Whilst Islam attaches great importance on the maintenance and protection of human rights and the freedom of the individual in society, the concept of freedom in Islam is fundamentally different to that of democracy. In Islam, Allah is supreme, and the Shariah is the measure of all things not man, as in democracy. Thus in Islam, there is no such freedom that means the absence of restrictions in the performance of any action, for Islam obliges the Muslim to observe the Shariah judgements in every action. It is prohibited for any Muslim to practice any action except in accordance with shariah, thus, the common liberties of Capitalism do not exist in Islam. Hence, the man or woman who commits adultery will be flogged or stoned. Similarly, there is no freedom of ownership because any money gained by non halal means or by false contracts cannot be owned. There is no freedom of worship in Islam because the Muslim will be killed if he converts and does not repent. As for, the so called freedom of speech, one enjoys the right of expression provided that it is not contradictory to Islam. Indeed, Islam compels the Muslim to speak the right everytime everywhere.

From only these six differences the contradiction between Islam and democracy is clearly apparent. Democratic laws are something completely different to Islamic laws and therefore, democracy is different from Islam.

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