NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

REEXAMINING ISLAM AND DEMOCRACY THROUGH
THE WASATIYYA PERSPECTIVE

by

Jeremiah B. Bautista

December 2014

Thesis Advisor: Mohammed M. Hafez
Second Reader: Ryan Gingeras

Approved for public release; distribution is unlimited

THIS PAGE INTENTIONALLY LEFT BLANK

REPORT DOCUMENTATION PAGE

Form Approved OMB No. 0704–0188

1. AGENCY USE ONLY (*Leave blank*)	2. REPORT DATE December 2014	3. REPORT TYPE AND DATES COVERED Master's Thesis	
4. TITLE AND SUBTITLE REEXAMINING ISLAM AND DEMOCRACY THROUGH THE WASATIYYA PERSPECTIVE			**5. FUNDING NUMBERS**
6. AUTHOR(S) Jeremiah B. Bautista			
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000			**8. PERFORMING ORGANIZATION REPORT NUMBER**
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A			**10. SPONSORING/MONITORING AGENCY REPORT NUMBER**

11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number _____N/A_____.

12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution is unlimited	12b. DISTRIBUTION CODE A

13. ABSTRACT (maximum 200 words)

The primary aim of this thesis is to reexamine the Islam-democracy debate through the lens of *Wasatiyya*, a contemporary tendency in Islam that espouses centrist positions on religious, political, cultural and other aspects of society. *Wasatiyya* asserts that Islam and democracy are inherently compatible because they share many defining features, from popular sovereignty and representative government, to separation of powers and freedom and human rights. Through documentary analysis of existing literature on Islam and democracy, this thesis examines *Wasatiyya* arguments supporting the compatibility of Islam and democracy, and analyzes how these arguments stand up against contemporary measures of democratic standards. These methods are geared toward the goal of determining the "democraticness" of *Wasatiyya* in conceptual terms, while examining its real world application through the *Wasatiyya*-backed Constitution of the Tunisian Republic. *Wasatiyya* encourages Muslims to strive to use reason within Islamic guidelines. It views the issue of Islam and democracy as a product of historical struggle within Islam to fit with modernity. *Wasatiyya* acknowledges that democracy has its pros and cons, but it is also convinced that today, democracy is the best form of government available that could promote the best interest of Islam and the *Ummah* (Muslim nation).

14. SUBJECT TERMS *Wasatiyya*, Islam and democracy, Islamic democracy, Democracy in the Muslim World, Democratization, Resurgence of Islam, Modernist Islam, Moderate Islamists, Political Islam, Islamism, State in Islam, Popular Sovereignty and Government in Islam, Freedom and Rights in Islam			15. NUMBER OF PAGES 99
			16. PRICE CODE
17. SECURITY CLASSIFICATION OF REPORT Unclassified	**18. SECURITY CLASSIFICATION OF THIS PAGE** Unclassified	**19. SECURITY CLASSIFICATION OF ABSTRACT** Unclassified	**20. LIMITATION OF ABSTRACT** UU

THIS PAGE INTENTIONALLY LEFT BLANK

REEXAMINING ISLAM AND DEMOCRACY THROUGH THE WASATIYYA PERSPECTIVE

Jeremiah B. Bautista
Lieutenant, United States Navy
B.A., University of California, Los Angeles, 2007

Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(MIDDLE EAST, SOUTH ASIA, SUB-SAHARAN AFRICA)**

from the

**NAVAL POSTGRADUATE SCHOOL
December 2014**

Author: Jeremiah B. Bautista

Approved by: Mohammed M. Hafez, Ph.D.
                  Thesis Advisor

                  Ryan Gingeras, Ph.D.
                  Second Reader

                  Mohammed M. Hafez, Ph.D.
                  Chair, Department of National Security Affairs

iii

THIS PAGE INTENTIONALLY LEFT BLANK

ABSTRACT

The primary aim of this thesis is to reexamine the Islam-democracy debate through the lens of *Wasatiyya*, a contemporary tendency in Islam that espouses centrist positions on religious, political, cultural and other aspects of society. *Wasatiyya* asserts that Islam and democracy are inherently compatible because they share many defining features, from popular sovereignty and representative government, to separation of powers and freedom and human rights.

Through documentary analysis of existing literature on Islam and democracy, this thesis examines *Wasatiyya* arguments supporting the compatibility of Islam and democracy, and analyzes how these arguments stand up against contemporary measures of democratic standards. These methods are geared toward the goal of determining the "democraticness" of *Wasatiyya* in conceptual terms, while examining its real world application through the *Wasatiyya*-backed Constitution of the Tunisian Republic.

Wasatiyya encourages Muslims to strive to use reason within Islamic guidelines. It views the issue of Islam and democracy as a product of historical struggle within Islam to fit with modernity. *Wasatiyya* acknowledges that democracy has its pros and cons, but it is also convinced that today, democracy is the best form of government available that could promote the best interest of Islam and the *Ummah* (Muslim nation).

THIS PAGE INTENTIONALLY LEFT BLANK

TABLE OF CONTENTS

ACKNOWLEDGMENTS

I dedicate this thesis to my beloved family and friends. I would not be the person I am today if it were not for your steadfast love and overwhelming support. I am truly blessed to have you in my life.

I am forever grateful to my thesis advisors, Professor Mohammed Hafez and Professor Ryan Gingeras, for their exemplary guidance and patience throughout this challenging yet exceedingly worthwhile undertaking.

THIS PAGE INTENTIONALLY LEFT BLANK

I.   INTRODUCTION

A.   MAJOR RESEARCH QUESTION

The primary aim of this thesis is to reexamine the Islam-democracy debate through the lens of *Wasatiyya*.[1] *Wasatiyya* is a contemporary tendency[2] in Islam and Islamism that espouses moderate or centrist positions on religious, political, cultural and other aspects of society.[3] Its proponents strongly believe that Islam and democracy are inherently compatible because they share many defining features.[4] Despite this positive position on the subject, critics of moderate Islamism worldwide continue to question the movement's credibility and real commitment to democratic ideals. Thus, the method of this thesis is twofold: First, it presents *Wasatiyya* arguments supporting the compatibility of Islam and democracy. And second, it analyzes how these arguments stand up against contemporary measures of democracy. These methods are geared toward the goal of determining the "democraticness"[5] of the *Wasatiyya* tendency in Islam.

B.   IMPORTANCE

The question whether Islam and democracy are compatible or not has remained one of the most important contemporary issues in the world, especially in the aftermath of the 9/11 attacks on the United States and the ensuing American-led invasion of

---

[1]Also spelled *Wasatiyya*h, *Wasatia*, or *Wasatteyyah*; derived from the root *Wasat*, the middle ground or center in Arabic.

[2] The word tendency is used interchangeably with movement, current, stream, wave or trend to denote contemporary Islamist, Islamic or Islam-based way of thinking.

[3] Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 40.

[4] Yusuf al-Qaradawi, State in Islam (Cairo: Al-Fallah Foundation, 2004), 77-78; Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76; John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, and Fred Halliday, *Islam and the Myth of Confrontation* (New York: I.B. Taurus, 1996).

[5] "Democraticness" denotes the level or degree of *Wasatiyya*'s conceptual and practical commitment to democratic ideals, such as freedom and universal human rights.

Afghanistan and Iraq.[6] Today, it becomes even more relevant after the outbreak of the Arab Spring in late 2010 in the Middle East and North Africa (MENA), affecting not only Muslims but non-Muslims as well. Three underlying currents emerged as the defining trends of the Arab Spring: The revolt against authoritarian regimes, manifested in the popular demand for the more empowerment through a democratic alternative; the revolt against extremism; and the struggle to revive Islam and integrate with the modern world.[7] These trends therefore warrant a close reexamination of the potential of democracy to coexist and prosper with Islam in Muslim societies.

1.   Democratization in the Islamic World

Democratization is the demand of a growing portion of the population for empowerment. Abrupt and invasive changes in society led to social upheavals and demands for political reform in the Muslim world.[8] The fall of the Ottoman Empire after World War I allowed European powers to colonize the resource-rich Middle East, Africa and other parts of the developing world. Tunisia's Rachid al-Ghannouchi, a leading proponent of *Wasatiyya* and founder of the Renaissance Party (*Harakat An-Nahda* or *Ennahda*), refers to the Western colonizers as the new world order that sought to preserve a status quo that suits its own interests.[9] Colonization and imperialism permeated society

---

[6] According to the Pew Research Center, when it comes to extremism and acts of terrorism, 81% of Muslims believe that suicide bombing is never or rarely justified by Islam. Of note, in the Palestinian Territory and Afghanistan, 40% and 39%, respectively, believe that suicide bombing is often or sometimes justified. 27% of Muslims are somewhat or very concerned about Islamic extremists, while 9% are somewhat or very concerned about Christian extremists (15% are worried about both). Of the 50,000 interviewed in the Gallup Poll, only 7% describe themselves as politically radicalized, of which only 13% believe that attacks on civilians are completely justified. Muslim radicals represent a tiny minority of the world's 1.6 billion Muslims. According to Robert Pape, religion is not the primary driver of suicide attacks. Rather, the reason is political: A study on every terrorist attack between 1980 and 2004 reveals that 95% were driven by a clear strategic objective to compel modern democracies to withdraw military forces from their homeland. See The Pew Forum on Religious Life, *The World's Muslims: Religion, Politics, and Society* (Washington, D.C: The Pew Research Center, 2013), 68, and Robert Pape, "The logic of suicide terrorism," *The American Conservative,* July 18, 2005, accessed February 15, 2014, http://amconmag.com/2005_07_ 18/article.html.

[7] Robin B. Wright, *Rock the Casbah: Rage and Rebellion across the Islamic World* (New York: Simon and Schuster, 2011), 3-4.

[8] John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, 13.

[9] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 106.

through World War II, followed by the Cold War which saw the rise of Arab nationalism coupled with state-sponsored rapid modernization programs, not to mention the beginnings of the ominous Arab-Israeli Conflict. The early success of Gamal Abdel Nasser's Arab nationalism was eclipsed by the frustration brought about by the defeat of the coalition of Islamic states against Israel, on top of the failure of the modernization programs to improve the economy. The troubled leaders turned to authoritarianism to safeguard their self-interest. They controlled the state, the economy, and most of (if not all) the important facets of human society, including religion.

To al-Ghannouchi, democratization is the process of transforming authoritarian systems of government into democratic systems of government. The goal is for open and transparent competition for participation in government through free and fair elections to become the norm, with freedom and rights respected.[10] The pressure of democratization on authoritarianism led to subtle relaxations on tight restrictions on society. This opening paved the way for the resurgence of Islamist movements, branding themselves as the real alternative to Western-backed autocratic regimes that were incapable of advancing people's lives. To *Wasatiyya* and other Islamists, Islam is the key to redeeming Muslims from the grip of tyranny and oppression.[11]

2.   The Resurgence of Islam

With democratization came the resurgence of Islam as the superior medium for change in troubled Muslim societies.[12] Hasan al-Banna, the founder of Egypt's Muslim Brotherhood, exclaims that no regime in this world can empower Muslims and supply their needs for sociopolitical development like Islam can.[13] Echoing the 19th Century *Salafiyya* Modernists, contemporary Islamists believe that a return to the fundamental

---

[10] Ibid., 106.

[11] Yussuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 222.

[12] John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, 11.

[13] Hasan al-Banna, "Toward the Light," in *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 59-60.

teachings of Islam is necessary to positively change society.[14] Reminding Muslims about the virtues of their faith is a strong mechanism that promotes civic activism and a shift in political attitude. To Islamists, Muslims will achieve empowerment only through Islam.

The Islamists capitalized on the fact that people identify themselves most with their faith, and the Muslim identity became the most powerful instrument for unity and opposition against political repression.[15] As democracy became a widespread concept at the time, the Islamist also capitalized on the democratic appeal to attain mass support. The fusion of Islam and democracy became a powerful vehicle for societal change. The Islamists provided for the shortcomings of the state through civil society and community outreaches affording people with basic social services and education. These are perfect venues that offered ways to re-propagate the teachings of Islam that resonate to every Muslim, while at the same time conveying their political agenda. Through these outreaches, the Islamists gained considerable support and admiration from the people.[16] This popular support was showcased during the Arab Spring, when Islamists dominated the political aftermath.

3. Democracy and the Rise of Islamism

The demand for democracy and the resurgence of Islam in the midst of political failures and extremism in the region have reinvigorated the Islamist movements. The Islamists emerged as the main beneficiaries of the Arab Spring, among them the *Wasatiyya* movement. It is clear that Islamists are important players in the transformation of MENA, and the world must care because the region will only become more and more important in the decades to come. The proponents of democracy around the world must recognize the need to engage the Islamists if the transformation of MENA and the rest of the Muslim world is to succeed. Understanding the wide range of Islamist views on democracy, both positive and negative, will only facilitate the engagement process and

---

[14] Charles Kurzman, ed., *Modernist Islam, 1840-1940: A Sourcebook* (New York: Oxford University Press, 2002), 3-4.

[15] John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle edition, 16.

[16] Carrie R. Wickam, *Mobilizing Islam: Religion, Activism, and Political Change in Egypt* (New York: Columbia University Press, 2002), 7.

4

improve the future outlook of Muslim countries and their relations with the rest of the globe.

Today, the Islamists have shown their willingness to embrace democracy, albeit in varying degrees of commitment subject to people's believability. Thus, far, they have participated in the democratic process of constitutionalism, free and fair elections, and party politics. But is this enough? Regardless of the currently under par political performance of the region based on Western standards, especially in the area of freedom and human rights, the actions of the Islamists undoubtedly indicate a desire for democracy infused with Islam. And this desire is a starting point in the argument that in fact, democracy and Islam could be compatible. Instead of being pessimistic, the world must look at the current situation as an opportunity to support and partake in the positive reshaping of the region. A crucial shift in the global worldview on Islam and Muslims is therefore essential, and this thesis aims to advance just that.

C.   PROBLEMS AND HYPOTHESES

By seamlessly presenting arguments rooted in an intricate balance of Islamic revelation and thoughtful reasoning (rationalism or *ijtihad*), *Wasatiyya* masterfully demonstrates that Islam and democracy share many fundamental principles and values, thus making them inherently compatible.[17] But, a more important question remains: How democratic is *Wasatiyya*? It is therefore crucial to determine whether or not the *Wasatiyya* tendency satisfies the minimum thresholds of democratic standards.

This thesis evaluates *Wasatiyya* based on three broad measures of democracy: Democratic regime, democratic governance, and the rule of law. Democratic regime constitutes access to government offices defined by the competiveness, inclusiveness, and fairness of the electoral system and candidate selection process. Democratic governance represents the institutional aspects of decision making and implementation, relations between the executive, legislative and judiciary branches, and the organization of federalism and bureaucracy. Finally, the rule of law comprises government treatment of

---

[17] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 77-78, and Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76.

its citizens defined by human and civil rights, levels of corruption, and freedom of expression.[18] At a minimum, governments in the Muslim world already have the trappings of democratic regime and democratic governance, but they still score poorly in contemporary measures of democracy because they fail to meet the standards of the rule of law—the highest and most difficult requirement among the three broad standards of democracy.[19] Thus, this thesis focuses on how *Wasatiyya* conceptually deals with the more pressing issues of marrying Islam and democracy, especially the issues involving the freedom and rights of women and non-Muslims in Muslim societies.

The Arab Spring has seen the emergence of nascent democracies in MENA, especially in Tunisia where *An-Nahda* dominated recent elections.[20] Though it may be premature to use the actual track record of Islamist parties like *An-Nahda* in the analysis of this thesis, their most recent political platform as embodied by their constitutions provides a conceptual glimpse to their potential for advancing democratization.

D.   LITERATURE REVIEW

This thesis focuses on two competing approaches that attempt to explain the democracy gap in MENA and other parts of the Muslim World: Cultural-essentialism, and the optimists who counter cultural-essentialism. In the spirit of taking the middle ground between the extremes, *Wasatiyya* presents itself as the third alternative approach to understanding Islam: A multifaceted force that has limitless potential to usher democracy in Muslim societies in a comprehensive effort to promote the best interest of the *Ummah* (Muslim nation or community).

---

[18] Geraldo L. Munck, "Measures of Democracy, Governance, and the Rule of Law: An Overview of Cross-National Data Sets" (paper prepared for World Bank workshop on "Understanding Growth and Freedom from the Bottom Up," Washington, DC, July 15-17, 2003).

[19] Freedom House, "New Study Details Islamic World's Democracy Deficit," accessed January 21, 2014, https://freedomhouse.org/article/new-study-details-islamic-worlds-democracy-deficit#.VHU6U4vF-So.

[20] Noah Feldman, "Islamists' Victory in Tunisia a Win for Democracy," *Bloomberg View*, October 30, 2011, accessed February 5, 2014, http://www.bloombergview.com/articles/2011-10-30/islamists-victory-in-tunisia-a-win-for-democracy-noah-feldman.

