

DEMOCRACY IN CRISIS



How the Islamic Political System ensures good governance

a pamphlet by *Hizb ut-Tahrir* Britain
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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Democracy in both America and Britain is coming under scrutiny these days. Quite apart from the antics of MPs and congressmen, it is said to be sliding towards oligarchy, with increasing overtones of autocracy. Money and its power over technology are making elections unfair. The military-industrial complex is as powerful as ever, having adopted "the menace of global terrorism" as its casus belli. Lobbying and corruption are polluting the government process. In a nutshell, democracy is not in good shape.

How strange to choose this moment to export it, least of all to countries that have never experienced it in their history. The West not only exports the stuff, it does so with massive, thuggish violence, the antithesis of how self-government should mature in any polity. The tortured justification in Iraq and Afghanistan is that elections will somehow sanctify a "war against terrorism" waged on someone else's soil. The resulting death and destruction have been appalling. Never can an end, however noble, have so failed to justify the means of achieving it.

Simon Jenkins, Former editor of the Times writing in the Guardian newspaper on 8th April 2010

Foreword

What started as an experiment in Athens over two thousand years ago eventually pervaded every continent and every land. Democracy, Democracy, Democracy is the repeated call that bellows from the four corners of the globe. It is the established order in a chaotic and unstable world, where every critic of democracy is viewed with heretical suspicion. For every political problem, we are told, lies a democratic solution. For every civilization, for every country for every tribe, for every time - goes the mantra - democracy is the claimed answer to all our ills. In the poetic words of a RAWA (Revolutionary Association of the Women in Afghanistan) activist, democracy will cure all wounds and bring a dawn of freedom.

O' freedom sun, Thrust in darkness, Democracy will cure the wounds, Which emerge from your blood-stained soil. O' saddened nation, Fight your antagonists. Take revenge for your martyrs, On the enemy of democracy and woman. We shall bring through knowledge, Through blood and smoke We shall bring the dawn of freedom, The morn of democracy. Meena's flag on the shoulders of women Who will sing she is our pride O' People, arise Fight the enemies of democracy In revenge for the blood of your beloved martyrs And as a message for your fighters.

Yet recent events conform to a remark by John Adams, the second President of the United States. "Remember democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet that did not commit suicide." Adams' remarks were true then and are fast becoming true now, especially in the Western world, the heart of the democracy's home turf. Corruption, incompetence, growing debt and a feeling that politics just doesn't work for the ordinary man is now prevalent in most if not all major democratic countries.

Moreover, since 9-11, democracy has slaughtered so many sacred cows, plunged to ever-deeper moral lows and increasingly become what it was, theoretically, supposed to oppose: corrupt, paranoid and tyrannical rule.

Yet before we get into a detailed discussion around the merits and demerits of democracy, it is important to define precisely what we mean by the word democracy – for it means many things to many people.

Some use the term in a linguistic sense: to characterise consultative behaviour. A company boss is considered democratic if he or she consults their team on a regular basis, in contrast to those who are considered dictators when they bark orders and expect to be followed. Others refer to any type of election - from the school council to high political office – as democratic.

Also, liberal secular societies do not have a monopoly on claiming democracy as their own. Many communist countries during the Cold War era described themselves as democratic republics; and even Saddam Hussein's Iraq had Presidential elections. But those for whom free and fair elections are the key characteristic of a democracy would not give democratic legitimacy to those held in communist states or in dictatorships, where only one party exists.

Others view democracy as more than just elections - that democracies should be characterised by other values and institutions. That alongside regular elections there must be liberal values, a functioning legislative chamber, a vibrant opposition, a free media, civil society and an independent judiciary.

For some, especially from the libertarian viewpoint, democracy should not be equated with liberalism; the latter considered to be the end goal, whilst the former needing to be limited in order to avoid a nation becoming illiberal through the passing of authoritarian legislation. That is why many would describe the United States as a republic rather than a democracy.

For the purposes of this pamphlet, we have defined democracy as **the political system that institutionalises legislative sovereignty - in either the people directly - or in their elected representatives.**

This pamphlet seeks to address the democratic system as articulated and implemented in most of the well developed and emerging democracies in the world today. Another key assumption we make is that we believe that democracy cannot be separated from secularism. Though many have argued that religion and democracy are compatible, this may be right in the private arena but cannot be the case in the public space – where either religion or democracy can enjoy primacy, but never both at the same time. Religions inherently believe that laws and values are the product of divine revelation without human involvement whereas democracy is about subjecting everything to human scrutiny and passing laws by numerical majorities.

This short pamphlet is divided into three chapters. The first chapter seeks to present the theoretical weaknesses of secular democracy and articulate a deeper critique of the core pillars that underpin the secular democratic model. The second uses brief case studies of secular democracy in practice to illustrate the theoretical weaknesses highlighted earlier - the United States, United Kingdom and India - as well as an emerging secular democracy in Afghanistan. We will illustrate the growing gap between the rhetoric and reality in these democratic states. In the last section we use a Q and A format to present a summary of the Islamic Caliphate system. Though no one is suggesting that is an imminent alternative for non-Muslim countries, the same cannot be said in for the Muslim world, where the Caliphate has tried and trusted solutions and certainly a practical alternative. Of course, human implementation within the Caliphate will not be perfect in any way, but for those who believe that the sources for its legislation emanate from a divine entity (whose existence Muslims should rationally prove as a precursor) that fully understands the huge complexity of life and the nature of human beings; something human beings on their own could never comprehend. Islamic principles are by their nature less subject to personal whim, constant change, political expediency or public fickleness while at the same time remaining flexible enough through the process of *Ijtihad* to deal with new emerging realities.

Hizb ut-Tahrir

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Introduction

*As party programmes become more similar, and as campaigns are in any case orientated more towards agreed goals rather than contentious means, there is a shrinkage in the degree to which electoral outcomes can determine government action. Moreover, as the distinction between parties in office and those out of office becomes more blurred, the degree to which voters can punish parties even on the basis of generalised dissatisfaction is reduced. At the same time participation in the electoral process implicates the vote and by casting elections as the legitimate channel for political activity, other potentially more effective, channels are made legitimate. Democracy becomes a means of achieving social stability rather than social change, and elections become 'dignified' parts of the constitution" Richard S. Katz and Peter Mair, *How Parties Organise**

Whilst most politicians in democracies claim the 'change' mantle, very little ever does really change. Moreover, political scandals are far from being isolated events or aberrations in secular democratic systems. Expenses fraud, ex-Ministers being "cabs for hire", cash for influencing legislation and loans for peerages are all examples in the UK alone. The alleged attempted sale of a Senate seat in Illinois and a congressman with thousands of dollars in his fridge in the USA were similar shocking episodes. It could be argued that in America the political class sold out some time ago to special interest groups - so much so that Washington DC has become a byword for organised and institutionalised corruption. India, considered by many to be the largest secular democracy, is also considered to be the most corrupt. Politicians at both federal and state level have been milking the country dry since partition in 1947. Israel is touted as the only democracy in the Middle East. Yet what does it say about its government when a former President is being tried for rape and an ex-Prime Minister investigated for corruption? The developing democracies don't fare better. Elections in Kenya, Afghanistan and Pakistan have all yielded a corrupt elite, and Russia's conversion to democracy has produced an oligarchy more interested in making money than serving the public. In essence democracies in country after country favour the elite while continuing the propaganda that everyone has the same power within a democracy.

However the supporters of secular democracy do not accept this premise. In their world-view democracy is not a perfect system but, to paraphrase Churchill, it is better than everything else. For them democracy is infinitely superior to its rivals, and the demise of medieval monarchs, Soviet Russia, Nazi Germany and dictators around the globe only validates their opinion. For them democracy works because it is, in Abraham Lincoln's words. "a government of the people by the people and for the people." In addition they cite the growing number of countries worldwide that are embracing secular democracy.

Elections have indeed been held recently in Afghanistan and Iraq with millions of people coming out to vote after decades of being denied the opportunity. However it is not just elections that bind these two nations together; another common factor is that these countries were under foreign occupation at the time of their elections. This in itself invalidates any concept of these elections being an exercise in measuring whether a government or a leader has legitimacy separate from that which is conferred by the occupying authority. To use an analogy that most students of American history may appreciate, it would have been like the founding fathers organising an election while British forces still occupied Philadelphia in 1776 under a constitution approved by Westminster. In so doing it is not surprising that pro-Western secular leaders have been elected in Kabul and Baghdad. Nor should it be assumed that because people reject dictatorships, this means they inevitably support Western political ideas.