1.   Cultural-Essentialism

Perhaps the most controversial approach in explaining the democracy deficit in the Muslim world is cultural-essentialism. Cultural-essentialism asserts that people create certain patterns of behavior over time that becomes their culture, and culture becomes norms that in turn dictate people's actions. Culture then becomes an unchangeable essence that defines the group, and cultural-essentialists believe that this unchanging essence is determinative of the group's behavior.[21]

For instance, proponents of cultural-essentialism indicate that the persistence of fundamentalism in Muslim societies is reflective of Islam's universal and immovable nature: Anti-modern and anti-Western. Simply put, Islam is the culprit that inhibits the successful development of democracy in Muslim societies. Cultural-essentialists declare that Islam is the primary impediment of democratization in Muslim-majority states.[22] They claim that Islam does not permit the separation of religion and politics, and since they assume that this distinction is mandatory for democracy, Islam is inherently incompatible with democracy.[23]

The primary conflict rests in the concept of *tawhid*, sovereignty of God, which cultural-essentialists view as paradoxical to the democratic concept of sovereignty of the people. Proponents of cultural-essentialism also advance that the supremacy of *Shari'ah* over the state, grounded in the idea that the state is established to implement Islamic law and not vice-versa, renders Islam incompatible with democracy. Additionally, they argue that *Shari'ah* is a legal system based strictly on religious tradition and elite (*ulama*) interpretations that fail to incorporate popular will and opinion. Even worse, they contend

---

[21] R. D. Grillo, "Cultural Essentialism and Cultural Anxiety," *Anthropological Theory* 3 (2003): 158.

[22] Lahouari Addi, "Islamicist Utopia and Democracy," in *The Annals of the American Academy of Political and Social Science: Political Islam*, ed. Charles Butterworth and William Zartman (London: Sage Publications, 1992), 120-130, and Bernard Lewis, "Islam and Liberal Democracy: A Historical Overview," *Journal of Democracy* 7, no. 2 (1996): 52-63.

[23] Huntington argues that, "no distinction exists between religion and politics or between the spiritual and the secular." Samuel P. Huntington, "Will More Countries Become Democratic?," *Political Science Quarterly* 99, no. 2 (1984): 208.

that *Shari'ah* does not take into account the will and opinion of non-Muslims and other minority groups within the Muslim community, including women to a certain extent.[24]

Furthermore, cultural-essentialists believe that Islam inhibits pluralism, a hallmark of democracy defined by freedom of expression and tolerance of opposition, as Muslims aggressively advance Islam as the only true religion, which is final, applicable to every circumstance, and cannot be altered.[25] They also argue that almost all democratic procedures such as elections, voluntary associations, multiparty politics, and an independent judicial system are historically missing in Islamic political tradition.[26] More adamantly, they argue that Islam lacks universal human rights, making it truly incompatible with democracy.[27]

Overall, cultural-essentialists view Islam as a monolithic concept and institution that dominates all aspects of society, from the religious and cultural spheres, to the political and economic realms. Consequently, they believe that Muslim political attitudes are mostly influenced by their religion, and how they view democracy is highly dependent on how they understand Islam.[28]

2. Counterpoint to Cultural-Essentialism

Critics of cultural-essentialism point out that its monolithic view of culture creates a scenario of dualism, which perpetuates dichotomies along the lines of Samuel Huntington's clash of civilizations:[29] East versus West, right versus wrong, tradition versus modernity, Islam versus Christianity, etc. These entities are viewed as unitary actors that will never change and will always be at odds with each other. The opponents

---

[24] Lahouari Addi, "Islamicist Utopia and Democracy," in *The Annals of the American Academy of Political and Social Science: Political Islam*, ed. Charles Butterworth and William Zartman (London: Sage Publications, 1992), 120-130, and Bernard Lewis, "Islam and Liberal Democracy: A Historical Overview," *Journal of Democracy* 7, no. 2 (1996): 52-63.

[25] Anoushiravan Ehteshami and Abdel Salam Sidahmed, *Islamic Fundamentalism* (Oxford: Westview Press, 1996).

[26] Elie Kedourie, *Democracy and Arab Political Culture* (London: Taylor & Francis, Inc., 1994).

[27] Francis Fukuyama, *The End of History and the Last Man* (New York: The Free Press, 1992), 217.

[28] Daniel Pipes, *In the Path of God: Islam and Political Power* (New Brunswick: Transaction Publishers, 2003).

[29] Samuel Huntington, "The Clash of Civilizations," *Foreign Affairs* 72, no. 3 (1993): 22– 49.

of cultural-essentialism assert that the approach overlooks Islam's various interpretations and the many democratic values inherent in Islamic tradition.[30] They emphasize the diversity of Islam like all religions, which can be interpreted as both beneficial and harmful to democracy.[31]

Opponents of cultural-essentialism point out that Islam and democracy share many fundamental principles, such as justice, mercy, equality, and pluralism, and that the Islamic concepts of *shura* (consultation), *ijtihad* (independent reasoning) and *ijma* (consensus) attest to the democratic tradition in Islam.[32] These democratic traditions were exemplified by the Constitution of Medina, the crowning achievement of Islam's Golden Age during the lifetime of the Prophet Muhammad and his pious companions. They also indicate that the *Qur'an* and the *Sunna*, Islam's holy sources of revelation, specifically mandate universal human rights such as freedom of religion[33] and tolerance[34] regardless of the poor universal human rights track record of Muslim-majority governments today.

Proponents of Islam as a flexible, multifaceted concept also highlight the similarities between Islam and Protestantism that are deemed as conducive to democracy. Unlike Roman Catholicism, Islam and Protestantism were founded without "priesthood with sacred powers" emphasizing egalitarianism rather than hierarchy.[35] Finally, they point to the existence of democratic parties in the Muslim world today, such as Turkey's

---

[30] Yusuf al-Qaradawi, State in Islam (Cairo: Al-Fallah Foundation, 2004), 77-78; Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76; John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, and Fred Halliday, *Islam and the Myth of Confrontation* (New York: I.B. Taurus, 1996).

[31] Alfred Stepan and Graeme B. Robertson, "An Arab More than Muslim Electoral Gap," *Journal of Democracy* 14 (2003): 40.

[32] John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, and Fred Halliday, *Islam and the Myth of Confrontation* (New York: I.B. Taurus, 1996).

[33] Alfred Stepan and Graeme B. Robertson, "An Arab More than Muslim Electoral Gap," *Journal of Democracy* 14 (2003): 40.

[34] Fatema Mernissi, *Islam and Democracy: Fear of the Modern World* (Cambridge, MA: Perseus Publishing, 1992).

[35] Raymond Hinnebusch, "Authoritarian Persistence, Democratization Theory and the Middle East: An Overview and Critique," *Democratization* 13, no. 3 (2006): 376.

Justice and Development Party (*Adalet ve Kalkınma Partisi* or AKP), that attests to the positive attitude of Muslims toward democracy.[36]

3.   Wasatiyya: The Centrist Approach

This thesis builds on the ideas of the opponents of cultural-essentialism, who believe that Islam and Islamism are both malleable and open to multiple interpretations based on the need to be pragmatic. Echoing the tradition set by the 19th Century *Salafiyya* Modernist movement in Islam and political Islam, *Wasatiyya* sees the issue of Islam and democracy as a product of historical struggle within Islam to fit with modernity. The ideological dimension is one of many facets of Muslims adjusting to a modern world shaped by Western innovations, institutions, and ideas.[37] Therefore, rather than being a mere pragmatic adjustment to garner votes, it is actually a long-term historical rethinking of the role of Islam in modernity.[38] Thus, the main goal of this thesis is to prove whether or not *Wasatiyya*'s claims on the compatibility of Islam and democracy are congruous to key ideals of modern measures of democracy.

4.   Do Muslims Want Democracy?

Survey results show that there is broad support for democracy among majority of Muslims around the world. According to the Pew Research Center, Muslims were asked whether they prefer democracy or a strong leader (autocrat), and 62% of respondents from 37 countries surveyed believe that democracy is best able to address and solve their country's problems. Only 31% prefer an autocratic/dictatorship system. The highest percentage of pro-democracy responses came from Muslims in Asia and sub-Saharan Africa, with the average registering 75% or higher (e.g., 87% for Ghana and 67% for Malaysia). In MENA, support for democracy mirrors the global average of 62%, with Lebanon at 81% and Tunisia at 75%, compared to only 55% in Egypt and 48% in

---

[36] The PML in Pakistan, the BNP in Bangladesh, the AKP in Turkey, and the PAN in Indonesia are all examples of Muslim democratic parties, which attempt to combine Islamic traditions with liberal democratic practice. See Seyyed Vali Nasr, "The Rise of Muslim Democracy," *Journal of Democracy* 16, no. 2 (2005): 13-27.

[37] Charles Kurzman, ed., *Modernist Islam, 1840-1940: A Sourcebook* (New York: Oxford University Press, 2002), 3-4.

[38] Ibid., 3.

Jordan.[39] Only 33% of respondents view religious conflict as a major issue in their countries. Finally, 57% of Muslims believe that there is no conflict between Islam and modern society.[40]

Clearly, the fact that majority of Muslims believe that democracy can advance Islamic societies counters the cultural-essentialist view that Islam and democracy are inherently incompatible. After all, democracy is all about the political attitude of people and their political struggle.[41] If Muslims wish to partake in the democratic process, they will surely find a way to make it work with Islam.

E.   METHODS AND SOURCES

The methodology of this thesis constitutes documentary analysis of existing literature on Islam and democracy from both Muslim and non-Muslim sources. The analysis of the *Wasatiyya* tendency focuses primarily on the views of its leading proponents, among them Yusuf al-Qaradawi, Rachid al-Ghannouchi, Muhammad Salim al-Awwa, Khaled Abou El Fadl, and the *Wasatiyya*-backed constitution[42] of Tunisia's *An-Nahda* Party.[43] Works of Western authors that focus on centrist and liberal Islam and political Islam, such as John Esposito, Charles Kurzman, Raymond Baker and Bruce Rutherford, are also utilized.[44]

---

[39] The Pew Forum on Religious Life, *The World's Muslims: Religion, Politics, and Society* (Washington, D.C., The Pew Research Center, 2013), 60-61.

[40] Ibid., 114.

[41] Asef Bayat, *Making Islam Democratic: Social Movements and the Post-Islamist Turn* (Stanford: Stanford University Press, 2007), xvii.

[42] Jasmine Foundation, trans., *The Constitution of the Tunisian Republic: Unofficially Translated by Jasmine Foundation*, (Tunis: Jasmine Foundation for Research and Communication, 2014).

[43] Marina Ottaway and Marwan Muasher, "Islamist Parties in Power: A Work in Progress," *Carnegie Endowment for International Peace*, May 23, 2012, accessed October 25, 2012, http://carnegieendowment.org/2012/05/23/islamist-parties-in-power-work-in-progress/bklz# and

[44] See John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, Charles Kurzman, ed., *Modernist Islam, 1840-1940: A Sourcebook* (New York: Oxford University Press, 2002), Raymond W. Baker, *Islam Without Fear: Egypt and the New Islamist* (Cambridge, MA: Harvard University Press, 2003), and Bruce K. Rutherford, "What Do Egypt's Islamists Want? Moderate Islam and the Rise of Islamic Constitutionalism," *Middle East Journal* 60, no. 4 (2006).

Furthermore, this thesis employs literature providing contemporary measures of democracy.[45] Specific elements of contemporary democratic measures will be used to explore how *Wasatiyya* deals with the complex issues that define democracy today, such as: Divine sovereignty versus popular sovereignty (which lies at the heart of the Islam-democracy debate); *Shari'ah* versus man-made laws as sources of legislation (especially the issue of who decides what laws are Islamic or not); theocratic versus civilian form of Islamic government; party pluralism (when this could lead to atheistic parties); freedom of speech (when that speech could be considered blasphemous); freedom of religion (when this could result in apostasy under traditional Islam); women's rights (when this conflicts with Islam's traditional roles for women); and minority rights (when traditional Islam viewed them as protected subjects, not equal citizens). How *Wasatiyya* addresses all these important issues will be indicative of whether or not its concepts and practices, deeply rooted in Islam, could truly be compatible with today's concept of democracy.

F. THESIS OVERVIEW

This thesis contains six chapters. The first lays the foundation to the profoundly consequential debate in the compatibility of Islam and democracy and how *Wasatiyya* meaningfully contributes to the existing dialogues and discussions on the hefty subject. The debate remains very relevant today because of the complex and constantly evolving nature of politics in the Muslim world that has lasting effects on the global scale. The Muslim world is significant not only for its oil and constantly shifting sociopolitical circumstance; it is also home to the fastest growing religion in the world, which is second only to Christianity when it comes to total number of adherents.[46]

---

[45] Geraldo L. Munck, "Measures of Democracy, Governance, and the Rule of Law: An Overview of Cross-National Data Sets" (paper prepared for World Bank workshop on "Understanding Growth and Freedom from the Bottom Up," Washington, DC, July 15-17, 2003).

[46] Estimates indicate that there are 1.6 billion Muslims worldwide in 2010, a whopping 23% of the total world population (6.8 billion in 2010). This number is expected to grow in the years to come. From 2000 to 2010, Islam grew at a rate of 1.83%, compared to 1.31% for Christianity and 0.72% for Judaism in the same period, making it the fastest growing religion in the last decade. See "Muslims," Pew-Templeton Global Religious Futures Project, accessed October 1, 2014, http://www.globalreligiousfutures.org /religions/muslims., and Todd M. Johnson and Brian J. Grim, ed., *The World's Religions in Figures: An Introduction to International Religious Demography* (Hoboken, NJ: Wiley-Blackwell, 2013), 10.

There will always be those who support the integration and development of democracy in Muslim society, and those who will continue to oppose the possibility and refuse to even give it a chance to take the first step in a long, and often challenging journey. But theoretically, it can work, as *Wasatiyya* exclaims that foundational frameworks exist that could support any effort to establish democracy in an Islamic setting.[47] The real world application of Islamic and democratic principles codified in the Constitution of Tunisia is a testament to the potential of transforming the concept of Islamic democracy into reality.[48] Tunisia's *An-Nahda* has survived a more or less challenging transition to a new Tunisian Republic.[49] This at least proves that, regardless of the outcome, moderate Islamist parties could be viable and trustworthy partners in the political transformation of Muslim states to the democratic system. The events in Tunisia further demonstrate that democracy is indeed a highly-contested and difficult undertaking.[50]

Chapter II introduces *Wasatiyya*'s balanced and moderate philosophy that has empowered the movement to recognize, understand and embrace the true essence of democracy, as opposed to the close-minded others who dismiss it too easily based on their pre-existing and often incorrigible beliefs and traditions evenly spread across the conservative-liberal spectrum. *Wasatiyya* promotes authentic *ijtihad* (deliberate effort of independent reasoning; reason over passion) in appreciating the value in both the simplest and most complex ideas and objects, and democracy is not an exception.[51]

---

[47] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 77-78; Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76; John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, and Fred Halliday, *Islam and the Myth of Confrontation* (New York: I.B. Taurus, 1996).

[48] Jasmine Foundation, trans., *The Constitution of the Tunisian Republic: Unofficially Translated by Jasmine Foundation*, (Tunis: Jasmine Foundation for Research and Communication, 2014).

[49] Eileen Byrne, "Tunisia's Islamist party Ennahda accepts defeat in elections," *The Guardian*, October 27, 2014, accessed November 1, 2014, http://www.theguardian.com/world/2014/oct/27/tunisia-islamist-ennahda-accept-defeat-elections.

[50] John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, 13.

[51] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 101.

Again, *Wasatiyya* believes that Islam is both malleable and open to multiple interpretations based on the need to be pragmatic. Although the proponents of *Wasatiyya* believe that the *Qur'an* (The Recitation, the word of God as revealed to the Prophet Muhammad) and *Sunna* (Trodden path or traditions of the Prophet) are eternal, they also believe that the interpretations or understandings of man (i.e. Islamic jurisprudence (*fiqh)* and rulings of jurist/scholars (*fatwa*[52])) are not. Because democracy or form of government is not central to creed, it is a topic *halal* (permitted) for discussion and worthy of thorough analysis.[53] As Yusuf al-Qaradawi puts it best, anything that promotes the best interest of the *Ummah* is open and encouraged for deliberation. It is ultimately up to the *Ummah* to decide whether anything is in accordance with the principles of Islam or not.[54]

To *Wasatiyya*, one has to have an open mind in order to truly grasp the meaning of God's creation. By eschewing extremist views and choosing the middle ground, *Wasatiyya* believes that it advocates the best position in everything: To be balance is to be just, and promoting justice is the most important step toward the righteous path to Allah. The goal of the state and the *Ummah* is to develop a just and balanced society, and to *Wasatiyya* democracy can do just that.[55]

Chapter III explains the foundations, roles, and responsibilities of the state in Islam, and culminates with a well-defined vision of an Islamic polity based on democratic principles: An Islamic democracy. The state has a sacred social contract or covenant with the people that must be honored.[56] Allah created man as his vice-regent, with free will to enjoin good and forbid evil. But He also created man different from each so other, so they

---

52 "Sharia," British Broadcasting Corporation, last modified September 3, 2009, http://www.bbc.co.uk/religion/religions/islam/beliefs/sharia_1.shtml.

53 Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 42.

54 Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 192.

55 Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 40.

56 Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 15.

would recognize the need to cooperate with each other and enjoy the merits of working together.[57]

Social cooperation is the force behind the necessity of establishing a government which would unite the *Ummah* and manage its affairs.[58] The source of power is the *Ummah*, and the ruler (the state or government), chosen or elected by the *Ummah*, must heed the consensus and advice of the people through their representatives in *shura*. The people shall obey and respect the ruler or government, so long as it upholds the best interest of Islam and the people. It becomes a duty for every Muslim to rebuke or replace the leader or the state when the sacred covenant is broken.[59]

The role of *Shari'ah* cannot be overstated in an Islamic democracy. It is one of the most controversial topics in the Islam-democracy debate, as it is mostly viewed as harsh and restrictive in the West. Muslim opinions also vary when it comes to the extent of *Shariah's* implementation.[60] *Wasatiyya* believes that *Shari'ah* must be a source of the constitution of the Islamic state,[61] but it also contends that *Shari'ah's* proper and deliberate interpretation based on the current time and place demonstrates its flexibility and eternal role as a foundation of the Islamic state.[62] Proponents of Islam and democracy subscribe to the distinction between *Shari'ah* and *fiqh* (Islamic law or

---

[57] Ibid., 231.

[58] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 20.

[59] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 15.

[60] Opinions vary over the implementation of several features of *Shari'ah* and Islamic jurisprudence. Majority of Muslims (69%) are in favor of using the principles of *Shari'ah* in family and property law, but fewer respondents support the application of severe criminal punishments (whippings, cutting off hands, death by stoning, and other forms of corporal and capital punishments). A large majority of South Asian Muslims support severe criminal punishments (cutting off the hands of thieves at 81% and death for apostates or unbelievers at 76%). In MENA, the number drops to 57% for severe punishments and 56% for death penalty for apostasy. Both regions are in contrast with Muslims in other areas of the world: Southeast Asia (46% for severe punishments and 27% for death penalty); Central Asia (38% and 16%); and Southern-Eastern Europe (36% and 13%). See John L. Esposito and Dalia Mogahed, *Who Speaks for Islam? What a Billion Muslims Really Think* (New York: Gallup Press, 2007), 48, and The Pew Forum on Religious Life, *The World's Muslims: Religion, Politics, and Society* (Washington, D.C: The Pew Research Center, 2013), pdf, 43-44.

[61] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 101.

[62] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 87-88.

jurisprudence). They regard *Shari'ah* as the compass (God's revelation, eternal and applicable to every time and place) and *fiqh* as the map: The map must conform to the compass.[63]

By extension, an Islamic democracy must conform to Islamic principles. *Wasatiyya's* vision of Islamic democracy melds the principles of Islam and democracy seamlessly, demonstrating that a state based on Islamic and democratic values is not a pipe dream but a tangible endeavor. Plus, they believe that an Islamic democracy has already been established before, during the Golden Age of Islam which boasts the Constitution of Medina. They consider Medina as one of the earliest occurrences of democracy, which to them predates and supersedes modern democracies in every way.[64]

Again, *Wasatiyya* presents a solid argument supporting the compatibility of Islam and democracy by linking fundamental Islamic principles that equate to the ideals of democracy.[65] Chapter IV provides the Islamic sources and traditions that attest to the existence of popular sovereignty in Islamic polity. From election and voting, to representative government and the multiparty system, *Wasatiyya* clearly demonstrates that these democratic principles are inherently present in Islam: The institution of *shura* (consultation), *ijma* (consensus), *bay'a* (pledge of allegiance), and the Constitution of Medina which granted protection and respect for the freedom and rights of Muslim citizens and non-Muslim minorities, among others.[66]

Along the same lines, Chapter V demonstrates the significance of the rule of law as exemplified by freedom and universal human rights in Islam, from equality of both men and women under the eyes of God and the law, to minority rights, religious freedom, and freedoms of expression, peaceful assembly, and free press. The instances and

---

[63] John L. Esposito and Dalia Mogahed, *Who Speaks for Islam? What a Billion Muslims Really Think* (New York: Gallup Press, 2007), 53.

[64] Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 47.

[65] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 77-78; Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76; John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, and Fred Halliday, *Islam and the Myth of Confrontation* (New York: I.B. Taurus, 1996).

[66] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 78-80.

passages from the Islamic sources in both Chapters IV and V are all backed by provisions guaranteeing their preservation and protection by the Constitutions of Tunisia. Thus, the concepts of power originating from the people, consent, and freedom and rights are at the heart of the Islamic tradition and sociopolitical heritage.[67]

Finally, Chapter VI answers the question, "Is *Wasatiyya* democratic?" and provides several key areas of contention that continues to perpetuate the Islam-democracy debate, while subsequently offering a concise prescription on the way ahead.

---

[67] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 77-78; Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76; John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, and Fred Halliday, *Islam and the Myth of Confrontation* (New York: I.B. Taurus, 1996).

THIS PAGE INTENTIONALLY LEFT BLANK

II.   WASATIYYA: THE CENTRIST TENDENCY IN ISLAM

This chapter discusses the roots and main tenets of *Wasatiyya*, the centrist tendency in Islam which espouses moderation and balance.[68] *Wasatiyya*'s centrist perspective enables its proponents to freely discuss the merits of a democratic system rooted in Islamic principles.[69] It claims that though the provisions in the *Qur'an* and *Sunna* of the Prophet are eternal and undebatable, *fiqh* (Islamic jurisprudence) is not.[70] This leads *Wasatiyya* to the conclusion that democracy is a topic acceptable for debate and discussion, because the *Qur'an* and *Sunna* do not specify a form of government which Muslims must establish. Islam only provides the principles and values upon which the state must be founded.[71] The goal of the state is to promote the best interest of Islam and the *Ummah*, and *Wasatiyya* believes that democracy can usher the advancement of Islam and Muslim society in the age of modernity and globalization.[72]

Wasatiyya believes that Islam and Islamism are both malleable and open to multiple interpretations based on the need to be pragmatic. Echoing the tradition set by the 19th Century *Salafiyya* modernist movement in Islam and political Islam, *Wasatiyya* sees the issue of Islam and democracy as a product of historical struggle within Islam to fit with modernity. The ideological dimension is one of many facets of Muslims adjusting to a modern world shaped by Western innovations, institutions, and ideas.[73] Therefore,

---

[68] Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 40.

[69] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 77-78; Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76; John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, and Fred Halliday, *Islam and the Myth of Confrontation* (New York: I.B. Taurus, 1996).

[70] Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 42.

[71] Ibid., 44.

[72] Yusuf al-Qaradawi, "Islam and Democracy," in *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden, ed.* Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 230.

[73] Charles Kurzman, ed., *Modernist Islam, 1840-1940: A Sourcebook* (New York: Oxford University Press, 2002), 3-4.

rather than being a mere pragmatic adjustment to amass popular support, it is actually a long-term historical rethinking of the role of Islam in modernity.[74]

A.   WASATIYYA IN THE SACRED SOURCES

Qur'an 2:143 signifies the foundation of *Wasatiyya* in Islam: "We made you of an *Ummah* justly balanced that you might be witnesses over the nations and the Messenger as witness over yourselves."[75] The community of justly balanced believers, the *Ummatan Wasatan*, has become the unifying theme of the global Islamic *Ummah*. The goal of the *Ummah* is to promote justice through balance, by eschewing extreme ideologies and extravagance in its perpetual quest to become a justly balanced society.[76]

Wasat, Arabic for center or middle ground—the root of *Wasatan* and *Wasatiyya*, is synonymous to justice (*adl*) and balance (*i'tidal*), indicating a position that is in the center or middle of both extremes. To showcase the similarity and interchangeability of *wasat*, *adl* and *i'tidal* in addition to *Ummatan Wasatan*, *Wasatiyya* invokes *Qur'an* 42:17, which reveals that God sent the Scripture with truth and balance (justice). The connection between justice and balance is further stipulated in *Qur'an* 57:25, which states that the Messenger was sent and God revealed through him the Book and the Balance so that people will uphold justice. Being balance therefore connotes the implementation of justice. Thus, *wasat*, *adl* and *i'tidal* are all antonyms for injustice, radicalism, extremism, and excess.[77]

Wasat also means the heart or the core of the matter: The center of all.[78] In a world full of dichotomies like East versus West, secular versus religious, conservative versus liberal, capitalism versus communism, etc., *Wasatiyya* connotes non-alignment, or the willingness to have a moderate view and open mind that represents the best position

---

[74] Ibid., 3.

[75] M. A. S. Abdel Haleem, trans., *The Qur'an: A New Translation* (New York: Oxford University Press, 2010), 16.

[76] Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 40.

[77] Mohammad Hashim Kamali, "The Middle Grounds of Islamic Civilisation: The Qur'ānic Principle of *Wasatiyya*h," *IAIS Journal of Civilisation Studies* 1, no. 1 (2008): 9.

[78] Ibid., 9.

between two opposing extremes. As justice is one of the most sacred virtues of Islam, the principles of *Wasatiyya* parallel the highest principles in Islam. Therefore, *Wasatiyya*, through moderation, represents the best position, the best choice, or the best point of view in Islam.

Allah demands commitment to moderation, to justice, to doing what is good and eschewing evil (*hizbah*) in order for man to remain His true witness. The true believers must never stray from the best path—the path of moderation, justice and righteousness— or they will cease to become believers. Moderation is also a responsibility, a personal call to spread the word of God because the middle nation (*Ummatan Wasatan*) is created justly balanced and blessed with the ability, thus the responsibility, to mediate between all people and nations on earth.[79]

The *Ummah* will only remain united if it upholds the values of moderation and justice. The powerful Muslim virtue of enjoining good and forbidding evil (*hizbah*) forms the vital foundation of Islamic belief which lies at the heart of the debate on Islam and democracy. What is clear here is that an Islamic state constitutes a state of believers: People who govern and are governed by the highest standards of Islamic morality and principles. And this is particularly germane to the nascent governments which emerged after the Arab Spring. As Hasan al-Banna puts it best, Islam bequeaths Muslims with the strongest and most sincere gift of morality—founded on deep faith, unwavering constancy, great self-sacrifice, and considerable tolerance—to achieve certain success in every endeavor they wish to undertake.[80]

B.   ISLAMIC MODERNISM: ROOTS OF WASATIYYA

1.   The Salafiyya Modernists

The 19ᵗʰ Century saw the emergence of the first wave of Islamic modernism. Among them are the *Salafiyya* Modernists, which became the precursor to contemporary

---

[79] *Qur'an* 2:143.

[80] Hasan al-Banna, "Toward the Light," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 66-67.

Islamist movements, from Egypt's Muslim Brotherhood (*al-Ikhwān al-Muslimūn*) and Pakistan's Islamic Society (*Jamaat-i-Islami*), to the contemporary Salafists and *Wasatiyya* movements. Among the leading Islamic Modernists were Jamal ad-Din al-Afghani, Muhammad Abduh and Rashid Rida. The most important point to understand about the Islamic Modernists is that their methodology requires that Muslims go back to the original sources of Islam, the *Qur'an* and *Sunna*, and formulate new laws based on new interpretations, as opposed to following the traditions of the four schools of Islamic jurisprudence. By insisting on going back to the original sources, they created room for innovation and adaptation to modernity.[81]

Similar to the Christian Reformation experience, the 19th Century *Salafiyya* Modernists formed their own understanding of the sacred texts and challenged the *ulama* (elite group of scholars/jurists) and their outdated interpretation based on self-conscious Islamic discourse.[82] The *ulama* is accused of too much *taqlid* (imitation) of traditions and of closing the gates of *ijtihad* (independent reasoning, interpretation or effort). For them, the era of colonization and imperialism has ushered the decline of the *Ummah* and the corruption of the *ulama*, who were too concerned with issues that were often irrelevant to the current context or situation.[83]

The *Salafiyya* Modernists believe that the Golden Age of Islam advocated for reason, which coincides with the rationality and positivism that modernity espouses.[84] They advocate for a rejuvenation of Islamic thought through a return to the real essence of Islam, exemplified by the Golden Age—the time of the Prophet Muhammad, the Al-*Khulafah ar-Rashidun* (Rightly-Guided Caliphs) and their *Sahaba* (Companions), who brought the faith to its apex—instead of just blindly following the religious consensus and legal rulings of the corrupted *ulama*. *Salafiyya* is derived from *Salaf al-salih*, the

---

[81] Charles Kurzman, ed., *Modernist Islam, 1840-1940: A Sourcebook* (New York: Oxford University Press, 2002), 3.

[82] Ibid., 4.

[83] Mohammed Ayoob, *The Many Faces of Political Islam: Religion and Politics in the Muslim World* (Ann Arbor: The University of Michigan Press, 2008), 28-29.

[84] Raymond W. Baker, *Islam Without Fear: Egypt and the New Islamist* (Cambridge, MA: Harvard University Press, 2003), Kindle Edition, location 647-657, and Charles Kurzman, ed., *Modernist Islam, 1840-1940: A Sourcebook* (New York: Oxford University Press, 2002), 3-4.

righteous ancestors of Islam, which means a modernist movement guided by the ways of the righteous ancestors.[85] Today, one of the cornerstones of *Wasatiyya* is the balance between revelation and reason as previously advocated by the *Salafiyya* Modernists.

The *Salafiyya* Modernists also believe that the main cause of Islamic decline in the age of colonialism and modernization is a divided *Ummah,* heralded by the neglect of the *ulama,* who are supposed to lead the *Ummah,* in reimagining Islam to best suit the demands of the modern age. The solution lies in going back to the basics of Islam in order to strengthen and re-unite the Muslim community. Al-Afghani and Abduh advocate for an internal reformation of Islam: A self-reflection in Muslim society. Concurring with Al-Afghani and Abduh, Rida adds that internal reform is achieved through education. Knowledge through education empowers Muslims to seek out the original spirit of the *Qur'an* and *Sunna,* instead of just relying on the *ulama,* and to reinterpret the sacred sources under the auspices of modernity to advance their situation. Most importantly, the pursuit of knowledge through education advances the development of rationality and positivism, key attitudes necessary for Muslim society, or any society for that matter, to succeed in the context of modernity.[86] The *ulama* was too stuck in its narrow views, which constitute strict adherence to the established schools of Islamic jurisprudence, so it was unable to adapt and reinterpret Islam to best promote the interest of Muslims in the changing world.

In summary, the *Salafiyya* Modernists sought to unite the *Ummah* by re-opening the gates of *ijtihad* through education in order to recreate the conditions of the Golden Age in the present time. They all acknowledge that modernity has its pros and cons, and that Muslims must strive to use reason within Islamic guidelines to flourish under modernity.[87] The *ulama* decried innovation and learning from modern ideas as un-Islamic, including those that would surely advance Islam and Muslims under modernity.

---

[85] Mohammed Ayoob, *The Many Faces of Political Islam: Religion and Politics in the Muslim World* (Ann Arbor: The University of Michigan Press, 2008), 6-9.

[86] Charles Kurzman, ed., *Modernist Islam, 1840-1940: A Sourcebook* (New York: Oxford University Press, 2002), 3-4, and Raymond W. Baker, *Islam Without Fear: Egypt and the New Islamist* (Cambridge, MA: Harvard University Press, 2003), Kindle Edition, location 647-657.

[87] Raymond W. Baker, *Islam Without Fear: Egypt and the New Islamist* (Cambridge, MA: Harvard University Press, 2003), Kindle Edition, location 647-657.

So instead of simply acquiescing with what history and traditions of Islamic jurisprudence dictate, the *Salafiyya* Modernist encourage people to see pass this obstruction and look for guidance in the Islamic holy sources themselves. Only through this will Muslims find ways to reinterpret the sacred teachings of Islam to bless and empower their endeavors to innovate and thus succeed in the modern age.

C. THE MAIN TENETS OF WASATIYYA

Wasatiyya believes that Islam is a true and comprehensive religion, encompassing all facets of life as revealed in *Qur'an* 16:89: The Scripture was sent explaining everything.[88] Therefore, Islam is not only applicable to religious aspects but also to cultural, social, economic, political and other spheres of human interaction.[89] *Wasatiyya* believes in the supremacy of God and the teachings of the Prophet. Yet unlike its more rigid counterparts, the movement pays special attention in applying rationality (*ijtihad*) and human experience in guiding the *Ummah* toward a better present and future.[90] Learning from past experiences and traditions through *ijtihad* is pivotal to the success of the global Muslim community.

Wasatiyya espouses the 19th Century *Salafiyya* Modernists' emulation of the Prophet Muhammad and the pious ancestors during the Golden Age of Islam, while also actively pursuing ways to achieve a sustainable balance between tradition and modernity.[91] In this sense, *Wasatiyya* believes that borrowing from the best aspects of global society, whether Muslim or non-Muslim (like democracy), is encouraged, as long as they are implemented in an Islamic way.[92] Yusuf al-Qaradawi adds that Islam does not

---

[88] M. A. S. Abdel Haleem, trans., *The Qur'an: A New Translation* (New York: Oxford University Press, 2010), 172.