In addition to elections, Western democracies also champion a separation of state and religion, liberal values towards personal conduct, as well as capitalism, with its policy of unbridled free markets. Western societies promote individualism, hedonism and utilitarianism, with faith and morality kept strictly to the private arena. There is very little evidence that the people of Kabul (never mind Kandahar), Baghdad or Cairo support or accept that Islam should be marginalised in society and kept solely to the confines of the mosque, nor would most accept that a person has freedom to view pornography or commit adultery. Nor would most agree with laws permitting alcohol, gambling establishments or free market capitalism with all its adverse impacts; yet these are all norms in Western democracies. It is precisely because of these major differences in values and their foundations that the vast majority of European citizens and many EU leaders are nervous about Turkey's application to the EU. If Turkey, after eight decades of rabid secularisation by the military, has been unable to fundamentally restructure the values of millions of Turks, it is incredibly unlikely that the Middle East will be buying into Thomas Jefferson any time soon, especially as they witness the day to day impact of the West's 'war on terror.'

The recent backlash against politicians is part of a much wider ideological demise. The common link between political scandals, the economic disaster, the war in Iraq and a failed social model is that they all emanate from a secular democratic system. Excess, greed, individualism and materialism are the fruits of capitalism and its failed value system. Just as 'greedy bankers' have become the face of the disaster Capitalists, and Guantanamo Bay and Abu Ghraib are seen as the Western commitment to Universal Human Rights, so corrupt politicians have become the face of the democratic deceit. Secular, democratic, capitalist states are all suffering to a lesser or greater extent from this ideological decay. The economic collapse is certainly the most far reaching and is set to make victims not only of ordinary citizens in Western societies, but on the world's poor who were once promised that Capitalism would make poverty history. But the other facets of the West's way of life are no less disastrous in their promises. It is the near total separation of God from collective life that has left society to be dominated by material values. 'WIFM' – 'what's in it for me' is the fundamental question people ask themselves, and not 'how will I be judged on my behaviour'. Western society has virtually confined all values bar material ones to the home and the private space. When such values are relegated to the periphery of society, when success and failure is judged purely by the wealth that you have, the value of your house and what you materially own, is there any wonder that politicians or bankers behave like they do, no matter where in the world one lives.

However some argue that the problems that have arisen are due to bad implementation and a political class that has lost its bearings. Yet the problem of secular democracies originates not from bad implementation but shaky theoretical foundations. The view that laws become superior to other laws based on the number of people voting for them is as absurd as it is dangerous. We certainly don't decide scientific progress based on the number of people who support a position, if we did then Galileo, Copernicus and the hundreds of scientists who spoke truth to power and who struggled against public opinion must have been wrong. We decide trials based on the quality of evidence not on the numerical superiority of witnesses on any particular side. If people, as they did in the 1930's, vote for a populist leader who would later kill millions of Jews and start a world war, does this validate their choice just because they constituted a majority at a point in time. No it doesn't.

The very word “democracy” (people power) rooted in Greek was the real give away. This is why throughout the ages from Socrates to Jefferson, from Plato to John Stuart Mill the concept of mob rule and the tyranny of the majority was the fear. This phrase “tyranny of the majority” was originally quoted in Alexis de Tocqueville in his book ‘Democracy in America’ and was then picked up by Mill in his work ‘On Liberty’. The concern was that laws would not be decided on the basis of societal benefit by the majority but would instead be rooted in self interest, emotional passions and parochialism, an attempt to usurp the rights of the minority. As Thomas Jefferson stated “A democracy is nothing more than mob rule, where fifty-one percent of the people may take away the rights of the other forty-nine”. Plato and Aristotle were especially hostile to the tenets of democracy. Through their influential works, after the rediscovery of classics during renaissance, Sparta's political stability was praised while the Periclean democracy was described as a system of rule, where the less well born, the mob (as a collective tyrant) or the poorer classes, were holding power. Mill's solutions had an even more radical suggestion to majority tyranny and that was to have proportional representation with extra votes for the rich and the well educated to balance out the votes of the less educated majority. Winston Churchill also joked that the main argument against democracy was a ten-minute conversation with the average voter.

Acknowledging the weakness of this fundamental flaw, Western societies have sought to mitigate some of the harsher effects of a ‘mob rule’ by a variety of constitutional and political checks. In the US the presence of a Supreme Court, a supermajority before any constitutional changes can be made and the presence of multiple checks and balances have been applied, but at the expense of core democratic principles as well as causing a plethora of other problems. Gridlock, corruption, the disproportionate control exercised by special interest groups and short term electoral considerations trumping long term challenges are just some indictments of modern day democracies. The recent expenses and lobbying scandals in the UK are symptomatic of a political class who have forgotten what serving the public should be about.

Secular democracy, with its basis of popular sovereignty, has yet to be challenged effectively as until now both left and right have not engaged in any debate about the suitability of secular democracy. Most Western leaders believe that democracy is the nirvana of modern political systems that secular democratic values are universal. However as Pat Buchanan correctly observes, "democracy-worship suggests a childlike belief in the wisdom and goodness of the people." A majority of people today would bring back the death penalty (for crimes such as paedophilia and rape), most people believe that the influx of asylum seekers increases crime, a majority of Americans in the south in the nineteenth century supported slavery and a majority of the German people elected Hitler and supported the Nuremberg laws in the 1930s. America's founding fathers no more trusted the people than they did absolute monarchs. Hence the need for multiple checks and balances - an electoral college, a Supreme Court, an elected Senate to watch over the House of Representatives and the veto power of a President. Democracy, contrary to what most people think, is not even mentioned in the US constitution and that was no oversight. Thomas Jefferson made it very clear what he thought about leaving it to the people when he said: “Hear no more of trust in men, but rather bind them down from mischief with the chains of the constitution”. How can democracy with its central tenet of popular sovereignty be seriously considered by the Muslim world when the very founding fathers of the US constitution were so

dismissive of it?

The Islamic ethos ensures that society is more evenly balanced between material, moral, humanitarian and spiritual values. Politicians have to have a strong foundation rooted in values that are strongly correlated with helping the needs of their citizens. It is, in the end, only an atmosphere of God-consciousness allied with divinely inspired rules that govern the detailed institutions that can ensure a more effective political system.

Chapter 1 Why the theory of Democracy can't be defended

History's only democracy was instituted at Athens in 508 BC by Cleisthenes. Every male citizen over eighteen years of age was a citizen, able to gather with his fellows on a hillside, where, after listening to various demagogues, he could vote with the other citizens on matters of war and peace and everything else that happened to be introduced that day. In 322 BC Alexandra of Macedon conquered Athens and eliminated their democracy, which was never again to be tried by a proper state (as opposed to an occasional New England town meeting). Gore Vidal, Inventing a Nation

Before we get into detailed rebuttals of the secular democratic model it is important to emphasise that the following principles should not be in dispute

1. Leaders in any society should be elected and be held accountable for all of their actions.
2. Political parties who adhere to the constitution should be allowed to work within the system.
3. Political leaders should represent the interests of all the people not just a narrow elite.
4. There should be a judiciary independent of the executive, who can hold the executive to account.
5. Citizens of every creed, race or gender - able-bodied or disabled - should have the same rights under the state.
6. No individual or group is above the law.
7. Arbitrary arrest, internment, torture and extraordinary rendition should be absolutely prohibited.

As articulated the above principles are considered critical to any functioning civilisation, but as we will argue the secular democratic model falls short with respect to the above principles. In this section we will discuss the following points.

1. How key principles and rights can easily be suspended. How Democracy can equate to the rule of the mob
2. Majority decisions don't necessarily make good laws
3. Periodic elections favour those with money and adversely impact tough long-term decision making. Politics becomes about serving the elite not the public

Part 1 How key principles and rights can easily be suspended. How Democracy can equate to the rule of the mob

- a. It is an irony of post 9-11 political discourse that the 'war on terror' is billed as a battle to defend liberty. September 11 2001 did not just result in the killing of 3,000 people but was also responsible for the slaying of a Western value system which has found it difficult to deal or adapt to the new challenges of the international environment.