[89] Mohammed Ayoob, *The Many Faces of Political Islam: Religion and Politics in the Muslim World* (Ann Arbor: The University of Michigan Press, 2008), 42.

[90] Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 44.

[91] Charles Kurzman, ed., *Modernist Islam, 1840-1940: A Sourcebook* (New York: Oxford University Press, 2002), 3-4, and Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 42.

[92] Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 44.

in any way prohibit borrowing ideas from other culture or nations. As long as it does not violate Islam and serves the best interest of the *Ummah*, borrowing from the great concepts of non-Muslims is allowed. The challenge remains for Muslims to not just transplant the borrowed idea, but to make it their own by melding it with their existing ideas and values.[93]

Another key principle of *Wasatiyya*h is the pursuit of balance between the fixed (*thawabit*) and modifiable (*mutaghayyirat*) aspects of Islam.[94] Anything related to creed (*aqida*) is final and cannot be changed.[95] The issues relating to creed are already settled and cannot be reopened or debated by the *Ummah*. This includes the sacred revelation in the *Qur'an* and the *Sunna* of the Prophet. There are subject areas considered roots (*usul*) and branches (*furu'*) that are open to *ijtihad* (deliberation) but requires the guidance of the learned scholars or the *ulama*. Yet *Wasatiyya* also castigates the degraded role of the *ulama*, like Al-Azar in Cairo, for being an apparatus of the authoritarian state rather than the uncorrupted guide of the *Ummah*. Echoing Hasan al-Banna, the *Wasatiyya* movement acknowledges differences of interpretation, although all agree on the necessity of unity on fundamental principles while accepting disagreements on secondary issues.[96]

The modifiable aspect of Islam, the branches (*furu'*), is integral to the *Wasatiyya* Movement's affirmative position on the compatibility of Islam and democracy. The debate is considered a branch or subsidiary issue.[97] Hence, the debate is allowable and open to interpretation according to the changing sociopolitical and economic context. This adaptable aspect of Islam is critical to the renewal the religion's appeal. Renewal is necessary to improve the total Islamic experience. Quoting from a famous *hadith*

---

93 Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 205.

94 Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 42.

95 Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 142-143.

96 John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, 45.

97 Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 42.

(reported sayings and conduct of the Prophet),[98] al-Qaradawi cites the Prophet saying that Allah will send to the *Ummah* in the beginning of every one hundred years a man who will rejuvenate Islam.[99]

Branches or issues not relating to creed include forms of government and punishment.[100] Caliph Umar altered forms of punishment during his reign. So if punishment is modifiable, then surely form of government falls under the same category. Rachid al-Ghannouchi points out that Islam has not outlined a specific formula for the public's involvement in running the affairs of the *Ummah.* By leaving this open, Islam renders it possible for the Muslim intellect to be creative in the field of government and benefit from human experiences. As long as the issue does not violate the sacred and fixed commandments of Islam, it is open to independent reasoning and interpretation.[101]

D.   CONCLUSION

Wasatiyya's balanced and moderate philosophy on Islam empowers the movement to recognize, understand and embrace the true essence of democracy. Because democracy or form of government is not central to creed, it is therefore *halal* (permitted) for discussion and thorough analysis.[102] As al-Qaradawi puts it best, anything that promotes the best interest of the *Ummah* is open and encouraged for deliberation.[103] It is ultimately up to the *Ummah* to decide whether anything, democracy included, is in accordance with the principles of Islam or not. The goal of the state, which will be discussed in depth in the next chapter, is to create a just and balanced society, and to *Wasatiyya* democracy can do just that.[104]

---

[98] "Sharia," British Broadcasting Corporation, last modified September 3, 2009, http://www.bbc.co.uk/religion/religions/ islam/beliefs/sharia_1.shtml.

[99] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 142-143.

[100] Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 42.

[101] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 101.

[102] Ibid., 42.

[103] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 192.

[104] Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 40.

III.   WASATIYYA VIEWS ON THE STATE AND ISLAM

This chapter discusses how *Wasatiyya* envisions the Islamic state and its foundations rooted in Islam, culminating with a vision of an Islamic democracy. *Wasatiyya* claims that the democratic concept of the state is in harmony with the Islamic concept of a government based on Islamic principles and guidelines, furthering its argument that democratic ideals are not only intrinsic but are celebrated in Islam.[105] According to Yusuf al-Qaradawi, *Wasatiyya* frames the Islam-democracy debate using the *fiqh* of balance. If the issue in question serves the best interest of Islam and Muslims, then it is *halal*.[106] He insists that those who argue that democracy equals disbelief lack a clear conception of the matter.[107]

A.   FOUNDATIONS OF THE ISLAMIC STATE

First and foremost, it is critical to reiterate that Islam is not just a "religion" as defined by prevailing Western conventions. Religion is only one of the five necessities that Islam seeks to preserve, the others being souls, intellect, offspring and property. Therefore, Islam is not just based on religious theology, but more importantly on human interactions such as politics, economics, culture, and every other aspect of life.[108] As Hasan al-Turabi remarks, the state is only the political manifestation of Islamic society. There is no Islamic state without Islamic society.[109] Therefore, there is no Islamic state without Islam.

---

[105] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 77-78; Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76; John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, and Fred Halliday, *Islam and the Myth of Confrontation* (New York: I.B. Taurus, 1996).

[106] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 192.

[107] Yusuf al-Qaradawi, "Islam and Democracy," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 230.

[108] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 77-78.

[109] Hasan al-Turabi, "The Islamic State," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 213.

Al-Qaradawi explains that there are three foundations of the Islamic state: Unity of all Islamic lands, however many countries or territories; the constitution must be derived on the *Qur'an* and *Sunna;* and central leadership must be the greatest Imam or Caliph fit to rule the believers.[110] The state also guarantees that non-Muslims are protected so long as they abide by Islamic law (The rights of non-Muslims will be discussed in detail in Chapter V). Rulers must rule with justice and mercy and the people must obey the ruler so long as he or she obeys Allah.[111] These three foundations of the state are best exemplified by the most fundamental Islamic principles of *tawhid* (unity of God; monotheism), *risalat* (prophethood) and *khilafat* (caliphate or vice-regency).[112]

1.   Tawhid, Risalat and Khilafat

The combination of *tawhid* and *risalat* in *Qur'an* 3:64 is the conviction that there is no other God but God and Muhammad is His Prophet (*shahada* or profession of faith: The first pillar of Islam). Belief in one God is a common rudimentary thread that unites all Muslims around the world into a single community of believers: The global *Ummah*.

As a source of constitution, *Qur'an* 16:89 declares that the Scripture was sent explaining everything: A Guide, a Mercy, and Glad Tidings to all Muslims. *Qur'an* 4:58-59 further expounds that God's revelation is the reference point that guides all human affairs. Simply put, all aspects of society, including the state, must adhere to the fundamental values and principles set forth by the *Qur'an* and *Sunna*. This serves as the rationale to why majority of Muslims want Islam, as embodied in *Shari'ah*, to play a role

---

[110] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 38.

[111] Ibid., 15.

[112] John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996). Kindle Edition, 23.

in the governance of the state and legislations.[113] Only through servitude to God will the *Ummah* be united into a justly balanced society.

The great Islamic philosopher Ibn Khaldun defines *khilafat* (vice-regency; leadership; caliphate; the state or government) as guiding the public to recognize and consider their interest in both life and the afterlife.[114] *Khilafat* exudes leadership by virtue of the fact that God created man as His vice-regent on earth, imparting him with the faculties of the mind, free will, and freedom and rights that can neither be taken away nor violated. God has blessed the Muslim nation so it could serve as an example and lead the world towards the path of God. Leadership is therefore key to promoting the best interest of Islam and the *Ummah*.

In the Islamic state, the importance of vice-regency is invested in *shura* and *ijma* (*Qur'an* 9:71). The leader, whether he or she is a governor, president, caliph or imam, does not rule in Allah's name but that of the *Ummah*, whose consensus is sanctioned by God by virtue of its status as a community of vice-regents. Hasan al-Turabi explains that the state is the political dimension of the *Ummah's* collective endeavor.[115] Hence, the ruler or the state is dependent on the will of the entire Muslim community. The Caliph Uthman proclaimed that Allah fulfills by means of authority (state) that which is not fulfilled by means of the *Qur'an*.[116] Authority springs from the *Ummah*, the state as a whole, which chooses, supervises, advises, and discharges the ruler from his office if necessary.[117]

---

[113] Majority of Muslims want *Shari'ah* as at least a source of law. When it comes to support for *Shari'ah*, 57% of Muslims from 39 countries surveyed would support making *Shari'ah* as the official law of the land. This support goes from as high as 84% in South Asia, to 74% in MENA and 12% and 18% in Central Asia and Southern-Eastern Europe respectively. Clearly there is higher support for *Shari'ah* in regions where Islam is the favored religion. See John L. Esposito and Dalia Mogahed, *Who Speaks for Islam? What a Billion Muslims Really Think* (New York: Gallup Press, 2007), 48, and The Pew Forum on Religious Life, *The World's Muslims: Religion, Politics, and Society* (Washington, DC: The Pew Research Center, 2013), 43-44.

[114] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 21.

[115] Hasan al-Turabi, "The Islamic State," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 215.

[116] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 19.

[117] Ibid., 79-80.

Abu A'la Maududi gives a detailed description of the significance of *tawhid*, *risalat* and *khilafat* in the Islamic state. According to him, the "theocracy" built up by Islam is not ruled by any particular religious class but by the whole community of Muslims including the rank and file. The entire Muslim population runs the state in accordance with the *Qur'an* and the practice of the Prophet. Maududi observes that in this system, "every Muslim who is capable and qualified to give a sound opinion on matters of Islamic law, is entitled to interpret that law of God when such interpretation becomes necessary. In this sense the Islamic polity is a "democracy." But it is a "theocracy" in the sense that no one, not even the whole Muslim community united, has the right to change an explicit command of God." It is important to note the recognition that decisions have to be made regarding interpretation and when to interpret.[118]

The foundations of the Islamic state may seem contradictory to democracy at first glance, especially the seemingly inseparable union between religion and state. But the concept of unity, requiring a constitution based on noble, agreed upon principles, and electing the best leadership are all fundamentally democratic. Again, Islam is the most important aspect of Muslim society. So any Muslim government will be heavily influenced by Islam, in line with the *Wasatiyya* belief that the state must be founded upon the principles of the faith.

B.   THE STATE AND SHARI'AH

1.   The Righteous Path

Shari'ah (literally the path to water, understood as the righteous path to God) is among the most controversial topics in the Islam-democracy compatibility debate.[119] Many believe that it is an outdated concept which breaks convention with modern standards of universal human rights and morality, particularly its severe punishments

---

118 John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996). Kindle Edition, 24.

119 "Sharia," British Broadcasting Corporation, last modified September 3, 2009, http://www.bbc.co.uk/religion/religions/ islam/beliefs/sharia_1.shtml.

(*hudud*)[120] that immediately come to mind when discussing the matter. *Shari'ah* leads many to conclude that Islam and democracy are simply incompatible.

Yet *Wasatiyya* believes that like the evolution of Western societies, Muslim society is still evolving. There are still hardcore traditionalists in the West who still subscribe to the literal reading of the Old and New Testaments of the Bible, and the same applies to other cultures and religions in the world, including Islam. *Wasatiyya* argues that though the principles of *Shari'ah* are perpetual, its interpretation can be flexible enough to adapt in the ever-changing reality of the modern world.[121] The centrist movement subscribes to the distinction between *Shari'ah* and *fiqh* (Islamic jurisprudence). To them, *Shari'ah* is the compass (God's revelation, eternal and applicable to every time and place) and *fiqh* (human interpretation or understanding) is the map: The map must conform to the compass.[122]

Shari'ah deliberately refrains from providing detailed regulations for the entire manifold changing requirements of social existence. Rachid al-Ghannouchi notes that while the *Qur'an* and *Sunna* perpetuate the existence of Islamic society, *ijtihad*, *shura*, and *ijma* are among the many mechanisms by which society materializes and develops. He makes a clear cut distinction between the authority of *Shari'ah*, whose supremacy as the source of law and legitimacy is unquestionable, and *fiqh*, *fikr* (thought), and *tofsir* (interpretation), which are tools or mechanisms that collectively make up the process of translating divine principles into practical measures.[123]

All forms of comprehension and interpretation lie within the realm of *ijtihad,* and can therefore be accepted or rejected by the *Ummah*. In other words, the applicability of

---

[120] *Hudud* is plural for *hadd*, which means limit or prohibition. See "Hadd," The Oxford Islamic Studies Online, accessed October 1, 2014, http://www.oxfordislamicstudies.com/Article/opr/t125/e757.

[121] Overall, 58% of Muslims believe that *Shari'ah* is divine revelation (the word of God as dictated by His angels to His Prophet), while only 25% believe it is man-made based on divine revelation. 34% believe that *Shari'ah* could be interpreted in multiple ways, in contrast to 48% who believe that it only has a single interpretation. See The Pew Forum on Religious Life, *The World's Muslims: Religion, Politics, and Society* (Washington, DC: The Pew Research Center, 2013), 43-44.

[122] John L. Esposito and Dalia Mogahed, *Who Speaks for Islam? What a Billion Muslims Really Think* (New York: Gallup Press, 2007), 53.

[123] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 101.

ijtihad always depends on its acceptability. Al-Ghannouci agrees with Maududi in asserting that no theocratic authority exists in Islam, and that no one person or group, not even the ruler or the state, can claim to have the sole right to interpret religious texts, to speak in the name of God, or to claim to be God's shadow on earth. *Shari'ah* is immune from abuse as long as its interpretation is not monopolized and manipulated by religious or political bodies of power, like the *ulama* after the Golden Age of Islam and the combination of repressive autocratic regimes that follow, whom many blame for the unravelling of Muslim civilization.

The objective of *Shari'ah* is to realize the main interest of mankind.[124] It promotes the best interest of Islam and the *Ummah*, extending to the welfare of each and every individual (*tahqiq masalih al-'ibad*).[125] The goal of the state must be to safeguard and guarantee the welfare of the people. *Shari'ah*, among others, is an essential means for the state to achieve this.

2. Set of Moral Principles and Guidelines

Wasatiyya believes that the Islamic state must be based on *Shari'ah*.[126] But Khaled Abou El Fadl notes the distinction between the supremacy of law and the supremacy of a set of legal rules when interpreting *Shari'ah*.[127] *Wasatiyya* posits that instead of perceiving Islamic law as a set of legal rules that constrain government, it should be viewed as a set of moral principles and guiding values which binds the law-making process and the resulting product itself. This means that every law passed must take into account the moral basis and the implications to the *Ummah*, specifically answering the question whether or not it serves the best interest of Islam and the community. Simply speaking, laws must be created and implemented with Islamic

---

[124] Ibid., 99.

[125] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 23.

[126] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 101.

[127] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 12.

morality and the welfare of the people in mind, especially with respect to basic freedom and human rights.[128]

Under the alternative view of the rule of law, binding the government law-making process and the laws it passes to the moral principles of *Shari'ah* translates into procedural guarantees that could prevent government from misusing *Shari'ah* for its own gain. Moreover, it reinforces the principle that government cannot use *Shari'ah* to undermine the freedom and rights of the individual members of the *Ummah*.[129] This is the original mandate of the *ulama*: To ensure that laws are based on the moral principles of Islam and serve the best interest of the people.[130]

Problems arise when the state becomes unrestricted by its use of the *Shari'ah* to expand its reach and remain in power. This is predominantly associated with the decline of the symbolic importance of the *ulama* in the modern age. Among others, the *ulama* functions as a check to government. The *ulama* believes that *Shari'ah* is the foundation of laws, and politics is created to protect it.[131] During the pre-modern years of Islam, the *ulama* was a powerful class that had the monopoly in regulating and interpreting whether the laws passed by government are in accordance to *Shari'ah* or not. They fulfilled this role by insisting that rulers must consult with them on all things legal. They were not the rulers, but they effectively curtailed the legislative powers of the government, and often represented the voice of the people.

El Fadl points out that modernity has transformed the *ulama* from being the representative of the people into the puppet of dictatorships, often imposing strict and conservative interpretations of the law with an aim to preserve the status quo. The state has now become the legislator and law enforcer at the same time, unrestrained in utilizing *Shari'ah* in order to undermine *Shari'ah*.[132] This is clearly a perversion of the essence of *Shari'ah*.

---

[128] Ibid., 13.

[129] Ibid., 13-14.

[130] Ibid., 13-14.

[131] Ibid., 15.

[132] Ibid., 15-16.

3. Flexibility of Shari'ah

Again, the goal of *Shari'ah* is to achieve the best interest of Islam and Muslims under the context of current time and space.[133] Careful consideration should be used to ensure that leaders use laws and judgments based on the best interest of the *Ummah* in the current circumstance. For example, a *hadith* reports that the Caliph Umar did not distribute the spoils of war when he conquered Iraq. His companions accused him of violating the example of the Prophet who distributed the booty from the Battle of Khaybar, thus breaking *Shari'ah*. In the current context, Umar saw it wise to reserve the booty for the incoming generation of Muslims. Though it did not follow the Prophet's *Sunna*, Umar based his judgment on *Qur'an* 59:10, which states that the spoils of war were reserved and distributed to the immigrants who arrived later.[134]

For many Muslims, Allah is the only source of legislation. But this does not mean that man does not have the right to legislate at all. Muslims have the right to make laws and judgments (enforcing the principles of God) for themselves, provided that these legislations only pertain to matters with no clear provisions from the holy sources. In a *hadith*, these issues, which include a great deal of people's life, are described as "passed over" by Allah, and they are flexible.[135] Case and point is the operationalization of the concepts of *shura*, *ijma* and *ijtihad* after the death of the Prophet, when the *Ummah* legislated on everything except on those that are definite, fixed, and imposed rules in the *Qur'an*.

C. THE STATE IN ISLAM

1. The Mandate of the State

Islam literally means "submission, surrender or commitment" to Allah, and He has revealed His word through the Prophet to guide man in managing his affairs. The

---

[133] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 101.

[134] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 114-116.

[135] Ibid., 87-88.

word Muslim means "the one who submits" to the will of God.[136] Many claim that Islam is also related to the word *salam* (peace or safety), and to Muslims around the world it is only through complete and unquestioning submission to God that they will find peace.[137] This perpetual search for peace led to the creation of Islamic principles and laws that must be adhered upon in order to unite the *Ummah*. The concept of leadership (used interchangeably with the concept of government or state) emerged from the necessity to have an overarching agent that will unite the *Ummah* and promote its best interest.[138]

It is an obligation in Islam to join, obey and support the state, and to enjoy the bounty and protection under its banner (*Qur'an* 8:72, 89, 97–99).[139] *Qur'an* 4:58-59 also underlines the foundation of government in Islam: The people have invested their trust in the leader, and Allah commands the leader to preserve that trust and uphold justice, and commands the people to obey the leader and uphold justice. In a *hadith*, the Prophet Muhammad warns against the violation of this sacred trust or covenant: "If the trust is lost, wait for the hour," and "If the affair is entrusted to people other than the deserving ones, wait for the hour." Violating this two-way trust between the leader and the people ultimately leads to the demise of the *Ummah*.[140]

Allah also commands Muslims to refer to Him and the Prophet (the *Qur'an* and *Sunna*) when they are in disagreement.[141] Hence, the Islamic state must establish a constitution based on the principles of Islam as the foundation of the law. To this effect, the Caliph Uthman said that, "Allah fulfills by means of authority (state or government) that which is not fulfilled by means of the *Qur'an*."[142] This serves as the cornerstone of an Islamic state governed by Islamic law and principles.

---

[136] John L. Esposito, *Islam: The Straight Path* (New York: Oxford University Press, 2011), 13, 25.

[137] "Islam," Online Etymology Dictionary, accessed January 25, 2014, http://www.etymonline.com/index.php?search=islam&searchmode=none.

[138] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 79-80.

[139] John L. Esposito, *Islam: The Straight Path* (New York: Oxford University Press, 2011), 15.

[140] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 15.

[141] Ibid., 12.

[142] Ibid., 19.

El Fadl cites Ibn Khaldun and Muhammad al-Ghazali, pioneers of early modern Islamic thought, in asserting that the state is necessary to control man, who is "by nature fractious, contentious, and not inclined towards cooperation," and guide him to uphold justice and promote the public good. Habib al-Mawardi and Ibn Abi Rabi', also pioneers in modern Islamic thinking, retort that God created man weak and needy so that he would cooperate with others based on necessity. Together they are more resistant to doing injustice by promoting the interest of the weak and curbing the interest of the strong.[143] Allah created people different and unique from each other so they would find it in their best interest to work with each other to compensate for their personal weakness and achieve their goals.

In a more optimistic view of human nature, man is also said to inherently seek justice, and he finds that it is only through cooperation that justice can be achieved. So the primary role of the state is to further the cooperation of the *Ummah* and achieve unity, with the goal of becoming a justly balanced society.[144] Here, the complex mechanisms of cooperation and diversity aimed at achieving justice, which equates to peace, reveal another dynamic link between Islam and democracy.

According to al-Qaradawi, Islam advocates unity, organization and responsibility, and forbids disorder of all forms. Esposito and Voll add that in Islam, authority is preferred over anarchy, and there was a tendency among Muslims to identify anything that appeared to cause anarchy as being *fitnah* (wickedness).[145] Authority or leadership, in the form of a state, is necessary to prevent *fitnah* and any other internal or external threats to Islam and its believers.

---

[143] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 19.

[144] Ibid., 19.

[145] John L .Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996). Kindle Edition, 42.

2. Choosing a Leader

Choosing a leader, whether by appointment or election, is an important Islamic duty.[146] Al-Qaradawi cites the Prophet in a *hadith* who ordered Muslims to form a row during prayer and appoint the most knowledgeable among them as the prayer leader: "Appoint one of you as your Amir."[147] During travels, the Prophet also ordered the people "to appoint one of them as the Amir if three persons set out on a journey."[148]

Citing Ibn Tammiyah, al-Qaradawi exclaims that people need each other, and they must live together and appoint a leader who will lead the *Ummah* in promoting the best interest of Islam and the nation.[149] So the role of the state does not only entail the protection of people from external and internal threats, but it must also lead and educate the *Ummah* on the teachings of Islam in order to create a just community.[150]

3. The Essence of the Islamic State

Raouf Ebeid cites Louis Cantori, a political scientist who specialized in Islam, stating that a democratic Islamic state corresponds to the concept of "republican Islam," which has three fundamental principles. First, divine revelation is the core of Islamic heritage, past and present. Second, the *Ummah* takes precedence over the individual, in its quest of becoming a just and balanced society (though individuals, as vice-regents of God, possess inviolable freedoms and rights that must be honored). And third, the goal of society is to enjoin good and forbid evil.[151]

Cantori uses the term "republican" in reference to Ancient Rome's polity, which he believes to have exemplified the following: The limitation of the powers of a strong yet benevolent and moral state; a political elite devoted to serve the public good

---

146 Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 17.

147 Ibid., 18.

148 Ibid., 18.

149 Ibid., 18.

150 Ibid., 20-21.

151 Raouf Ebeid, "God's Authority v. Power to the People: The Views of Influential Islamic Writers," *Political Islam Online*, March 1, 2010, accessed June 22, 2014, http://politicalislam.org/ Articles /PI%20571%20Ghannouchi-huwaidi.pdf.

(*maslahah*); a citizenry committed to serve society; and a community which respects the law.[152] This serves as a great segue to the next section: *Wasatiyya*'s vision of an Islamic democracy.

D.   A VISION OF ISLAMIC DEMOCRACY

Once again, *Wasatiyya* subscribes to the idea that Islam does not prescribe a specific form of government for Muslims: It only provides the underlying foundations that an Islamic government must take and be founded upon.[153] Government is an essential requirement to implement the comprehensive and multidimensional nature of Islam. *Qur'an* 8:72 declares that it is every Muslim's obligation to join, obey and support the state, and to enjoy the bounty and protection under its banner. Al-Turabi asserts that any Islamic government should be stable because Muslims regard it as an expression of their faith. Hence, Muslims will do their utmost to contribute positively toward the political success of the Islamic state.[154]

In *Qur'an* 22:41 and 3:104, the Islamic state holds regular prayer, gives charity, and enjoins good and forbids evil. *Qur'an* 2:143 states that the Muslim nation is created justly balanced in order to become a witness of God to the world. This verse again is the foundation of *Wasatiyya*, epitomizing their vision of an Islamic democracy: A justly balanced society guided by a justly balanced government. Thus, an Islamic democracy is not only concerned with managing the affairs of the people, it is also tasked to spread the word of God throughout humanity and unite the global Muslim *Ummah*.

Al-Qaradawi and al-Ghannouchi assert that an Islamic democracy is a civilian authority answerable to the people. It is not a theocratic state in the style of the Christian monarchies of the Middle Ages, as the concept of the divine right of rulers is unknown to

---

[152] Ibid.

[153] Sagi Polka, "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity," *Middle Eastern Studies* 39, no. 3 (2003): 44.

[154] Hasan al-Turabi, "The Islamic State," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 216-217.

Islam.[155] It is a global state, open to all believers and not limited by territorial or ethnic boundaries.[156] It is bound by divine principles and guidelines, aimed at achieving justice and mercy. An Islamic democracy is governed by *Shari'ah*, a set of broad moral guiding principles as opposed to a set of legal codes, which is fair and merciful. Al-Ghannouchi states that the guidelines and regulations of *Shari'ah* together form a framework, which is spacious enough to comprise all known fundamental rights such as the right to life, to freedom of choice, to education, to owning property, and to participate in public life, and in the establishment of a just system of government. *Shari'ah* provides the precepts to an Islamic democratic form of government.[157]

Furthermore, an Islamic democracy is based on *shura* and the consensus of the *Ummah*, codified as a right and responsibility of all Muslims in *Qur'an* 3:159: "…and consult them in the matter and when you reach a decision put your trust in God." *Shura*, in addition to *ijma* (consensus of the *Ummah*), is often likened to the democratic concept of participatory or representative government. Hasan al-Turabi insists that an Islamic state will flourish because Islam promotes a social environment of freedom and *shura*.[158] *Shura* and *ijma* will be discussed further in the next chapter.

The constitution of an Islamic democracy must be based on the *Qur'an* and *Sunna*, mandated in *Qur'an* 5:44-45, 47, 49–50, which commands the leader (government or state) to judge (rule) according to the revelation of God. The leader is not the representative of Allah on earth but of the *Ummah*, though he or she is also God's vice-regent like the rest of the people. The *Ummah* chooses, supervises, advises, and discharges the ruler from his or her office if necessary (evoking the democratic concepts election and voting, representative government, and separation of powers).[159] In accordance with *shura*, the state listens to the advice of the people, in line with the

---

155 Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 76-77.

156 Ibid., 37-38.

157 Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 91, and Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 35.

158 Hasan al-Turabi, "The Islamic State," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 213.

159 Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 79-80.

example of the Prophet who sought his companions' (*sahaba*) counsel and opinions as commanded by Allah.[160] The *Ummah*, which pledged its trust and confidence (*bay'a*) on the leader, must listen and obey as long as the leader does not order people to disobey Allah.[161]

Al-Qaradawi expounds on the duties and obligations of an Islamic democracy. The state protects the rights of the weak and not the interest of the powerful and strong (guaranteeing the democratic rights of non-Muslims and women).[162] It is a state of rights and responsibilities, reinforced by belief and commitment to the crowning principles of Islam. It is the duty of the state to strive for the peace and happiness of every individual. The state, according to *Qur'an* 106:4, is the one "who gave them food in hunger and peace in great fear."[163] Most importantly, the Islamic state is a state of principles and morality, empowering the people to uphold justice, show mercy, and enjoin good and forbid evil (*hizbah*). In a *hadith*, the Prophet reportedly said: "Verily Allah is good and He accepts only what is good."[164] Thus, an Islamic democracy must be good, and it must empower its people to be good.

Alluding to the principles of the U.S. Declaration of Independence, a beacon of democracy celebrated in the modern era, Islam has provided for the inalienable rights to life, liberty and the pursuit of happiness, by championing, among others, the ideals of government by the people, equality, pluralism, freedom and rights, and justice. To *Wasatiyya*, this is what an Islamic democracy is all about.

E. CONCLUSION

Wasatiyya presents a solid argument supporting the compatibility of Islam and democracy by linking fundamental Islamic principles that equate to the ideals of democracy. In today's context, the centrist movement believes that democracy is the best

---

160 Ibid., 42-43.

161 Ibid., 40.

162 Ibid., 52.

163 Ibid., 38.

164 Ibid., 68.

form of government that can promote the best interest of Islam and the *Ummah*, which is the ultimate goal of the Islamic state in its pursuit of a justly balanced society.[165] *Wasatiyya* has put forward that conceptually, Islam and democracy can co-exist in the form of an Islamic democracy. The next two chapters will assess whether or not the elements of democratic regime, democratic governance, and rule of law resonate in an Islamic democracy.

---

[165] Yusuf al-Qaradawi, "Islam and Democracy," in *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 230.

THIS PAGE INTENTIONALLY LEFT BLANK

IV. WASATIYYA VIEWS ON POPULAR SOVEREIGNTY AND GOVERNMENT

Like democracy, *Wasatiyya* believes that government obtains its authority and legitimacy from the people.[166] This chapter identifies and discusses several elements of democratic regime and democratic governance in political Islam, which *Wasatiyya* believes demonstrate the undeniable link between Islam and democracy. As a recap, democratic regime constitutes access to government offices defined by the competiveness, inclusiveness, and fairness of the electoral system and candidate selection process. Democratic governance involves the institutional aspects of decision making and implementation, and the relations between the powers of government: The executive, legislative, and judicial branches.[167] This chapter also explores the practical applicability of *Wasatiyya* concepts in real life, as signified in the *Wasatiyya*-backed Constitution of Tunisia after the Arab Spring. The constitution ratified in January 2014 will be utilized in this chapter, and all mentions or depictions of Tunisian Constitution in this thesis refer to this version only.[168]

A. DEMOCRATIC FORM OF GOVERNMENT

Once more, government is an essential requirement to the implementation of the comprehensive and multidimensional nature of Islam, and the *Wasatiyya* Movement believes that democracy is the best form of government to achieve this goal.[169] It asserts that an Islamic democracy is a civilian authority answerable to the people.[170]

---

[166] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 78-80.

[167] Geraldo L. Munck, "Measures of Democracy, Governance, and the Rule of Law: An Overview of Cross-National Data Sets" (paper prepared for World Bank workshop on "Understanding Growth and Freedom from the Bottom Up," Washington, DC, July 15-17, 2003).

[168] Jasmine Foundation, trans., *The Constitution of the Tunisian Republic: Unofficially Translated by Jasmine Foundation*, (Tunis: Jasmine Foundation for Research and Communication, 2014).

[169] Yusuf al-Qaradawi, "Islam and Democracy," in *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 230.

[170] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 76-77.

1.   What the Constitution Says

The Preamble to the 2014 Constitution of Tunisia clearly states that Tunisia is a civil state founded upon a participatory, democratic and republican form of government. Sovereignty is retained by the people through peaceful rotation of power via free elections, and the principle of separation of powers is guaranteed by the constitution, to include the independence of the judiciary. Other elements of democratic regime safeguarded by the constitution includes: The right to association based on pluralism; neutrality of administration and good governance representing the basis of political competition; the supremacy of the law of the land; respect of freedoms and human rights; and gender rights, specifically the equality of rights and duties between all male and female citizens.

Moreover, Article 1 declares that Tunisia is a free, independent, sovereign state based on a republican system, whose national religion is Islam and national language is Arabic. Article 2 adds that Tunisia is a civil state based on citizenship, the will of the people, and the supremacy of the rule of law.

B.   ELECTION AND VOTING

As discussed in the preceding chapter, electing a leader is an important religious duty in Islam.[171] Yussuf al-Qaradawi associates the democratic concept of election to a candidate's stamp of approval for fitness in politics, in line with the third foundation of the state (vice-regency) on selecting a leader who epitomizes the best and brightest in the *Ummah*.[172] It is a validation of the candidate's credibility, that he or she possesses the attributes of a witness required by God.[173] Among these attributes are justice, balance (fairness) and good reputation.

---

[171] Ibid., 17.

[172] Yusuf al-Qaradawi, "Islam and Democracy," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 232.

[173] Ibid., 206.

The voters are also commanded by Allah to testify (become a witness), construed as they must go to the polling places and exercise their right to vote.[174] Rachid al-Ghannouchi adds that an Islamic democracy promotes open and transparent competition for the participation in and control of the government through free and fair elections, which must take place in an atmosphere of respect for basic human rights and the freedom of speech and assembly.[175]

1. What the Constitution Says

Article 3 of the Constitution of Tunisia declares that sovereignty belongs to the people, who are the source of powers, and shall be exercised through their freely elected representatives and by referenda. Article 34 specifically safeguards the exercise of popular sovereignty. It states that the rights to election, voting, and candidacy are guaranteed, in accordance with the law. The state also guarantees the representation of women in government. Finally, Article 15 states that government shall serve the interest of the public, and shall be governed in accordance with the principles of impartiality, equality, transparency, integrity, efficiency and accountability.

C. MAJORITY RULE

1. Is Majority Rule Islamic?

On the democratic concept of majority rule, al-Qaradawi refutes the efforts of other Islamists who proclaim that majority rule is not Islamic.[176] First, because the *Qur'an* does not mention it, therefore it is automatically not in accordance with Islam. They also fear the potential of the majority to violate Islam. The Islamist detractors of democracy believe that the majority possesses the potential or inclination to agree upon laws and issues that could harm the *Ummah* and disrespect Islam. This is a pessimistic outlook of people, whom God created as his vice-regents.[177]

---

[174] Ibid., 206-207.

[175] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 106.

[176] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 210-211.

[177] Ibid., 202.