- b. A value system born out of a centuries-long struggle against an oppressive clergy, and which was able to defeat absolute monarchies, fascism and communism has now declared implicit defeat at the altar of its new foe. This is not defeat in a military sense (but in most civilisations that ultimately follows) but it is certainly defeat in a political and ideological sense.
- c. Now some may argue that the changes since 9-11, though altering the balance of security vs. liberty, have not materially altered the ideological fabric of a liberal society. However the suspension of the presumption of innocence, the right to a fair trial, the separation of powers and the right to be aware of the evidence that is being used to imprison you, are not mere footnotes of political life to be altered at will; they are rather supposed to be the bedrock of Western political tradition. How else can one come to any other conclusion when fundamental values, principles and traditions - the political soul itself - have been for the equivalent of 30 pieces of silver?
- d. When Western politicians claim that the greatest civil liberties are the right to life and for the nation to be secure, this in effect relegates other much fought over key values to the political dustbin. If the right to life was really the most important right, nations would never have gone to war to defend fundamental values, risking their sons and daughters in brutal conflicts. If the Second World War was about merely protecting life, then Churchill would have accepted Hitler's offer to surrender, thus sparing thousands of soldiers the horrors of battle and Britain's cities from brutal bombing.
- e. The rationale of protecting the nation's security is the perennial argument used by dictators and tyrants through the ages and is used constantly by regimes from Pyongyang to Harare to defend their draconian policies. However these regimes don't pretend to be something that they are not and nor do they seek to promote their values abroad. It is the active promotion of secular democracy abroad while simultaneously abandoning it at home that is the brazen hypocrisy. In rolling back democracy at home, the West has lost its moral leadership to preach to countries abroad, seriously undermining the pro democracy activists abroad it claims to support.
- f. Events since 9-11 are not the first time that Western values have failed the credibility test when faced with stringent pressure. In 1861, Abraham Lincoln, considered by many as the greatest President of the United States, suspended civil law in certain territories and arrogated to the presidency all powers not delegated to him in the constitution. In 1862 he suspended habeas corpus and under military law imprisoned 13,000 members of the 'Copperhead Democrats', a group that opposed the war and who sought a new constitutional convention to frame an amendment to protect states' rights. The Chief Justice of the Supreme Court declared Lincoln's actions unconstitutional. Instead of observing the rule of law, the cornerstone of Western tradition, Lincoln issued an arrest warrant for the 84-year-old Chief Justice.

- g. Similarly during the Second World War, Franklin Roosevelt, interned 120,000 Americans of Japanese origin in inland concentration camps through the signing of Executive Order 9066; their only crime was their racial origin. In 2006 George W Bush signed into law the Military Commissions Act thus denying any of its enemies fundamental rights and contravening the Geneva Conventions on the treatment of detainees.
- h. Guantanamo Bay, Belmarsh, Abu Ghraib, Bagram, the Patriot Act, anti-terrorism legislation of all guises, stop and search, internment, torture, sexual humiliation, executive ordered arrests, detention without trial, rendition of suspects to despotic regimes, brutal interrogations and illegal and imperialistic wars are not the only evidences of a civilisation that is in decline, though these are indeed powerful signs.
- i. The more illuminating evidence is the mass indifference (and even complicit support) of the Western public and their representatives while these things happen. Indeed on the whole Western populations influenced by a mob serenading as the tabloid press have egged on their populations to do their worst. So far there have been no mass street demonstrations over the roll back of legal rights and values since 9-11. In fact, opinion polls indicate strong support for the tough anti-terror legislation and interrogation techniques in both the US and the UK.

Part 2 Majorities don't necessarily make good laws

- a. One of the fundamental pillars of democracy is that legislation is arrived at through majority voting. In the absence of any divine text, the need to derive legislation must be sourced from elsewhere. However the source of legislation and how laws are passed are subject to rigorous debates. In essence a variety of models could potentially exist.
- b. Populations participate directly in passing legislation such as that witnessed in Athens over 2,500 years ago, where the majority of people would get their way. This model is generally only applicable for small towns or cities – the people of ancient Athens did not allow democracy for those whom they conquered. However with technological advances certain people are now calling for more legislation to be passed this way.
- c. Citizens elect their representatives periodically who then vote on legislation. This is the preferred model in most advanced democracies and laws are then generally passed by majority votes.
- d. An assembly of experts who are specialists in specific legislation are responsible for individual pieces of legislation. This model is generally not implemented in democratic states as it is considered anti democratic. However, many including Socrates and Plato have called for this model, believing that allowing ordinary people or the unskilled a role in politics is dangerous.
- e. However even within the preferred second model there are a number of issues. For

instance a numerical majority for passing law does not equate to better law. Most laws are arrived at through a multitude of different factors and individual representatives are free to pass laws using any criteria they wish.

- f. However passing laws are also restricted by constitutional concerns. No laws for instance can be passed in contravention of a nation's constitution without some kind of super majority. For instance in the United States a simple majority of both houses of Congress could not reintroduce slavery, even though this would be democratic, this would require a change to the constitution. To prevent democracies from committing such abuses, various anti democratic checks such as supermajorities and an unelected Supreme Court are put in place, an explicit acknowledgement that pure democracy can produce toxic results.
- g. Elected representatives are by definition not bound by their electors. In essence therefore the voters role in democracies is confined to periodical voting as well as lobbying on individual pieces of legislation. Though individuals are free to lobby, their lobbying effort is vastly outnumbered by more wealthier and powerful concerns. For instance in the last decade the financial sector according to the Centre for Responsive Politics spent nearly \$4 billion dollars in lobbying congress. Ordinary members of the public have to make do with an email or a phone call and are therefore largely ignored.
- h. As mentioned just because 51% of people vote for something or a simple majority of politicians vote for something doesn't make it right. Nor does having a supermajority guarantee better results. If a supermajority decided to legalise heroin use or prohibit contraception or ban Muslim women from wearing the hijab, this would be entirely democratic. The idea of numerical majorities legitimising what is fundamentally allowed and what is prohibited is therefore dangerous.
- i. Nor does having a Supreme Court provide a failsafe option, as the abortion debate in the US has proved. Having a number of judges decide what is right or wrong is in effect anti democratic and invalidates the whole principle of having legislation underpinned by popular consent. Judges should interpret laws and hold people to account not play the role of backstop legislators.
- j. Scientific progress is not decided on numerical majorities but the strength of the science. The fact that the majority of people once believed the sun went around the earth or believed that the world was flat does not mean a hill of beans when it comes to deciding what is scientific fact. Why should important legislation therefore be any different?
- k. Nor is democracy practiced in the armed forces, companies or sports teams. What the majority thinks maybe of interest, but ultimately decision making should be based on what is right and what is wrong not on the latest opinion poll or focus group or popular whim.
- l. This is not to say that in certain technical matters or routine areas or where priorities need to be decided that input from the public should not be sought. To decide to have a road built in an area is a public decision or whether rubbish should be collected once a week or

once a fortnight. However important areas of how societies should be governed, the principles of taxation, defence, and the criminal justice system cannot be left to the whim of public opinion. As we will see in the last section the Islamic system makes exactly such a distinction. In certain areas divine guidance has fundamentally settled the matter, for instance the protection of non-Muslim places of worship, the types of taxation and what political institutions there should be. Here people have no right whatsoever to overturn this, whether they have a supermajority or not. However in other areas divine law mandates the rulers to consult with the general public or experts to solve practical problems and come up with effective solutions. The Islamic system gets this balance right, democracies by their nature cannot.

- m. The toxic nature of how laws are passed in democracies was well understood by Western philosophers, leaders, and influential voices over the ages. Socrates and Plato raged against democracy in ancient Greece. Jefferson and Adams understood the dangers of pure democracy, which is why the US is a republic and why pure democracy was opposed.

Part 3 Periodic Elections favour those with money and adversely impact tough long-term decision making. Politics becomes serving the elite not the public.

- a. One of the pillars of the democratic model is the principle of periodic elections. That people have the right to elect their political leaders, but also have the right to then boot them from office.
- b. Elections every two, four or five years are therefore designed for this specific purpose, to allow the electorate to decide whether the ruling party or leader deserves another term or whether the opposition should gain power.
- c. In the US, elections happen for most political offices from District Attorneys, to Mayors, to Governors and to Congress. Specifically though a Presidents and Governors term is four years, members of the US House of Representatives are all elected every two years with Senators having a six-year term.
- d. Elections are big business, not just for politicians who practically have to raise money from the day they assume office. But also for the media, political operatives, lawyers, polling organisations and the vast array of other associated industries. The last US presidential election cost billions of dollars with the vast majority of this being spent on paid television ads.

The problem with frequent elections is twofold. Firstly the more elections there are the more there is a requirement for money. The juxtaposition of money and politics is one of the major cancers in democratic politics. Secondly the frequency of elections biases politicians against tackling long-term challenges and instead incentivises them to focus on short-term popularity. While a country's planning horizon should be measured in decades, political horizons are focussed on managing the 24-hour news cycle and how to win the next election.

- e. For instance a recently elected member of the US House of Representatives, from day one, has to plan to raise a million dollars or so for your re-election campaign in two years time. Therefore you spend an inordinate amount of your time raising money, schmoozing up to donors, and getting people who you may not like to write cheques. In addition you try to avoid any tough votes since in all likelihood the benefits will only be seen years down the road and why risk antagonising people who could vote you out in two years time. Running up deficits, not tackling longer-term challenges in education, the environment, pensions, energy or inner city poverty is the norm. All of these issues require tough choices and statesmen like solutions, but taking such decisions is akin to writing an electoral suicide note.
- f. Democratic politicians therefore have to kow-tow to important constituencies realising that they are dependent on them for both votes and money. However this ignores other important segments of society, children for instance have no money or vote banks. There is no children's lobby to balance out those who speak for business or labour or the retired. Yet it is our children that will have to deal with future deficits, crumbling infrastructure, an unsustainable environment and social disharmony. However, politicians can ignore the future as their electoral chances are based on the here and now. Is there any wonder why democratic politicians therefore duck the big challenges?
- g. In addition what democratic commentators confuse is to conflate frequency of elections with effective governance. That elections are a check on rulers who otherwise would become corrupt, complacent or simply too tired to continue to rule. However there are many examples of leaders in politics, sports and business who have led for long periods without exhibiting any of these characteristics. For instance an alternative to both democracy on the one hand and dictatorship or absolute monarchy on the other hand is an election of a ruler with no term expiry as exists within the Islamic political system. This allows people on the one hand to freely choose their leader but on the other hand allows that leader the time to take tough long-term decisions for the benefit of the public.
- h. In essence the more elections you have the more likely you are to poison your system with money and short term thinking. Unfortunately this is what we see in the West, countries dominated by powerful interests, riddled by political corruption and with soaring deficits and other long-term problems left completely un-tackled. What this eventually leads to is politicians failing in their fundamental duty, which is to serve the public. In essence politicians become obsessed with their futures not the country's future. They are focused on their interest not the people's interests.

It is clear today that secular democracy faces a crisis of massive proportions. However, people disagree about how to solve this crisis. The conventional view in the West is that we can clean up the system by introducing reforms. However this solution stems from a misdiagnosis of the problem. The system is not corrupt because there are corrupt politicians; rather politicians become corrupt because the underlying system is, as we have shown above, flawed. If it were a case of a few rotten apples in one country or the politics of a particular democracy were worse than all the others, one might make a case for reform. But as we will see in the next section,

fundamental problems exist in every secular democracy, advanced, emerging, large, small, western or eastern. They all show the same thing: they serve the elite and not the public; their politicians are largely corrupt; wealth remains confined to a tiny minority; and long term challenges are consistently ducked. Challenging one's fundamental beliefs and values when they so palpably require challenging is less risky, in the long run, than persisting in doing the same thing over and over again expecting a different result.

Section 2 - Case Studies

United States

Rhetoric

The US presents itself as the most advanced democracy in the world. With a population of 300 million people, it has the third largest population in the world. The US constitution is considered the gold standard of constitutions stating every man was born equal and guaranteeing liberty through a Bill of Rights. The US Declaration of Independence promised life, liberty and the pursuit of happiness regardless of creed, race or gender.

Reality

- a. **Race Inequality** Despite the freedoms demanded in the Declaration of Independence and the freedoms reserved in the Constitution and the Bill of Rights, oppression against coloured people continued for almost two centuries. Following the *Plessy v Ferguson* decision in 1896, the Supreme Court ruled that while blacks had equal right under the law, that separation of the races was legal as long as facilities were equal. These laws, known as Jim Crow laws, affected every aspect of the lives of blacks. For example, a 1958 Alabama law stated that "It shall be unlawful for white and coloured persons to play together ... in any game of cards, dice, dominoes, checkers, pool, billiards, softball, basketball, football, golf, track, and at swimming pools or in any athletic conference".
- b. **Debasement through free speech** The first amendment though protecting the right to free speech has generated some toxic effects. Not only is pornography and other depravity widespread, the Supreme Court in a recent high profile case more or less allowed corporations and other special interest lobbies to spend unlimited amounts of money on politicians thus cementing their role as arch controllers of the democratic system. In addition as the Economist reported the first amendment guarantees the right to political hate speech. For instance candidates like one in Kansas City can run radio ads that can be anti-Semitic and unashamedly racist without any power from the radio stations to stop such ads.
- c. **Corruption** The US may be the preeminent democracy in the world but it is also one of the most corrupt. US politics is riddled with special interests, a revolving door between politics and big business, political favours and backhanders. Though on the surface elections occur every two years, the reality is that incumbents rarely lose. In 2008, 94% of incumbents won in the House of Representatives and 83% in the Senate. This isn't by accident, due to the significant money advantage enjoyed by incumbents and the gerrymandering of redistricting. Despite the global recession special interests paid Washington Lobbyists \$3.2 billion in 2008 or \$17m every day Congress was in session. The 2010 congressional elections are estimated to cost a staggering \$3.5 billion.
- d. **Ruling for the finance industry** The money paid to politicians is reciprocated through vast rewards being paid back to them via a variety of means. Though the \$700 billion

TARP funding bailout for the financial sector received so much adverse publicity in 2008, this was just the tip of the iceberg. It is estimated by the US based Centre for Media and Democracy that almost \$7 trillion has been earmarked for the financial sector with \$4.6 trillion disbursed and \$2 trillion still outstanding, the vast majority from the Federal Reserve without any congressional oversight.

- e. **Minority Government dressed up as a majority** Despite the historic nature of the 2008 presidential elections, almost 40% of the US electorate did not vote in the last election. This level of non-participation in an election that apparently was historic, which had unprecedented African American turnout, that gained worldwide attention and which was covered wall to wall by the media can only be viewed as a serious problem. President Obama received some 70 million votes across the country, yet 82 million Americans didn't bother to vote at all and 62 million voted for other candidates. Therefore 2 in 3 of the US electorate that could vote didn't vote for President Obama, a man who received a landslide when it came to the electoral-college margin – 365 votes for to 173 votes against.
- f. **Levels of Poverty** Despite attempts by US politicians to portray that the American dream is open to everyone, this is simply not the case. The US has an acute problem with respect to poverty. Almost 40 million people or 13% are considered to be in poverty at the end of 2008. According to the Economist between 1970 and 2008 the Gini coefficient a measure of income inequality grew from 0.39 to 0.47 and that while Americans had doubled their income in the quarter century before 1973, in the quarter century since 1973 their incomes had only grown by a fifth. However this doesn't tell the whole story. The overall poverty percentage amongst Hispanics and Blacks is 23% and 25% respectively. In addition 19% of American children under the age of eighteen are in poverty. Unemployment among African-Americans is nearly double that of whites, Black men and women in America make 62 cents on the dollar earned by whites. At some point in their childhoods, half of America's children will use food stamps to eat. Some 30 million workers are unemployed or under-employed, and for those still working, the median wage today is about \$32 thousand a year, which is why so many people are working two jobs trying to make ends meet.
- g. **Wealth inequalities** Inequality is also grotesque. In the 1950's and 60's, the CEO's of major American companies took home about 25 to 30 times the wages of the typical worker. By 1980 the big company CEO took home roughly 40 times the worker's wage. By 1990, it was 100 times. And by 2007, executives at the largest American companies received about 350 times the pay of the average employee. In many of the top corporations, the chief executive earns more every day than the average worker gets paid in a year. In another indictment of modern day democracies, in terms of financial wealth according to Professor Domhoff at the University of California the top 1% of Americans own 43% and the top 10% own 83% of the nation's financial assets. In effect one in ten of the whole population owns the vast majority of the country.
- h. **The Cost of War** James Madison once said "Of all the enemies to public liberty war is, perhaps, the most to be dreaded because it comprises and develops the germ of every

other. War is the parent of armies; from these proceed debts and taxes ... known instruments for bringing the many under the domination of the few... No nation could preserve its freedom in the midst of continual warfare". The US spends more money on defence than the next 15 nations put together, which alongside an insistence on maintaining a hegemonic ideology, creates an unstable cocktail. This may seem good for defence contractors and their stockholders but does nothing for world stability. Relating to Iraq and Afghanistan the United States has spent almost \$1.1 trillion since 2001 on just fighting wars and other related expenditure, a fraction of what is required to seriously tackle worldwide poverty.

- i. **Record Budget Debt** According to Cicero (106-43 BC) "The budget should be balanced; the treasury should be refilled; public debt should be reduced; and the arrogance of public officials should be controlled". However the US debt situation is now at unstable levels. Currently it stands at around \$13 trillion and is growing at a rate of \$4 billion a day. Yet despite record debt and deficits, US politicians due to electoral considerations, will not tackle this huge challenge. Tinkering, while 'Rome burns', their profligacy and cowardice knows no bounds. According to the Congressional Budget office (CBO) the single greatest threat to budget stability is the growth of federal spending on health care—pushed up both by increases in the number of beneficiaries of Medicare and Medicaid (because of the aging of the population) and by growth in spending per beneficiary that outstrips growth in per capita GDP. Today, outlays for Medicaid and Medicare combined (excluding offsetting receipts) equal about 5.5 percent of GDP. Without changes to federal fiscal policy—involving some combination of lower spending and higher revenues (taxes) than the amounts projected under current law—those rising costs will rapidly drive the size of federal debt held by the public.