The opponents of democracy cite literal texts in the *Qur'an* which states that the majority is always on the side of wrong and deceit, and the minority on the other.[178] Texts on the negative view of majority rule include *Qur'an* 6:116 (most of the people will lead Muslims astray); *Qur'an* 12:103 and 11:17 (most of the people will not and do not believe); *Qur'an* 7:187 (most of the people do not know); *Qur'an* 29:63 (most of the people do not understand); and *Qur'an* 2:243 (most of the people are ungrateful). On the minority, they cite *Qur'an* 34:13 (few of My servants are thankful) and *Qur'an* 38:24 (the believers and righteous are few). It is clear that the opponents of the democratic concept of majority rule do not accept the possibility that democracy will ever be implemented in Muslim societies.

To al-Qaradawi, common sense dictates that the majority opinion has the highest probability of being correct because it outnumbers the opinion of the minority. Again, the caveat is that even if ninety-nine percent of Muslims agrees on evil and other issues that violate Islam, that vote is invalid. The act of Muslims voting for evil is a symptom of the *Ummah* straying from the righteous path of Islam.[179] The concept of majority rule should not be penalized based on its potential for wrongdoing. What must be highlighted is the concept of the vice-regency of man, who, through Islam, is obliged and empowered to uphold justice, mercy and the enjoining of good and forbidding of evil. This propensity of the *Ummah* to do what is right is validated by the Prophet in a *hadith* when he said that, "Never will Allah make my *Ummah* agree on a wrong course," or "My Community will not agree upon an error."[180]

2.   What the Constitution Says

Article 64 of the Tunisian Constitution depicts majority rule in action. It declares that all organic legislations in the Chamber of the People's Deputies must be drafted by an absolute majority of its members, while requiring only a majority of the members present for drafting normal or ordinary laws. Furthermore, Article 75 exemplifies

---

[178] Ibid., 211-212.

[179] Ibid., 213.

[180] John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, 28.

majority rule in elections, stating that the President shall be elected by means of an absolute majority of valid votes. The article also states that if an absolute majority of votes is not achieved by a single candidate, a second round of presidential election shall be organized until a majority is achieved.

D.   REPRESENTATIVE GOVERNMENT

Representative or participatory government is one of the most distinguishable aspects of democracy. It is the delegation of power by the people to their elected or chosen representatives in government. Simply put, the people are giving their consent, by voting or electing, to the government to fulfill and guarantee their will. In this age of large population centers and countries, it is no longer practical for people to simply get together in an assembly or town hall setting to discuss matters and vote on them directly, especially those issues that span the entire state or province, or the entire country as a whole.[181]

Representative government also provides for the stability and continuity in government, as government or politicians are less likely to reflect the transitory political passions of the moment than are the people.[182] According to John Stuart Mill, the role of representative government is "to indicate wants, to be an organ for popular demands, and a place of adverse discussion for all opinions relating to public matters, both great and small; and, along with this, to check by criticism, and eventually by withdrawing their support, those high public officers who really conduct the public business, or who appoint those by whom it is conducted."[183]

1.   The Institution of Shura and Ijma

In Islam, representative government is exemplified by the concepts of s*hura* (mutual consultation) and *ijma* (consensus of the *Ummah,* and later consensus of the

---

[181] "Representation," Encyclopedia Britannica, accessed March 12, 2014, http://www.britannica.com /EBchecked/topic/498454/representation.

[182] Ibid.

[183] John Stuart Mill, *Considerations on Representative Government*: *People's Edition* (London: Longman, Green, Longman, Roberts and Green, 1865).

ulama). In essence, *shura* is derived from *ijma*. This select body of the most capable representatives of the people tasked with mutual consultation is chosen via the consensus of the *Ummah*. *Shura* affirms that the ruler must seek the advice of the people, and the people must advice the ruler. The relationship between the ruler and the governed is a covenant that God commands His believers to honor, comparable to the democratic social contract guaranteed by the constitution (*Qur'an* 16:19). To honor the covenant is to honor God Himself. Many assert that the gradual decline of Muslims after the Golden Age of Islam is attributed to the breakdown of this covenant, when both rulers and citizens neglect their obligation to s*hura* and *ijma*.[184]

The institution of s*hura* in Islam has become one of the crowning achievements of Muslim political tradition. God commanded the Prophet to consult and deliberate with his people in *Qur'an* 42:38. Because the Prophet had to consult and deliberate with his people concerning societal affairs, the caliphs that succeeded him must also honor *shura*. All the Rightly-Guided Caliphs were chosen through s*hura* and the consensus of the *Ummah*. Thus, s*hura* came to be known as the people who chose the ruler (*ahl al-'aqd*). S*hura* applies to both the ruler and the governed. The ruler must actively seek the advice of the *ahl al-shura* (people of consultation) and the *ahl al-shura* must advise and deliberate with the ruler.[185]

The responsibility of s*hura* also goes deeper in the sense that both rulers and the people of consultation must actively resist despotism (*al-istibdad*) and autocratic rule (*al-hukm bi'l hawa al-tasallut*), all forms of repressive government. The result of the s*hura*'s deliberation is either binding (s*hura mulzima*) or non-binding (*ghayr mulzima*) to the ruler, but the consensus among the early jurist was that it is mostly not compulsory.[186] Again, this neglect of the institution of *shura* is among the top issues that caused the decline of Muslims in the modern age.[187]

---

[184] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 218-220.

[185] Ibid., 218-220.

[186] Ibid., 17.

[187] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 17.

Shura has become one of the Islamic concepts viewed as inherently compatible to the democratic value of representative government. And as discussed earlier, the issue of majority rule overwhelms the compatibility argument: Will the majority always do the right thing, or will it undermine the laws of God? As with *Shari'ah* and the limits imposed on government power, the same logic of potential for abuse applies to *shura*. *Shura* has the potential to undermine public good and individual rights and freedom when unchecked by the overarching moral principles of Islam. As stated earlier, it is clear that moral principles must be applied to everything, starting with the process itself and the resulting product.[188] The process of mutual consultation and deliberation must be bound by Islamic principles. This will make certain that the outcome, whether binding or non-binding, is morally sound and in accordance with the highest Islamic values.

2.   Preferred Form of Government

Wasatiyya argues that a parliamentary[189] form of representative government is the most effective institution for enabling the public to participate in the drafting of laws in those areas where *Shari'ah* is silent. Al-Qaradawi observes that parliament may legislate "in any area where multiple opinions are possible." The range of topics is vast: From traffic laws and taxation, to the decision to wage war. He notes that they borrow these institutions from Western democracies.[190]

However, he stresses that this borrowing is done in a highly selective manner. Al-Qaradawi's view is typical when he writes that the Islamic world must "take the best elements of democracy without seeking to duplicate it." The central goals of an Islamic state are to enhance justice and oppose tyranny. At this moment in history, democratic institutions are the best means for achieving these goals and, thus, democracy "is the form of government that is closest to Islam." However, democracy in an Islamic context must operate within the ethical framework defined by *Shari'ah*. It must not lead to laws

---

[188] Ibid., 18.

[189] "Parliamentary democracy," last modified December 26, 2013, http://www.britannica.com/EBchecked/topic/1384209/parliamentary-democracy.

[190] Bruce K. Rutherford, "What Do Egypt's Islamists Want? Moderate Islam and the Rise of Islamic Constitutionalism," *Middle East Journal* 60, no. 4 (2006): 716.

that allow what is forbidden in Islam (such as adultery or alcohol consumption) or prohibit what is required (such as prayer, zakat, or pilgrimage).[191]

3.   What the Constitution Says

As mentioned earlier, Article 3 of the Tunisian Constitution declares that sovereignty belongs to the people, who are the source of powers, and shall be exercised through their freely elected representatives and by referendum. Article 50 states that the people exercises legislative power through their representatives in the Chamber of the People's Deputies or through referenda.

E.   PLURALISM AND THE MULTIPARTY SYSTEM

When it comes to the concept of multiparty system in Islam, the establishment of organizations that are transparent and able to aid the ruler and replace him if necessary serves the best interest of the faith and the nation.[192] Multiparty system exemplifies the pluralism and opposition inherent in Islam, as evident in the evolution of the four schools of *fiqh* (Sunni Islamic jurisprudence: *Hanbali, Hanafi, Maliki, and Shafi'i*) and the division of the faith in Sunni, Shia, and Sufi sects, among others. It also highlights the prominence of freedom and rights in Islam, including diversity in opinion that could only serve to advance the best interest of the *Ummah* if conducted in an Islamic way.[193] *Qur'an* 30:22 affirms that diversity is in all of creation, languages and colors and lead to the diversity of men of knowledge.[194]

1.   Is the Multiparty System Islamic?

According to al-Qaradawi, there is nothing in the *Qur'an* that prohibits a multiparty system in politics. Hassan al-Turabi concurs that there is no legal restriction to establishing political parties because it as an expression of freedom of opinion and

---

[191] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 205.

[192] Ibid., 226.

[193] Ibid., 227.

[194] Ibid., 231.

debate, both of which are celebrated in Islam.[195] As a matter of opinion, multiple parties serve the best interest of Islam and the *Ummah* in combating oppression and despotism.[196] The requirement for multiparty system is two-fold: Parties must profess that Islam is the creed and law of the land, regardless of their opposing views; and parties must not work with hostile forces against Islam and the *Ummah*. Parties that organize with an aim of increasing personal wealth and glory are prohibited. Parties cannot deceive the people to do wrong, and partisanship based on bigotry is *haram* (not permissible).[197]

Islam celebrates human diversity. Allah intentionally created humanity unique from each other (*Qur'an* 11:118), and from a single man and woman, and grouped them into races and tribes so that they would come to know one another (*Qur'an* 49:13). These *Qur'anic* verses form the foundation for the Islamic principles of pluralism and diversity, and most importantly, social cooperation and mutual assistance to achieve justice.[198] Recognizing diversity also translates to tolerance of differences, which also entails the institution of safeguards that protect diversity.

Despite the *Qur'an's* celebration of diversity, the cynics of multiparty system continue to insist that it is not indigenous to Islam. Again, al-Qaradawi reiterates that there is nothing wrong with borrowing from non-Muslim traditions as long as it serves the best interest of the *Ummah* and they make the product their own. Citing the example of the Prophet and his companions once more, al-Qaradawi points out cases that legitimize borrowing: The time when the Prophet dug a trench around Medina to prevent the enemy from overrunning the city; when the Prophet had a seal made to affix in his letter because other rulers did not read correspondence without official seals; when the Caliph Umar adopted a system of land tax and accounting for the treasury; and when

---

[195] Hasan al-Turabi, "The Islamic State," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 216-217.

[196] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 222.

[197] Ibid., 222.

[198] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 20.

Mu'awiyah borrowed a foreign mail system.[199] The other concern is that Islam values unity in everything, thus, the concept of diversity as embodied by the multiparty system may seem threatening for Muslims. Al-Qaradawi affirms that there are different forces and groups in life that submit to Islam in spite of their diversity.[200]

For Tarik al-Bishri, another proponent of *Wasatiyya* and one of the foremost legal authorities in Egypt, multiple parties reflect the varied interests that naturally emerge in society. Social order and harmony require that these interests be given expression through parties, as well as other institutions of civil society.[201] Muhammad Salim al-Awwa adds that the presence of multiple parties reflects the principle of tolerance of dissent (opposition), which he considers fundamental to the faith. He notes that the Caliph Ali tolerated the Kharijites,[202] despite their sharp differences with him. He proposes that God intentionally created differing groups and views in order to better to serve His will. He concludes that, "The existence of political parties ... is necessary for the advancement [of Islamic societies] and for freedom of opinion within them, and to ensure the absence of oppression."[203]

2.   What the Constitution Says

The Preamble to the Tunisian Constitution guarantees the right to association based on pluralism, neutrality of administration and good governance representing the basis of political competition. Article 35 guarantees the freedom to establish political parties, unions and associations. Furthermore, Article 60 celebrates the role of the opposition, stating that it is an integral element of the legislative branch with rights to

---

[199] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 233.

[200] Ibid., 237.

[201] Rutherford, Bruce K. Rutherford, "What Do Egypt's Islamists Want? Moderate Islam and the Rise of Islamic Constitutionalism," *Middle East Journal* 60, no. 4 (2006): 715-716.

[202] Khārijite, Arabic Khawārij, is the earliest Islamic sect, which traces its beginning to a religious-political controversy over the Caliphate. See "Khārijite," last modified April 30, 2013, http://www.britannica.com/EBchecked/topic/316391/Kharijite.

[203] Rutherford, Bruce K. Rutherford, "What Do Egypt's Islamists Want? Moderate Islam and the Rise of Islamic Constitutionalism," *Middle East Journal* 60, no. 4 (2006): 716.

adequately perform their legislative duties. The opposition is expected to actively and constructively contribute in parliament.

F.   SEPARATION OF POWERS [204]

According to the United States National Archive, Americans are strongly committed to the democratic concept that the best way to safeguard against tyranny is via the separation of the three powers of government: The executive, legislative and judicial branches. Each branch is expected to check and balance the power of the other two.[205] According to the philosopher John Locke, while the legislative branch formulates and enacts laws, the executive branch enforces them through rules and regulations. In terms of their functions, Locke believes that the legislative branch is superior to the executive because naturally, "what can give laws to another, must [be] and needs [to] be superior to him."[206] Baron de Montesquieu, one of the most influential political thinkers of his time, builds on Locke's ideas, but emphasizes the crucial role of the judiciary to interpret the constitutionality of laws.[207]

The prevention of tyranny is one of the primary reasons why *Wasatiyya* subscribes to the democratic concept of separation and balance of powers. According to al-Qaradawi, Islam attacks tyrants who pretend to rule in God's name. Resisting tyranny is an Islamic obligation.[208] The democratic concept of separation of powers is celebrated in Islam through the sacred covenant between God, the state and the people. To reiterate, s*hura* affirms that the ruler must seek the advice of the people, and in turn the people must advice the ruler. This section also shows that provisions of separation of powers in government are codified in the Constitutions of Tunisia.

---

[204] Separation of power also connotes balance of power and includes alternation of power.

[205] "Teaching With Documents: Constitutional Issues: Separation of Powers," National Archives, accessed March 25, 2014, http://www.archives.gov/education/lessons/separation-powers/.

[206] John Locke, *Two Treatises of Government,* ed. Peter Laslett (Cambridge: Cambridge University Press, 1988), 149.

[207] Baron De Montesquieu, *The Spirit of the Laws,* trans. Thomas Nugent (London: J. Nourse, 1777), 221-237.

[208] Yusuf al-Qaradawi, "Islam and Democracy," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 232-234.

In the spirit of transparency, it is important to reemphasize the fact that the Prophet Muhammad was recognized as head of state, religious leader, and giver, enforcer, and interpreter of laws at the same time during the Golden Age of Islam, which many detractors of the compatibility of Islam and democracy cite as a major issue. To *Wasatiyya*, the Prophet was able to become leader of Islam and the state simultaneously because the word of God was revealed to him directly, which entitles the Prophet to assume both roles and responsibilities. The caliphs and leaders that succeeded the Prophet did not enjoy the same distinction, therefore they were not qualified to assume both roles as did the final Messenger of God.[209]

1.   What the Constitution Says

The Constitution of Tunisia provides for the organization of the executive, legislative and judicial branches of government. Article 71 invests executive powers to the President of the Republic and the government headed by the Prime Minister (Article 89). The President is also the commander-in-chief of the Armed Forces (Article 77). The President is the head of state according to Article 72, and Article 75 limits him or her to only two 5-year terms. In Article 77, the President can dissolve the Chamber of People's Deputies after a vote of no-confidence.

Article 50 invests legislative power to the unicameral congress of the Chamber of the People's Deputies. International treaties must be ratified by the chamber (Article 67), and declaration of war and peace must be approved by a three-fifths majority (Article 77). Furthermore, Article 88 allows for impeachment proceedings against the President for violations against the constitution by two-thirds of the Chamber of the People's Deputies. Article 89 states that the government must submit its program to the chamber for approval, as Article 95 decrees that the government is accountable before the chamber.

Finally, Article 102 of the Tunisian Constitution guarantees the independence of the judicial branch of government. Judges are appointed by the executive branch, upon

---

[209] John L. Esposito, *Islam: The Straight Path* (New York: Oxford University Press, 2011), 12.

the recommendation of the Supreme Judicial Council (Article 112 establishes the mandate and membership of the Supreme Judicial Council, which is both an elected and appointed body). Most importantly, Article 109 prohibits any interference with the judiciary.

G.   CONCLUSION

This chapter clearly shows that the basic elements of democracy are intrinsic to Islam, furthering *Wasatiyya*'s claim that both are truly harmonious with each other. Popular sovereignty is at the core of Islamic political traditions, from the elements of election, majority rule and representative government, to the multiparty system and the separation of powers. This conceptual undertaking is further complemented by real-world instances from the Constitution of Tunisia, highlighting the fact that elements of democratic regime and democratic governance are indeed inherent in *Wasatiyya*'s vision of an Islamic democracy. The next chapter examines the element of the rule of law in political Islam through *Wasatiyya*'s views on freedom and rights.