- j. **Crime** The United States sees itself as the leader of the free world. However it does lead the world in one very unfortunate statistical category - crime. There are nearly 12 million reported crimes committed in the United States every single year. There are currently over 2.2 million people in prison in the United States. The United States has 5% of the world's population, but 25% of the world's incarcerated population. The United States also has 100,000 rapes every year. There are approximately 500,000 robberies in the United States every year. There are about one million police officers in the United States - the highest number in the world. There are over 17,000 murders in the United States every year. There are over 1.2 million car thefts in the United States every year - by far the most in the world. One out of every five people is a victim of a crime every year in the United States.

- k. **Democratic damage in the world** America's failure to look after the vast majority of its own citizens at home is mirrored by its coddling of brutal dictators across the globe. And while democracy maybe the stated goal at home, abroad anything goes. From right wing dictators in Latin America to African despots, to hereditary monarchies in the Middle East and brutal tyrants in South East Asia, the US record of supporting some of the world's worst leaders is second to none. Now after Abu Ghraib, extraordinary rendition, torture and Guantanamo, the US has confirmed that anything its puppet dictators can do in terms of brutality it can match.

United Kingdom

Rhetoric

The UK presents itself as an advanced democracy in the world. With a population of 60 million people, it has one of the largest populations in Europe. The British parliament has historically been dubbed as the ‘Mother of all Parliaments’. Though Britain has no written constitution it has strong precedents for democratic rights emanating as far back as the Magna Carta in the thirteenth century. The UK has a proud tradition of democratic rules and governance.

Reality

- a. **Colonialism** Despite its democratic credentials at home, the UK has not allowed this to restrain it from colonising the rest of the world. Not only did the UK rape resources from Africa, India, the Middle East and North America, it left a legacy of divide and rule whenever it left its former colonies. India, Ireland, Cyprus and Palestine are just some of the areas that were left deliberately divided for British national interests causing untold misery for hundreds of millions of people.
- b. **Political Scandal** Britain may have the Mother of all Parliaments after recent scandals show it has the reputation for the Mother of all Expense Claims. Though the UK does not have the same disease of long election campaigns that the US does and the need to raise billions of campaign dollars, politicians on this side of the Atlantic still have enjoyed their share of financial scandals. Hundreds of MP’s have been caught up in the expenses scandal that has plagued British politics and sullied the reputation of Parliament. But the expenses scandal is merely a culmination of financial scandals that have hit British politics in recent years. Politicians have been caught seeking money for asking parliamentary questions and have been caught on camera seeking money for lobbying. Indeed one former cabinet minister famously described himself as a “cab for hire” – which could be described as an appropriate metaphor for politicians in general as practiced in all democracies across the world.
- c. **Democratic deficits** Britain’s political system though claiming to be democratic has a number of deficits. The head of state and the second legislative chamber (House of Lords) are not elected, nor do the British even have the power to elect via a direct vote their Prime Minister. In fact the only person the average British citizen votes for is their constituency MP. British people can vote as to who wins live TV entertainment contests but don’t have any right to vote for their head of state or head of government or even who heads their local council. Britain’s first past the post system also generates erroneous results. The Labour party swept into power in 1997, 2001 and 2005 with vast parliamentary majorities, yet with a mandate of less than a quarter of the electorate who could have voted in these elections. It is little wonder why there are consistent concerns about low electoral participation.

- d. **Poverty** Despite attempts by British politicians to portray the whole of the UK as vibrant, severe poverty exists. Over a fifth of British households live below the poverty line with 17% believing they live in absolute poverty, which is disgraceful considering the wealth enjoyed by many of its richest citizens. Almost 3.5 million children are blighted by destitution, their parents too poor to feed, clothe or shelter them properly.
- e. **Wealth Inequality** Inequality is also grotesque. The average UK CEO earns 81 times the average salary of the average worker and the richest 10 percent of the population are over 100 times wealthier than the poorest 10 percent, with income inequality having reached its highest point since the end of the Second World War. The richest 1% of Brits have average wealth of more than £2.6 million whereas the bottom 10% have average wealth of £8,800
- f. **Unethical Foreign Policy** British foreign policy like America's has no problems with allying itself with some of the most brutal leaders in the world. British influence throughout the world has led it to numerous odious alliances as well as making a number of unsavoury deals across the world. Britain's allies in the Gulf for instance have purchased billions of dollars of military hardware from British defence contractors thus guaranteeing tens of thousands of British jobs with no measurable utility for their own citizens. Tony Blair's infamous closing down of the corruption investigation into British Aerospace's dealings with Saudi Arabia is just one example of many of Britain's double standards on the world stage. So much for democratic principles of accountability, the rule of law and transparent politics.

India

Rhetoric

India presents itself as the largest democracy in the world. With a population of 1.1 billion people it has the second largest population in the world. In the last decade Indian economic growth has been high with specific sectors such as IT and the movie industry now world-renowned. Many Indian businessmen have bought overseas companies and have become major conglomerates such as Ambani, Mittal and Tata. The common view across the globe is that India is booming.

Reality

- a. **Corruption** India may be the largest democracy but it is also one of the most corrupt. Indian politics is riddled with nepotism, bribery, organised crime and backhanders. After the 2009 elections groups working on electoral reform judged that 153 MP's (29% of all MP's) elected in the Indian parliament faced some kind of criminal charges with 74 facing serious criminal charges including those of murder and gang war.
- b. **Poverty** Despite attempts by India's politicians to portray the whole of India as vibrant,

almost 75% or 828 million of India's population live on less than \$2 a day. As a percentage this exceeds Sub Saharan Africa and is almost double that of non-democratic China. Over 42m Indians live in slums of which 45% do not have access to improved sanitation facilities. Over half of the people in the world who have to defecate in the open, live in India. A quarter of the world's newborn deaths occur in India. Some 5m Indians die of cardiovascular diseases every year and 2m die from drinking contaminated water. A child dies from a preventable disease every 15 seconds. A woman dies in childbirth every 5 minutes. Despite the great strength and entrepreneurship of India's citizenry, India's democratic politicians have failed the Indian people.

- c. **Gender Inequalities** Women are disproportionately represented among India's poor: half of them cannot read. Preference for sons, infanticide and neglect of girls is widespread. In some parts of the country there are only 850 girls for every 1000 boys.
- d. **Low levels of literacy** Despite India's advancements in global Information technology and telecommunications, a third of the population remains illiterate and only 15% of children reach High School and only 7% graduate. Twenty five percent of teaching positions nationwide are vacant, and 57 percent of professors lack either a master's or a Ph.D., according to a recent regulatory report. Although Indian universities churn out three million graduates a year, only 15% of them are suitable employees for blue-chip companies.
- e. **Wealth Inequality** Inequality of wealth has also risen. Figures show that there are now 52 billionaires in India, compared with 27 last year. Over the course of the year, the stock market has gained more than 75% and the economy has grown at almost 7%, pouring billions of dollars into the bank accounts of India's richest people. However 0.00001% of India's population now accounts for around a quarter of its trillion-dollar gross domestic product.

Afghanistan

Rhetoric

The West presents itself as having bought democracy to Afghanistan. With a population of about 28 million people, the West boasted that the defeat of the Taliban has finally bought democracy to the Muslim world. Though there are inevitably teething issues, Afghanistan is believed to be on the long road to becoming a fully-fledged democracy and taking a seat at the table of the international community.