THIS PAGE INTENTIONALLY LEFT BLANK

V.   WASATIYYA VIEWS ON FREEDOM AND RIGHTS

This chapter explores *Wasatiyya* views on freedom and rights, to include their foundations and evidence in the early period of the religion, culminating with discussions in minority rights, women's rights, and other specific freedoms and rights celebrated by the democratic concept. *Wasatiyya* claims that Islam celebrates the concept of the rule of law founded upon freedom and rights that is essential to democracy, to prove that indeed, Islam and democracy can co-exist.[210] To reiterate, the rule of law constitutes government treatment of its citizens defined by human and civil rights, levels of corruption, and freedom of expression.[211]

A.   THE RELATIONSHIP BETWEEN FREEDOM AND RIGHTS

The tandem of freedom and rights represents one of the most important capstones of democracy. Freedom is defined as "the quality or state of being free: The absence of necessity, coercion, or constraint in choice or action."[212] Rights is defined as a moral or legal entitlement to have or do something. The relationship between the two concepts lies in the belief that "to accept a set of rights is to approve a distribution of freedom and authority, and so to endorse a certain view of what may, must, and must not be done."[213]

Thus, freedom and rights are intrinsically intertwined with authority, responsibility and a normative sense of justice and morality, all cornerstones of Islam which correspond to democratic ideals. Government by the people is made possible by the recognition that each and every one is endowed with the inherent freedom and right to exist, and that freedom and rights are to be protected and preserved by the government

---

[210] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76.

[211] Geraldo L. Munck, "Measures of Democracy, Governance, and the Rule of Law: An Overview of Cross-National Data Sets" (paper prepared for World Bank workshop on "Understanding Growth and Freedom from the Bottom Up," Washington, DC, July 15-17, 2003).

[212] "Freedom," Merriam-Webster, accessed December 28, 2013, http://www.merriam-webster.com/dictionary/freedom.

[213] "Rights," Stanford Encyclopedia of Philosophy, accessed December 28, 2013, http://plato.stanford.edu/entries/rights/.

which the people have chosen. The guarantee of freedom and rights provides the basis of rule of law which is crucial to democracy.

B. FREEDOM AND RIGHTS IN ISLAM

The foundation of freedom and rights in Islam is codified in *Qur'an* 2:256, "There is no compulsion in religion," and *Qur'an* 10:99, "As for you, will you force men to become believers?" Hasan al-Turabi asserts that Islam is based on genuine conviction and voluntary compliance.[214] Since Islam is a comprehensive way of life, these passages do not only pertain to "religion" per se, but no compulsion in all facets of life. In theory, no one can compel another to do what he or she does not want to do according to his or her own conscience. Therefore, consent is at the heart of this discussion. *Qur'an* 88:22 further adds that only God has the authority over man: "You are not in authority over their conscience." For Muslims, Allah, the sole authority over man and everything else, has endowed each and every person with free will as His vice-regent. With the responsibility of being God's vice-regent come the God-given freedom and rights that can neither be violated nor taken away.

Khaled Abou El Fadl states that freedom and human rights constitute human interests, and there are certain inalienable rights or interests that when violated result in the loss of personal worth or dignity.[215] These rights include the right against being tortured and entitlement to basic needs such as food, shelter and the means to obtain them (employment, social services, etc.). Rachid al-Ghannouchi expounds that freedom and rights are understood as the interests of the people, stating that the objective of Islam is to realize the main interest of mankind.[216] Muhammad Salim al-Awwa concludes that freedom to voice one's opinion or assert one's difference or diversity is not only a legal

---

[214] Hasan al-Turabi, "The Islamic State," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 213.

[215] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 23.

[216] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76.

right but a constitutionally-protected requirement.[217] Recognizing and respecting freedom and rights are Islamic rites which transcend their mere preservation: It becomes a duty and obligation for every Muslim, man or woman.[218] As Yusuf al-Qaradawi succinctly puts it, faith with free will and conviction is honored in Islam.[219]

1. Positive Freedom

Al-Ghannouchi subscribes to the concept of positive freedom, in which the individual decides for him or herself what to do and what not to do, instead of being forced or influenced by others. He asserts that freedom should be construed as the "freedom to" rather than "freedom from," a concept prevalent in Western liberal thought. Al-Ghannouchi pays special emphasis on man's personal struggle between reason and passion, which is more important than any other external factor that can restrict freedom. He believes that ultimately, servitude to God is the only road to freedom. Allah's revelation gave man freedom: Every person exists to be free, and the closer he or she gets to God, the freer he or she becomes.[220]

Thus, to be free is a constant personal struggle, as being true to God is a lifelong journey. In serving God, man is freed from the influence of all internal and external factors. Pertinent to this argument, it is crucial to point out a key exception to freedom of choice in Islam: Muslims are not allowed to convert from Islam (apostasy), as it is specifically prohibited in the *Qur'an*, although no specific penalty is prescribed.[221] Though this may be construed as incongruous to democratic ideals of freedom and rights as envisioned in the West, apostasy is not an issue for Muslims because it is part of their total identity as the Islamic *Ummah*. A true witness of God struggles to remain a believer,

---

[217] Muhammad Salim al-Awwa, "Political Pluralism from an Islamic Perspective," in *Islam in Transition: Muslim Perspectives*, ed. John J. Donohue and John L. Esposito (New York: Oxford University Press, 2007), 283.

[218] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 67-68.

[219] Ibid., 69.

[220] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 74.

[221] Bruce K. Rutherford, "What Do Egypt's Islamists Want? Moderate Islam and the Rise of Islamic Constitutionalism," *Middle East Journal* 60, no. 4 (2006): 717.

and God's grace gives man the wisdom and courage to continue along the righteous path. Apostasy is among the areas of contention further discussed in the concluding chapter.

2. Freedom and Rights in Early Islam

There are plenty of evidence which demonstrates freedom and human rights in pre-Modern Islam. The jurists preserved the welfare of people by codifying laws that forbade actions that violated the basic necessities of religion, intellect, life, lineage or honor, and property. Early Muslims were proponents of the concept of presumption of innocence, which asserts that the accuser has the burden of proof.[222]

In cases of heresy, jurists believe that it is better to let a thousand heretics go free than to punish the single sincere innocent. The same applies with crimes, where it is better to release a guilty person than to punish the innocent. The practice of imprisoning groups who openly preach their different views is condemned, along with harassing the opponent until they actually carry arms and openly declare their intent to rebel. Jurists also condemned the use of torture and mutilation. They also condemned the use of coerced statements or confessions. Judges who rely on coerced confession are committing injustice, and forms of redress against grievances by judges and by extension, the government, were guaranteed.[223]

Today, *Wasatiyya* believes that besides the right to life, dignity, and property, everyone is entitled to security, sufficiency, consultation (representation), freedom, equality, and the accountability of the state.[224] Al-Awwa points out that freedom of choice holds a significant importance in Islam. He states that Adam was endowed with free will by God: He had the choice to obey or not obey Allah. Hence, the freedom to choose is a natural, God-given aspect of humanity. This is sanctified in the *Qur'an*, which guarantees that the choice to submit or not to submit to the will of God is man's

---

[222] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 24-25.

[223] Ibid., 26-27.

[224] Bruce K. Rutherford, "What Do Egypt's Islamists Want? Moderate Islam and the Rise of Islamic Constitutionalism," *Middle East Journal* 60, no. 4 (2006): 716-717.

alone. The freedom and the right to choose is therefore a fundamental Islamic principle.[225]

Wasatiyya also believes that it is the duty and obligation of every Muslim to exercise *ijtihad*, understood as a personal struggle to understand Islam. This struggle requires reason, reflection, and dialogue with fellow believers. As a consequence, freedom of thought, inquiry, and speech are essential to the full expression of Muslim faith.[226] In addition, al-Awwa advices that each Muslim bears an obligation to enjoin good and forbid evil within the community. In order to fulfill this obligation, each Muslim must be free to speak out against evil and corruption. Speaking out in this manner is a religious duty and, thus, freedom of speech is divinely sanctioned and mandated.[227]

C.   THE RIGHTS OF NON-MUSLIMS

The rights of non-Muslim minorities in Muslim societies have varied over time and place. Although the Constitution of Medina guaranteed and protected the rights of *dhimmis* (The People of the Book (*ahl-al-kitab*), Jews and Christians whom God previously revealed His message) in return for submission to Muslim rule, in practice their treatment was mostly dependent upon political and economic factors that benefitted the *Ummah*. There are historical cases recording violations of minority rights, but they were always viewed as ethically, morally and legally against Islamic law and traditions.[228] Non-Muslims were guaranteed the right to practice their faith freely, which even includes criticizing Islam and engaging in debates and dialogues with Muslims. Other minority freedom and rights include: Autonomy in the regulation of their private

---

[225] Muhammad Salim al-Awwa, "Political Pluralism from an Islamic Perspective," in *Islam in Transition: Muslim Perspectives*, ed. John J. Donohue and John L. Esposito (New York: Oxford University Press, 2007), 283.

[226] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 101.

[227] Muhammad Salim al-Awwa, "Political Pluralism from an Islamic Perspective," in *Islam in Transition: Muslim Perspectives*, ed. John J. Donohue and John L. Esposito (New York: Oxford University Press, 2007), 283.

[228] John L. Esposito, ed., *The Oxford Dictionary of Islam* (New York: Oxford University Press, 2003), 202.

and family life; the right to education; and the right to be absolved from Islamic laws which they deem incompatible to their faith.[229] Consequently, Muslims are required by Islam to treat non-Muslims with respect, trust and benevolence.[230]

According to Hasan al-Banna, Islam does not only command the protection of the minority; it also requires benevolence and doing of good on their behalf. To him, Islam's celebration of minority rights is evident in *Qur'an* 60:8, "Allah does not forbid you from those who do not fight you because of religion and do not expel you from your homes - from being righteous toward them and acting justly toward them. Indeed, Allah loves those who act justly." This verse is often used to exemplify the fair treatment of non-Muslim minorities in Muslim nations, in addition to *Qur'an* 49:13, which celebrates human diversity and social cooperation.[231]

1.   Citizenship

For *Wasatiyya*, citizenship is a key concept when describing freedom and rights in Islam, including the rights of the non-Muslim minority groups. Al-Ghannouchi differentiates between two types of citizenship rights in the *Ummah*: Unqualified and qualified. He attributes this as a result of the freedom of choice accorded to every individual, Muslim or non-Muslim. Every person has the choice to embrace and abide by Islam or not. Those who embrace Islam are considered "unqualified" citizens, enjoying all the freedoms accorded to a Muslim. Citizens who do not choose to embrace Islam as their faith are free to do so, for there is no compulsion in Islam. But they are required to

---

[229] Majority of Muslims (58%) believe that *Shari'ah* should only apply to Muslims. The exception is Egypt, where 55% of Muslims believe that *Shari'ah* should apply to people of all religions. Many Muslims also believe that implementing *Shari'ah* in a democratic setting prevents the tyranny of dictatorships which trample on freedom and human rights in their perpetual quest to self-preservation. These figures reflect Muslim desire to abide by the glorious example set forth by the Constitution of Median during the Golden Age of Islam. See John L. Esposito and Dalia Mogahed, *Who Speaks for Islam? What a Billion Muslims Really Think* (New York: Gallup Press, 2007), 52.

[230] Hasan al-Turabi, "The Islamic State," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 222.

[231] Hasan al-Banna, "Toward the Light," in. *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 68-70.

pledge their allegiance (*bay'a*) to the state; only then could they become "qualified" citizens. They have to convert to Islam in order to become unqualified citizens.[232]

There are specific limits imposed on qualified citizens, specifically concerning issues that directly bear on the identity of the Muslim nation. These include not allowing non-Muslims to hold senior positions in government. Many cite that allegiance to non-Muslims is prohibited in *Qur'an* 3:28 and 4:138-139. But this applies because their religion is not Islam: Muslims must pay allegiance only to the *Ummah*.[233] It is clear that *dhimmi* status involves important restrictions on activities and a second-class standing in terms of political structures. However, it is also clear that the minorities were formally recognized as legitimate participants in Muslim societies with real rights and protections from persecution.[234]

2.   Celebrating the Rights of Non-Muslims

When recommending judicial remedy for a persecuted Copt, the Caliph Umar remarked on freedom (of religion) when asking, "How could you enslave people when they were born free?" In doing so, Umar emphasized the people's freedom and right to dignity and to equality before the law regardless of differences in faith.[235] He also emphasized minority rights in a Muslim-majority nation. Islam contains a formal recognition of the special rights of *dhimmis*. The People of the Book, under the protection of Muslims, were granted freedom and tolerance, including the consumption of alcohol and food that Islam forbids.[236] Al-Qaradawi regards the violation of the freedom and rights of non-Muslims in the *Ummah* as worse than the violation of Muslim freedom and rights.[237]

---

[232] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 77.

[233] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 297.

[234] John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, 47.

[235] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 65.

[236] Ibid., 66.

[237] Ibid., 60.

Since the Muslim majority is in a much stronger position than the non-Muslim minority, *Qur'an* 59:7 mandates the protection of the rights of the weak against the interest of the strong. For instance, *zakat* (almsgiving or charity, one of the five pillars of Islam) is imposed among the rich to compensate for the poor, "In order that it may not be a circuit between the wealthy among you."[238] Caliph Abu Bakr reinforced this by stating that, "the powerful among you will be the most feeble with me till I take from him the due right, and the most feeble among you will be the most powerful till I restore him his right again." Muslims believe that one of the most important principles of Islam is that all things belong to God and, therefore, wealth is held by human beings in trust.[239]

Islam not only commands Muslims to protect the weak, but also to fight to free them all (*Qur'an* 4:75). According to a *hadith*, when the Caliph Umar was informed that his commander in Africa could not find a single person to give charity to, he ordered to purchase slaves and set them free. According to another *hadith*, the Prophet is reported saying, "Allah never sanctifies a nation in which right is not established and the feeble receives not his from the powerful with neither hardship nor harm."[240] Here, Islam seamlessly integrates freedom and rights with equality, charity and mercy.

Wasatiyya advocates for the protection of the freedom and rights of non-Muslims. Its proponents argue that differences in religion were created by God and, as such, should be respected and protected. For instance, Tarik al-Bishri argues that Egypt's unique historical experience has produced a national identity that embraces both Muslims and Copts. Islam is part of this Egyptian identity, but it does not dominate it and does not define Copts as second-class citizens. A strengthening of Islam's role in society need not threaten Copts, so long as the country's shared Egyptian identity is preserved.[241] Al-Awwa concurs, and proposes that sectarian strife has risen in recent years because of political opportunism by trouble makers on both sides. These tensions do not reflect any

---

[238] Ibid., 52.

[239] Ibid., 60.

[240] Ibid., 53.

[241] Bruce K. Rutherford, "What Do Egypt's Islamists Want? Moderate Islam and the Rise of Islamic Constitutionalism," *Middle East Journal* 60, no. 4 (2006): 718.

fundamental incompatibility between Muslims and Copts, and can be resolved through dialogue and popular action.[242]

Al-Qaradawi similarly writes that Muslims and Copts constitute a shared national brotherhood that is grounded in respect and tolerance. He argues that Copts are equal to Muslims before the law on civil matters, and that they are entitled to practice their own laws on matters of creed, worship, and personal status. Copts may also hold senior positions in government, serve in the bureaucracy, and participate in parliament. However, the post of President must always be held by a Muslim in order to ensure that the state remains Islamic. For the same reason, Muslims must also hold a majority in parliament.[243] There is no legal basis to exclude Copts from being elected in the *Shura* Council, but the majority of the council must be comprised of Muslims, as the Muslim identity and religion must be preserved.[244]

3.   What the Constitution Says

Although Article 1 of the Constitution of Tunisia clearly declares that the state religion is Islam, it also protects all religions and guarantees freedom of belief, conscience and religious practice. Mosques and churches are considered neutral grounds, and the state is prohibited from using them to influence people. Tunisia also promotes values of moderation and tolerance. In this age of religious extremism, Article 6 of the constitution prohibits unfounded and malicious charges or attacks of apostasy (calling others *takfir* or unbelievers) and other methods that incite hatred and violence.

D.   WOMEN'S RIGHTS

Qur'an 4:1 clearly highlights the equality of men and women: "O mankind! Be careful of your duty to your Lord Who created you from a single soul and from it created its mate and from them twain hath spread abroad a multitude of men and women. Be careful of your duty toward Allah in Whom ye claim (your rights) of one another, and

---

242 Ibid., 718.

243 Ibid., 718-719.

244 Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 295.

toward the wombs (that bare you). Lo! Allah hath been a watcher over you."[245] Men and women are equal both in terms of their creation and their relation to each other as commanded by God. One could even argue that women are venerated in this verse as mothers.[246]

The rights of women are also protected in *Qur'an* 4:19, where Allah forbids men to inherit women against their will and commands the treatment of women with kindness and fairness. When Allah commands Muslims to enjoin good and forbid evil, women are mentioned in equal footing. Other passages in the *Qur'an* that exemplify women's rights include: "Every soul will be (held) in pledge for its deeds" (*Qur'an* 74:38); "So their Lord accepted their prayers, (saying): I will not suffer to be lost the work of any of you whether male or female. You proceed one from another" (*Qur'an* 3: 195); and "Whoever works righteousness, man or woman, and has faith, verily to him (or her) will We give a new life that is good and pure, and We will bestow on such their reward according to their actions." (*Qur'an* 16:97, 4:124).[247]

1.   Championing Women's Rights

In its early stages, Islam ushered major changes that championed the status of women in the Arab World. It condemned the practice of female infanticide and recognized the full status or personhood of women in society. Islam codified the contractual nature of marriage, and secured women's right to inherit, own and manage property. History indicates that Muhammad sought and valued the counsel of women, reportedly even appointing Waraqah as imam (religious leader) over her household. Women were originally unsegregated from men during prayers in mosques, and as

---

[245] "*Qur'an* 4:1," *Qur'an*ic Arabic Corpus, accessed January 24, 2014, http://corpus.*Qur'an*.com/translation.jsp?chapter=4.