Reality

- a. **Democracy under occupation** The West considers occupied Afghanistan a democracy, though it has just had one of the most corrupt presidential elections ever seen, with clear

- evidence of vote rigging and electoral fraud. How can it be claimed that it is a sovereign state when significant authority for national decisions are in the hands of an unelected power – i.e. the United States, who will have almost a hundred thousand troops in the entire country?
- b. **Poverty** Despite attempts by Western politicians to portray the country as improving, poverty is endemic and development is patchy to say the least. According to the United Nations, Afghanistan ranks 174th out of 178 countries on the Human Development Index, a ranking that mixes per capita income with public health statistics, crime rates and other indicators. Out of every 1,000 babies born in Afghanistan, 142 die before reaching their first birthday. A woman dies in pregnancy every 30 minutes. Overall life expectancy is estimated at 42 years. Afghanistan has the world's second highest maternal mortality rate and the third worst rate of child mortality. Only 23 percent of the population have access to safe drinking water, and only 24 percent of the population above the age of 15 can read and write, with much lower literacy rates among women and nomadic populations. More than half of the population earns less than \$2 a day.
 - c. **Corruption** In its 2009 report, Transparency International rated Afghanistan as the second-most corrupt nation in the world, with public sector corruption worsening for the second consecutive year. Only war-torn Somalia rates worse on the Berlin-based organisation's Corruption Perceptions Index (CPI) of 180 nations. A 2008 survey by Integrity Watch Afghanistan found that a typical household pays about \$100 a year in bribes in a country where more than half the population survives on less than \$1 a day.
 - d. **Oppression and state tyranny** While London and Washington spout rhetoric about good governance and human rights, their client regime in Kabul continues to forge relationships with warlords. Abdul Rashid Dostum, a notorious former warlord, endorsed Karzai's election campaign and recently returned to Afghanistan from Turkey. He is accused of overseeing the deaths of up to 2,000 Taliban prisoners during the 2001 invasion. Karzai's two vice presidents, Mohammad Qasim Fahim and Karim Khalili, are also former warlords accused of rights abuses.
 - e. **Increasing drug production** Despite 8 years of occupation, no one has been able to stem the flow of drugs from Afghanistan. In 2008 the Afghan government succeeded in destroying only 3.5 per cent of Afghanistan's 157,000 hectares of poppies because eradication teams were either attacked or bought off by local drug lords. In December 2009, Viktor Ivanov, the head of Russia's anti-narcotics federal agency accused British troops in Helmand Province of not doing enough to stem production of heroin. He said that, *"Sixty percent of all opiates in the world are produced in the area that the British forces are responsible for... There were 25 hectares of opium in 2004. Now there are 90,000. This shows you how effective they are"*. The misery and disease of drug addiction are growing problems. The destruction of crops has failed and criminal cartels are spreading through Iran, Russia and Central Asia.
 - f. **Drug-links to the top** There is widespread evidence that the Western backed rulers of Afghanistan are involved in the illicit drug trade. In October 2009, the New York Times reported that the brother of Hamid Karzai, Ahmed Wali Karzai, was being paid by the

CIA and was a suspected player in Afghanistan's booming opium trade.

- g. **Underdevelopment** The “rebuilding” of Afghanistan is more fraud than failure. Half of Kabul lies in ruins, many people still live in tents, thousands can't find jobs, children go hungry, schools are overcrowded and hospitals dirty, women beg in the streets and turn to prostitution, and children are kidnapped and sold into slavery or murdered for their organs. Since 2001, the US Congress has appropriated more than \$39 billion in humanitarian and reconstruction assistance for Afghanistan, according to a report by the U.S. Special Inspector General for Afghanistan Reconstruction. US military spending is \$100 million a day, while \$7 million goes to development, and 40 per cent of that \$7 million is lost to administrative costs. So only around \$4 million goes to the community. Of that \$4 million, less than 5 per cent goes to agricultural development, yet 80 per cent of the population relies on agriculture for their livelihood.
- h. **Phantom and Fraudulent Aid** Western leaders continue to convene conference after conference and promise billions in aid to Afghanistan. The people of Afghanistan rightly ask “where has all of this aid gone?” While the official answer is “corruption”, many reports have suggested that only part of the aid – maybe 40 per cent – is “real aid”. The rest is “phantom aid” that never even shows up in the recipient country. Some countries count debt relief or the construction costs of new embassies as aid. Much of the money never leaves Western banks as it is paid directly to Western “experts”. Much of the aid has strings attached, obliging the recipient to use the money to buy products from the donor country, even when the same products are available cheaper at home. Much of the aid money goes to foreign companies who then subcontract as many as five times with each subcontractor in turn looking for between 10 per cent and 20 per cent or more profit before any work is done on the project. The biggest donor in Afghanistan is the US, whose overseas aid department USAID channels nearly half of its aid budget for Afghanistan to five large US contractors. Across Afghanistan there are stories of half finished bridges, roads to nowhere and hospitals that threaten to collapse in the first heavy storm, mainly because of dishonest contractors who skimp on materials or work. Many of them are ex-warlords who have used their connections with the regime to receive lucrative contracts. There is very little economic or industrial development beyond narcotics.

Chapter 3 - Q+A on the Islamic Caliphate System

O People, I have been appointed over you, though I am not the best among you. If I do well, then help me. And if I act wrongly, then correct me. Truthfulness is synonymous with fulfilling trust, and lying is tantamount to treachery. The weak among you is deemed foremost by me, until I return to them that which is rightfully theirs, Insha'Allah. And the strong among you is deemed furthestmost by me until I take from them what is rightfully someone else's, Insha'Allah. No group of people abandons Jihad in the path of Allah, except that Allah makes them suffer humiliation. And wickedness does not become widespread among a people, except that Allah inflicts them with widespread calamity. If I disobey Allah and His Messenger ﷺ, then I have no right to your obedience. Stand up now to pray, may Allah have mercy on you

The first Caliph of Islam, Abu Bakr, in his inaugural address

In Chapter 1 we stated that the following were seven key principles of any political system for any civilized society and concluded that modern secular democratic states could not meet these.

1. Leaders in any society should be elected and be held accountable for all of their actions.
2. Political parties who adhere to the constitution should be allowed to work within the system.
3. Political leaders should represent the interests of all the people not just a narrow elite.
4. There should be a judiciary independent of the executive, who can hold the executive to account.
5. Citizens of every creed, race or gender - able-bodied or disabled - should have the same rights under the state.
6. No individual or group is above the law.
7. Arbitrary arrest, internment, torture and extraordinary rendition should be absolutely prohibited.

Here we test these and other important questions against the Islamic political system - *Khilafah*.

Q Leaders in any society should be elected and be held accountable for all of their actions. Would they be in an Islamic Society?

A Yes they are, contrary to notions of the Islamic *Khilafah* being a religious dictatorship presiding over an authoritarian system, the head of state is elected within an open transparent election and is directly accountable for all his actions to the people. This accountability is maintained by having a vibrant open society and political parties, the presence of strong institutions including independent courts as well as the presence of strong values. There are many Islamic evidences that are well known that obliged enjoining good and forbidding evil (*amr bil maaroof wa nahi anil munkar*) upon rulers.

Within the *Khilafah* State there is a specific institution called the Court of Unjust Acts (*Mahkamut ul Madhalim*), which has the mandatory power to look into any complaint against the Head of State, his advisers, any assistants or the governors in the provinces. Indeed the court itself has the right to look into any case of injustice by the executive even if nobody filed a complaint. On this matter Hizb ut-Tahrir stated in its book '*The Institutions of State in the*

Khilafah [2005]: ‘**The judge of Madhalim is a judge appointed to remove every Madhlimah (unjust act) perpetrated by the State against any person, whether this person were a citizen of the State or a person living under its authority, and whether this Madhlimah were perpetrated by the Khaleefah or those working under him, be they rulers or civil servants... The origin of the judiciary of Madhalim is derived from reports referred to the Messenger of Allah ﷺ where he described the unjust acts perpetrated by the ruler while ruling over the subjects as being a Madhlimah. Anas reported: “Prices soared during the time of the Messenger of Allah ﷺ so they said to him: ‘O Messenger of Allah why don’t you introduce pricing?’ he said: ‘Verily Allah is the Creator, the Recipient, the Extender of wealth, the Provider, and the Pricer, and I hope that I will meet Allah without having anyone accusing me of having perpetrated a Madhlimah against him be it in blood or in money.” [See Musnad Ahmad 3/286]. He ﷺ therefore judged pricing as being a Madhlimah, for if he had done it, i.e. introduced pricing, he would have acted without authority. He ﷺ also made the issues that affect the common rights which the State organises for the people as part of the Madhalim.**’

Q Explain in brief the key tenets of the Islamic political system

A The Islamic political system has a number of key principles, two of the fundamental ones are that:

1. Legislation is derived from the divine sources i.e. the *Qur’an* and *Sunnah*, *Ijmaa as-Sahaba* (Consensus of the Companions of the Prophet ﷺ) and *Qiyas* (Analogical reasoning)
2. The authority lies with the people.

The former principle contravenes the key tenet of secular democracies, while the second principle undermines the key features of dictatorships.

Q What do you mean that ‘authority belongs to the people’?

A This means in origin that the people are the ones who hold the authority of ruling and they contract the ruler (*Khaleefah*) to rule according to the *Qur’an* and *Sunnah*. The contract or *bai’ah* stipulates that the ruler is permitted to rule the people as long as he rules according to the *Quran* and *Sunnah*. The appointment of the ruler is thus through popular consent from the people via an electoral process.

A ruler must have a mandate from the population or is considered illegitimate. This completely puts to rest the myth that the *Khilafah* State would be some kind of religious dictatorship imposed upon the people through religious fiat. Hizb ut-Tahrir mentions in ‘*Institutions of State in the Khilafah*’: ‘**The Khaleefah (Caliph) is the man who represents the Ummah in ruling, authority and in the implementation of the Divine laws (Shariah). Islam has decreed that ruling and authority belong to the Ummah. It is therefore for the Ummah to appoint an individual to administer that authority and apply the divine laws on her behalf.**’

Q People say this would be an election that is ‘one-man one-vote one-time’

A There is no fixed-term limit for a leader. The Court of Unjust Acts can remove him at any time, if he breaches the constitutional contract of ruling or contravenes any of the qualifying conditions to rule. There is no need to wait five years for the next election to do this. The principle is rooted in divine law but can be seen as providing long term continuity as well as avoiding the compromises and money dependency that short term electoral cycles bring in modern democracies. (See chapter 2)

Q But with no fixed-term limits, doesn't this just become an elected dictatorship?

A No a leader if he contravenes the constitutional limits or commits egregious acts he can be removed by the Court of Unjust Acts at any juncture. This court is independent from the executive and can listen to any complaint. In addition accountability – by ordinary citizens, political parties, independent media and the elected assembly is a constant obligation on the people - not to be exhibited once every four or five years via a ballot box.

Q Apart from the head of State are there any other elected institutions

A Yes there are. There are local assemblies that are directly elected and whose term limit is five years and whose representatives then elect from amongst themselves a national assembly known as the Council of the Ummah (or *Majlis al-Ummah*).

Q What are the powers of these assemblies?

A They have the responsibility to account the Head of State at the national level and account the appointed Governors at the local level. In addition their views/decisions sought on general public interest matters is considered binding.

Allah says in the Quran: '*And do consult them in the matter, and if you decide (on an action/opinion) put your trust in Allah*' [Translated Meaning Surah aal-Imran 3:159].

The local assembly can also by majority vote remove the locally appointed Governor by passing in effect a vote of no confidence. The book '*The Ruling System in Islam*' by Sheikh Taqiuddin al Nabhani issued by Hizb ut-Tahrir highlights that one of the mandatory powers of the Council of the Ummah: '*...the right to hold the rulers to account on all matters that take place within the state, whether these are related to domestic affairs, foreign affairs, financial affairs or military.*'

Q If legislation is divine in origin, does that not make an Islamic State a theocracy like Iran or Saudi Arabia?

A No! Theocracies at their heart believe that there is a group or leaders who are infallible and who have an exclusive right to interpret the word of God, where no one is allowed to challenge their interpretation and anyone doing so is condemned. Muslims believe Prophets are selected by God but that subsequent political leaders are not. Their legitimacy must emanate from the authority of the people. The Islamic political system is not theocratic in nature with anyone allowed to challenge any ruling by either scholars or the head of state. We also do not accept

either Iran or Saudi Arabia as valid models; the former has a split religious-secular model, neither Islamic nor democratic; while the latter is a hereditary monarchy that uses the religious establishment as a tool to control opposition to their capitalist and pro-West agenda.

Q You state political parties who adhere to the constitution should operate freely within the system. But if you believe you are not theocratic, surely your state is religious and therefore not pluralistic?

A Like most states, an Islamic state would have a written constitution that governs the society and therefore allows individuals and political parties to operate within that constitutional construct. Of course an Islamic constitution would be different to a constitution that promoted free-market capitalism and social liberalism. However constitutions, written or implied, in democratic states also constrain individuals and parties to ensure that everyone operates within the same political rules and systems. The Islamic system in that sense is no different. This is established in article 21 of Hizb ut-Tahrir's draft constitution derived from Islamic sources.

Q But aren't people in the West are free to criticise their leaders and their political systems?

A To a certain extent, though since 9-11 we are seeing a greater intolerance of people who are challenging fundamental ideas. Within an Islamic political system, accounting leaders and their decisions is not merely encouraged – it is mandatory.

Allah says in the *Quran*: '*Let there arise from amongst you group(s) who call to the khair, enjoin maaroof and forbid munkar. They are those who are successful.*' [Translated meaning Surah aal-Imran 3:104] – meaning that there must at any one time be groups within the Ummah that account the rulers. We also know that Islamic history has a long record of accounting rulers, debate and discussion, and Islam draws a clear line between debate, criticism of authority on one hand and gratuitous abuse of key beliefs – unlike Europe's position during the Danish cartoons abuse.

Q How can this be reconciled with a 'free media'?

A Media in the Khilafah State is independent, in general not require any permission for work. Every citizen in the Khilafah State is allowed to set up any kind of media operation within the agreed general guidelines of the laws – which prevents libellous attacks, the promotion of any kind of sexual depravity, racism or issues relating to national security. But scrutinising policy, questioning and accounting the executive and other branches of government is fully within their mode of action.

Q If legislation is sourced from divine law, how can you progress and solve new challenges and problems?

A Islamic jurisprudence has detailed solutions and key principles derived from the *Quran* and *Sunnah* that are timeless. These can be applied to any new challenge or problem. This is well established in Islamic jurisprudence under the discipline of *Ijtihad*. Most democratic states still

cite the Magna Carta in 1215 and the United States is based on a constitution written in 1776. In addition pan-national treaties or conventions like the European Convention on Human Rights or the Geneva Conventions are also viewed by their supporters as timeless accords.

Furthermore if one studies Islamic history one can see how during the Islamic *Khilafah* the Muslim world was at the forefront of science, technology and progress.

Q Are you therefore saying that people have no role in policies because everything is divinely ordained?

A No, Islam evaluates human actions in five ways. Some actions are mandatory (*fard*), others are prohibited (*haram*) while some are disliked (*makruh*) or recommended (*mandoub or Sunnah*). In any of these four categories, people have no right in setting policy – these matters can be seen as fixed principles in the state. However the fifth category is that which is categorised as permissible actions (*mubah*) i.e. actions that human beings are free to do without divine restriction – many state policies may well be amongst the *mubah* actions. Here people have every right via their elected assemblies to fully debate and decide the best course for the State. There are many occasions from the life of the Prophet ﷺ where people were not just consulted but their collective decisions were considered binding. These issues are generally related to areas of communal interest that do not require specialist scrutiny in areas of education, health, the economy, industry and agriculture.

Q You stated that political leaders should represent the interests of all the people, not just a narrow elite. You are obviously critical of the closeness of big business in democratic societies, but how would you stop that happening in the *Khilafah* State?

A The Western cocktail of money and politics has caused huge problems in generating corruption, a degeneration of society's values and instability in global peace and security as worldwide resources are constantly fought over. The Islamic system would take the money out of modern politics. The electoral circus every four or five years (every two years for the House of Representatives in the United States) in the West positively encourages the growth of money in politics forcing politicians to either raise grotesque amounts of money for re-election or maximise their own wealth before they get booted out. The Islamic system, though not immune from the temptations on offer, seeks to actively detach both finance and the interests of corporations from politics by avoiding the constant electoral circus. In addition whereas capitalism and democracies are fused at the hip in the West, so creating a class of politicians who are either personally corrupt or beholden to a corporate class, no such influence is permitted in an Islamic political model where strong restrictions surrounding relationships and influence are in force. The Islamic economic system is also the complete antithesis to the capitalist economy, putting the problems of the ordinary man over big business. Moreover, a record of corruption is a matter that would violate a contractual condition of ruling for the *Khaleefah* – meaning such a person would either not be allowed to take office, or would be removed once in office.

Q You state there should be a judiciary independent of the executive and who can hold the executive to account. Are you saying the judiciary is therefore independent from the State in the *Khilafah*?

A Yes, absolutely! Judges and courts are completely independent from the head of state and the executive and are key parts of the *Khilafah* State's institutions. Moreover, a sitting judge who is investigating a matter relating to the executive cannot be dismissed till the conclusion of the investigation.

Q Are you therefore saying that no individual or group is above the law?

A Correct. No one - including the head of state, their family, or any religious scholar - is above the law. And unlike the West where justice is skewed to those that are more powerful and wealthier, Islamic courts have historically - and will do so in the future - exercised justice for the weak, minorities and the less well off. This was because of the saying of the Prophet ﷺ mentioned in Bukhari and Muslim when he was petitioned to intercede for a noble lady who had committed theft: *'The nations before were destroyed because if a noble person committed theft, they used to leave him, but if a weak person amongst them committed theft, they used to inflict the legal punishment on him. By Allah, if Fatima, the daughter of Muhammad ﷺ, committed theft, Muhammad ﷺ would cut off her hand!'*

Q Are you saying that the *Khilafah* will not discriminate against any of its citizens on the basis of creed, race, gender or disability? Surely by being based on Islam, Muslims will always be favoured and surely secularism is the best way to go?

A No this is a common accusation but has no grounding in fact. The *Khilafah* State is mandated by divine law to treat non-Muslim citizens well; protecting their right to their religious beliefs and protecting their places of worship. Article 5 of Hizb ut-Tahrir's draft Islamic constitution explains that *'All citizens of the Islamic State enjoy the Shariah rights and duties.'* The State is forbidden from discriminating at all between the individuals in terms of rule, judiciary and management of affairs or anything similar. Rather, every individual should be treated equally regardless of race, creed, colour or anything else. Allah Subhana wa Ta'ala says *"And if you judge between people, judge with justice."* (Translated Meaning Surah al Nisa 4:58] and in His Subhana wa Ta'ala saying: *"And let not the hatred of others to you make you swerve to wrong and depart from justice. Be just, that is nearer to piety"* [Translated Meaning Surah Maida 5:8]. Also The Messenger of Allah ﷺ *"He who kills a covenanted person unjustly shall not find the scent of heaven; its scent is found the distance of a hundred year march"* [Tirmidhi].

Historically Jews and Christians were well protected and examples of Islamic Spain and the refuge given to Jews by Istanbul at the time of the Inquisition are documented examples. In one famous case from the early period of Islamic rule a non-Muslim took the head of state to court over a property dispute and won the case. Non-Muslims of any creed (or none) have no fear from an Islamic system and for many who see Western societies increasingly mired in materialism and political corruption may seem pleasantly surprised at the Caliphate's alternative model.

Q You state arbitrary arrest, spying on citizens, internment, torture and extraordinary rendition should be absolutely prohibited. However if you do not believe in democratic rights, wouldn't people say that made the system a Police State?

A No we completely reject this. We do not believe in arbitrary arrest or torture or rendition or internment. Every person has the right to a presumption of innocence, a right to privacy and a right to a fair trial. Secular democracies do not have a monopoly over respecting the rights of its citizens.

In ‘Institutions of State in the *Khilafah*’ Hizb ut-Tahrir gave the following example from Islamic history about the second *Khaleefah* Sayidina Umar (RA): ***One day news reached him about his Amil (city governor) over Homs, Umayr Ibnu Saad, who had said while over the pulpit of Homs, “Islam will remain strong as long as the authority is strong. And the strength of the authority does not come about with the killing by the sword or the lashing by the whip, but by judging with the truth and the upholding of justice.” Upon hearing this ‘Umar said “I wish I had a man like Umayr Ibnu Saad to help me with the Muslims’ affairs.”***

It goes on to state that Islam prohibits the State from spying on its citizens – something endemic in Muslim countries but also on the increase in many Western countries: ***Spying on Muslims is haram as stipulated in this verse. Allah says: “And do not spy on each other” [Translated Meaning of Quran 49:12]. This is a general prohibition of spying...confirmed by the hadith reported by Ahmad and Abu Dawud in their narration from Al-Muqdad and Abu Umamah when they said: “The Messenger of Allah ﷺ said: If the amir sought for suspicion amongst the people he would undermine them.” [Abu Dawud, Sunan, #4889 and al-Haythami, Majma’ al-Zawa’id, vol.5, p.218]***

There are also clear constitutionally enshrined Islamic prohibitions on torture and abusive behaviour amongst other things – applied to the police, armed forces and security services as well as the general population - as a protection from such forceful rule; together with a article 13 of the constitution that states: ***In origin, one is innocent. No one should be punished without a court ruling. It is absolutely forbidden to torture anyone and anyone who does this will be punished.***

Q Didn’t religious rule in Europe in the medieval period hold Western society back in terms of material progress?

A Yes but this was specific to Europe where science was seen as an enemy to established tenets of the Church. The opposite happened in the Muslim world, the Caliphate actually drove scientific and technological progress on the back of Islamic tenets. Islam never mandated divine rules relating to science, administrative or technical issues. The significant achievements and advancements of the Caliphate historically have been recognised by many non-Muslim commentators, historians and experts.

Q Even if you reject the Western model based on its corruption and inability to tackle long-term challenges isn’t China an alternative?

A China may have an amazing economic growth record but is a state that crushes its individuals and denies them any political rights. For China people are resources to be managed through the capitalist market not human beings who should be respected and treated like human beings.

Killing innocent people in cold blood for protesting in a public square is not a sign of a civilisation at ease with itself. Chinese internal policies in Xinjiang and Tibet are harsh and severe and are characterised by paranoia and the requirement for absolute obedience. China often accuses the West for engaging in brutal behaviour, however its treatment of the Uighurs shows its inability to build a cohesive society that can be attractive to minorities.

Despite attempts by Chinese politicians to portray the whole of China as vibrant, almost 40% or 500 million of China's population live on less than \$2 a day. Despite the great strength of China's economy, too little of the new found wealth has circulated to the poor and the needy.

China has a terrible record when it comes to religious persecution. Its treatment of all religions but specifically Christianity and Islam is nothing short of horrific. Despite a huge propaganda effort to convince the world that China is becoming much more open and free since the June 1989 Tiananmen Square massacre, religious persecution has been intensifying. Chinese authorities have intensified their violent campaign against religious believers, including Evangelical Christians, Roman Catholics, Uighur Muslims, Tibetan Buddhists, and other groups, such as the Falun Gong.

Conclusion

The failure to acknowledge the Khilafah State as an alternative, despite its resonance with hundreds of millions of Muslims is not surprising. Western political leaders are more at ease comparing their way of life with the low benchmark of brutal dictators of the Middle East (despite propping up these same leaders for years) than in actually arguing the substantive issues of which political system would be better for the Muslim world. The Islamic political model is tried and trusted, it balances the material instincts of individuals with strong spiritual values, it makes accountability the key tenet of its political system and obliges every citizen to participate actively, it promotes political service while not forgetting that society's greatest wealth is its values and beliefs and that politicians without values are like ships without water. The Shariah rules on politics are fixed and cannot be so easily manipulated. They build a culture of accounting the ruler by the ordinary citizen, political parties, elected assemblies and by the judiciary itself. It puts no one above the law and does not exempt politicians from paying taxes or from prosecution. The Umayyad Caliph Umar bin Abdul Aziz (717-730) once said "***Rulers usually appoint people to watch over their subjects. I appoint you a watcher over me and my behaviour. If you find me at fault in word or action guide me and stop me from doing it***". This was an institutionalised mechanism of accountability, but his personal God-consciousness was such that it is said that he would put out a candle that was fuelled by money from the treasury even if someone busied him asking about his personal well being. The combination of values and rules in Islam made a political culture where the first *Khaleefah* Sayidina Abu Bakr (RA) once said: "***after my death hand over to Umar (his successor) this milk-camel and dish which were given to me on account of my Khilafah (Caliphate).***" They were not to be inherited as part of his personal estate.

It is not the aspirations of many supporters of democracy supporters that are at issue. Freely electing political leaders is a must, having accountable leaders is essential, protecting minorities goes without saying, making politicians serve the public and not the elites is critical. However secular democracies by their nature are not suitable vehicles to achieving these goals despite the constant cries of change from incoming politicians. In practice there is a huge gap between the reality of democratic countries and the rhetoric. Increasingly controlled by powerful elites, riddled with corruption and saddled by politicians whose only interest is their own self-interest, secular democracy has become a system designed to protect the influential and the rich. Debt is rising as democratic states continue to pander to their populations for short-term electoral considerations. The financial crisis of 2008 driven by the unholy trinity of democracy, capitalism and liberalism brought the world to the brink of disaster. We should learn the lessons before it's too late. As Alexander Tytler an eighteenth century Scottish Professor was attributed to have said:

A democracy cannot exist as a permanent form of government. It can only exist until the voters discover that they can vote themselves largesse from the public treasury. From that moment on, the majority always votes for the candidates promising the most benefits from the public treasury with the result that a democracy always collapses over loose fiscal policy, always followed by a dictatorship. The average age of the world's greatest civilisations has been 200 years.

What we need today is fresh thinking, not another model of secular democracy or some diluted set of reforms. It is a system so bankrupt that the world needs radical new alternatives, intertwined with new values and a new ethos of politics serving the public not a wealthy elite.

This is the essence of the Islamic alternative.

“O you who believe! Obey Allah and obey the Messenger, and those in authority from amongst you. (And) if you differ in anything amongst yourselves, refer it to Allah and His Messenger, if you believe in Allah and in the Last Day. That is better and more suitable for final determination” [Translated Meaning Surah al-Nisa: 59-60]