[246] Aftab Ahmad Khan, "What the *Qur'an* Says about Women," *Common Ground News Service*, accessed January 25, 2014, http://www.commongroundnews.org/article.php?id=25247&lan=en&sp=1.

[247] M.I.H. Farooqi, "Status Of Muslim Women In Islamic Societies-Past And Present," last modified March 9, 2011, http://www.countercurrents.org/farooqi090311.htm.

mothers and teachers were instrumental to the preservation and transmission of *hadith*s and Islamic traditions to generations of Muslims.[248]

Women were active and accomplished members of early Islamic society. They freely participated in commerce and trade. The Caliph Umar appointed women to serve as officials in the Medina markets. According to historical records, the first person to submit to the Prophet's call (Khadijah) and the first martyr of Islam (Summayah) are both women. Women fought side by side with the Prophet during several battles during his time. Aishah, the Prophet's wife, was a respected authority in medicine, history, and public speaking. Women in the Prophet's household were relatively autonomous in early Islam. Women who pledged allegiance to the Messenger were considered independent of their male relatives in the *Qur'an*, and records show that women converted to Islam even before their husbands, all proofs of female independence and action.[249]

2.   The Perceived Decline of Women's Rights in Muslim Society

So what happened? Based on prevailing Western views, why has the status or role of women become miniscule and secondary in contemporary Muslim societies? As with any religion, the cultural norms and traditions of the land, particularly Arabia, have a lot to do with how religion came to justify methods that gradually curtailed the freedom and rights of women. Many practices and laws that restrict women's rights evolved to correspond with the domination of men in politics (patriarchal society) and the highly conservative view of how women should behave and interact in society. Many things that women were able to do and excel in the early age of Islam are now equated to ungodliness or impropriety. Again, and this is not limited to Islam, religion has been interpreted and used to restrict the freedom and rights of women over centuries.[250]

There are several issues about women's rights and roles in the Islamic community that are considered highly contentious. Many believe that women are equal to men,

---

[248] John L. Esposito, ed., *The Oxford Dictionary of Islam* (New York: Oxford University Press, 2003), 339-340.

[249] Ibid., 340.

[250] M.I.H. Farooqi, "Status Of Muslim Women In Islamic Societies-Past And Present," last modified March 9, 2011, http://www.countercurrents.org/farooqi090311.htm.

except in certain circumstances. For instance, many Muslims think that a woman enjoys the protection of the man in the home, hence, they belong at home and not in the public realm. But many also claim that guardianship and superiority of man over women are confined in marriage, wherein the man is the breadwinner (*Qur'an* 4:34). If there responsibility in the home is fulfilled (e.g., when the children have already left the home, the husband died, etc., all being very subjective), she can gradually move on to civil activities and so on. Others still subscribe to the belief that there are laws restricting the inheritance of a woman to half that of a man, or that a man's testimony is equivalent to the testimony of two women in court.[251]

Moreover, many Muslims still subscribe to the idea that women cannot hold the highest post in the state, because of two sources. First, a *hadith* reportedly states that women cannot be leaders of the affairs of the people, because people who choose women to manage their affairs will gain no success. Second, they interpret *Qur'an* 2:228 (Men are over women and a degree above them, though they share the same rights) as women cannot rule over man. To this effect, they believe that the number of women running for the *Shura* Council is limited, so as to prevent the domination of women in the forum.

These references to the *Qur'an* and Islamic traditions are of course subject to human interpretation and the period when they were interpreted. The interpretation may have been relevant then, but is it relevant now? Anyone can quote the *Qur'an* or the Bible and either interpret it literally word for word, or give a balanced understanding that is most appropriate to the current political context or reality, as *Wasatiyya* espouses.

Al-Qaradawi asserts that men and women are equal in the eyes of God. They have the same duties and responsibilities as members of the *Ummah*, which includes adherence to the Five Pillars of Islam (the profession of faith that there is no God but God, pray five times a day, almsgiving, fasting, and pilgrimage to Mecca). To exclude women from participation in public life is to violate their freedom and rights guaranteed by Allah. Hence, women have the freedom and right to vote and to hold public office.[252] There is

---

251 Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 266.

252 Bruce K. Rutherford, "What Do Egypt's Islamists Want? Moderate Islam and the Rise of Islamic Constitutionalism," *Middle East Journal* 60, no. 4 (2006): 718.

no legal proof that prohibits women from working in the judiciary and the *Shura* Council. In this day and age, it is outdated to think that women ought to confine themselves in only the affairs of the home. Many women have risen to the highest positions in Muslim countries in contemporary times. Benazir Bhutto of Pakistan and Tansu Ciller of Turkey were Prime Ministers in the 1990s, while Sheik Hasina has been the Prime Minister of Bangladesh since 1996. As *Qur'an* 3:195 and a *hadith* states, women are sisters of men, confirming their equality.[253]

3. What the Constitution Says

The Preamble to the Tunisian Constitution guarantees the equality of rights and duties between all male and female citizens. Article 21 declares that all citizens, male and female alike, have equal rights and duties, and are equal before the law without any discrimination. The state guarantees all citizens, male and female, individual and collective rights and a life of dignity. Article 34 guarantees the representation of women in elected councils, and Article 74 guarantees that women can be elected as President, as long as they are Tunisian-born and Muslim in faith. Furthermore, Article 40 guarantees women's employment rights. Finally, Article 46 guarantees the protection of women's rights, protection against violence, and their equal opportunity with men.

E. ON SPECIFIC FREEDOM AND RIGHTS

This section focuses on what the Constitution of Tunisia says on other freedoms and rights that are essential to the democratic system. Article 49 of the Tunisian Constitution prohibits amendments that undermine the freedom and human rights guaranteed by the constitution.

1. Freedom of Expression and Free Press

Article 31 of the Tunisian Constitution guarantees the freedom of opinion, thought, expression, media and publication. Article 32 guarantees the right to information and the right to access information. The state works to guarantee access to communications networks. Article 41 guarantees the right to culture and creativity. The

---

[253] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 243.

state encourages cultural creativity and support national culture in its authenticity, diversity and renewal, in so as far as it promotes the values of tolerance, rejection of violence and an openness to different cultures and a dialogue between civilizations.

2. Peaceful Assembly and Civic Activism

Article 35 of the Tunisian Constitution guarantees the freedom to establish political parties, unions, and associations. Parties, unions and associations must abide, in their internal charters and activities, by the constitution, the law, financial transparency and the rejection of violence. Article 37 guarantees the right to peaceful assembly and demonstration.

F. CONCLUSION

Wasatiyya demonstrates that the democratic element of the rule of law as exemplified by freedom and rights are embedded in Islamic principles and heritage and enshrined in the Constitution of the Tunisian Republic. Upholding justice, tolerance and mercy celebrates and protects diversity, and justice will never be achieved until everyone acknowledges that diversity constitutes the freedom and rights of every man and woman. But it is also clear that, even in the most advanced democracies, freedom and rights are not always guaranteed and protected at all cost, despite the guiding principles provided by organized religion, whether it be Christianity, Judaism or Islam. This is important to emphasize because democracy and other forms of government are often based on religious ideologies, regardless of their best efforts to organize the state under civilian or secular foundations. So the challenge lies in the recognition that freedom and human rights exist, that people possess these rights, and that they are entitled and protected by God to enjoy these rights.[254] Acknowledging these key ideas opens the dynamic link between Islam and democracy.

---

[254] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 22-23.

VI. WASATIYYA: IMPLICATIONS ON DEMOCRACY IN THE MUSLIM WORLD

A. IS WASATIYYA DEMOCRATIC?

Wasatiyya clearly shows that Islam and democracy celebrate a multitude of comparable values and principles, from popular sovereignty, majority rule, representative government, and the multiparty system, to the separation and alternation of powers and the rule of law as exemplified by freedom and universal human rights. *Wasatiyya* also shows that the foundations of the Islamic state celebrate the fundamental concepts of the democratic system, as exemplified by its vision of an Islamic democracy.[255] So at a minimum, the proponents of *Wasatiyya* have successfully conceptualized how Islam and democracy can coexist and transform into a reality given the right circumstances. They strongly believe that democracy can promote the best interest of Islam and the global *Ummah* by empowering the faithful and combating the tyranny of oppressive rule that has mired the Muslim World. Therefore, this thesis concludes that *Wasatiyya* is indeed democratic.

But the bigger question is: How democratic is *Wasatiyya*? Several exceptions or areas of contention will be pointed out here to illustrate the varying degrees of *Wasatiyya*'s commitment to the contemporary democratic concept while preserving the essence of Islamic principles. The centrist movement accomplishes this by advocating a balanced perspective. The bottom line is that an Islamic democracy constitutes a state of believers: People who govern and are governed by the highest standards of Islamic morality and principles. The promotion of justice and balance is a recurring theme in this thesis: It is the heart and soul of the *Wasatiyya* Movement. In this case, *Wasatiyya* unequivocally views democracy as a powerful instrument towards achieving justice and balance in the Islamic *Ummah*.

---

[255] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 77-78; Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 76; John L. Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), Kindle Edition, and Fred Halliday, *Islam and the Myth of Confrontation* (New York: I.B. Taurus, 1996).

Overall, the Islamic principle of *Wasatiyya* has met the minimum requirements utilized by this thesis to be considered as somewhat, if not very, democratic. Their notion of an Islamic democracy constitutes elements of sound democratic regime, democratic governance, and the rule of law. And in actual application, this notion is backed by the Constitution of the Tunisian Republic. Again, *Wasatiyya* sees the issue of Islam and democracy as a product of historical struggle within Islam to fit with modernity. The ideological dimension is one of many facets of Muslims adjusting to a modern world shaped by Western innovations, institutions, and ideas.[256] Therefore, rather than being a mere pragmatic adjustment to amass popular support, it is actually a long-term historical rethinking of the role of Islam in modernity.[257]

B.   AREAS OF CONTENTION

This section highlights several areas of contention that continue to fuel disagreements in the Islam-democracy debate. It is crucial to note that although tensions may exist in the way *Wasatiyya* conceptually defends these controversial Islamic views, the Constitution of the Tunisian Republic undoubtedly nullifies these concerns when it comes to their real world application, particularly those issues that affect personal freedoms and rights. It is also important to emphasize that this thesis recognizes that there are other areas of contention not explored here, but these issues are the most germane to the topics already discussed.

1.   Divine Sovereignty versus Popular Sovereignty

According to Khaled Abou El Fadl, the main challenge of an Islamic democracy lies in reconciling God's sovereignty to the democratic concept of popular sovereignty.[258] The conflict between Ali and the Kharijites is the earliest embodiment of the contemporary movement in Islam that insists on God as the only source of law and government and calls for the literal interpretation of the *Qur'an*. This strict interpretation

---

[256] Charles Kurzman, ed., *Modernist Islam, 1840-1940: A Sourcebook* (New York: Oxford University Press, 2002), 3-4.

[257] Ibid., 3.

[258] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 7.

of the *Qur'an* becomes problematic because, though it assumes that God is the only source of authority and laws, it also believes that there must be a man or a group of men that have perfect access to God: His will, His judgment, and His plan for humanity.[259] This line of thinking then assumes that man could become infallible. This concept has become the basis of many authoritarian governments in Islamic countries. Similar to the concept of divine sovereignty that dominated the early political context in the West, the autocrats claim to rule in God's name, possessing the monopoly on religion and other aspects of society in order to dominate the people, who are in turn hesitant to question the authority of the ruler who claims to have divine assent.[260]

The proponents of the strict interpretation of the *Qur'an* also believe that God has already expressed His judgment and commandments for man in the form of *Shari'ah*. Therefore, *Shari'ah* is complete, unquestionable, and applicable to every human situation there is, regardless of person, place and time.[261] Those who subscribe to the strict interpretation of the holy sources dismiss the vice-regency of man, his judgment and his experiences as irrelevant to the pursuit of Allah's will. It is clear that God created man to honor man, because man is created in His own image. Therefore, man's free will and personal judgment is to be valued, guaranteed and protected, because doing so translates to honoring God Himself.[262] When man interprets the word of God and uses it to guide his actions and desires, man is not questioning God's authority. Instead, man is merely honoring God in an endless desire to seek His guidance. This also means that God has intended for man to be independent and to have considerable control over his life, including the interpretation of the *Qur'an* and the legislation of laws based upon it. Allah revealed the *Qur'an* to guide man's affairs, and it is the personal struggle to do what is right and uphold justice that brings man peace, happiness and ever closer to God.

---

259 Ibid., 9.

260 Ibid., 8-9.

261 Ibid., 9.

262 Ibid., 9

2.   Apostasy

One of the most contentious topic in the Islam-democracy debate is the Islamic view on apostasy (*riddah* or *irtidad*, leaving or retreating from the faith or becoming an unbeliever (*murtadd* or *takfir*)).[263] Although the *Qur'an* declares that there is no compulsion in religion, Muslims are prohibited from leaving the faith. This is a major issue because the freedom to choose one's religion, which involves converting from that religion after the fact, is a foremost requirement for democracy. Though there are no direct mentions in the *Qur'an*, death or banishment is the generally agreed upon punishment for being an apostate.[264]

But over the years Islamic law has developed stringent requirements and evidentiary thresholds that must be met or else charges of apostasy must be dismissed (i.e., the required number of witnesses, the accused must have reached the age of majority, legally sane, and committed the act voluntarily, etc.).[265] And to this effect, it is extremely difficult to prove cases of apostasy. Additionally, the Constitution of the Tunisian Republic clearly guarantees and protects religious freedom, promotes religious tolerance and moderation, and protects against unfounded and reckless charges of apostasy, as the age of Islamic extremism often uses this as a call and justification for *jihad* (the struggle or striving in the way of God, which often connotes struggle against unbelievers[266]).[267]

---

[263] Frank Griffel, "Apostasy," in *The Princeton Encyclopedia of Islamic Political Thought*, ed. Gerhard Bowering et al (Princeton: Princeton University Press, 2012), 40-41.

[264] Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 74.

[265] Senu Abdul Rahman, *Punishment of Apostasy in Islam* (Chicago: Kazi Publishing Incorporated, 1986), 1.

[266] Based on *Qur'an* 9:29, "Fight those who do not believe in Allah or in the Last Day and who do not consider unlawful what Allah and His Messenger have made unlawful and who do not adopt the religion of truth from those who were given the Scripture - [fight] until they give the jizyah willingly while they are humbled." *Jizyah*, also spelled *jizya*, is a head or poll tax that early Islamic rulers demanded from their non-Muslim subjects. See "Jizya," Encyclopedia Britannica, last modified April 1, 2014, http://www.britannica.com/EBchecked/topic/304125/jizya.

[267] See Articles 1 and 6 of the 2014 Constitution of the Tunisian Republic. Jasmine Foundation, trans., *The Constitution of the Tunisian Republic: Unofficially Translated by Jasmine Foundation*, (Tunis: Jasmine Foundation for Research and Communication, 2014).

3. On Minority Rights and Women's Rights

Next is the potential for second class treatment of non-Muslim minorities and women in Muslim countries. Citizenship offers non-Muslims equal protection under the law, but some Muslims still believe that non-Muslims will only enjoy the full protection and guarantees of the state if they convert to Islam. In religious terms, the word *dhimmi* or protected People of the Book still connotes secondary status, especially in the West, and leaves room for doubt and consternation on whether other religious minorities besides Jews and Christians are in fact included in this provision.[268]

For example, most *Wasatiyya* proponents believe that there should be limitations in the numbers of non-Muslims serving in the parliament or the elected *Shura* Council, or from holding the highest political post of the land, so as to prevent them from dominating the political organs of the state. The rationale behind these limitations is the overall national identity and culture, which for them must be strictly maintained as Muslim and Arab. This corresponds to the declarations in the Constitution of Tunisia, where Islam is the state religion and Arabic the national language and favored culture.[269]

Similar restrictions are also held as the norm for women by some Muslims. They still expect women to remain at home, indicating a secondary status behind men, and that their number in the elected bodies must also be limited and bars them from holding the most senior positions in government. Women, in turn, have to be extra aware of how they conduct themselves in public, because it is easy to accuse them of impure and ungodly behavior. For instance, wearing a headscarf (*hijab*) or covering the face (*niqab*) in public is a sticky issue that the West views as restricting women's rights in general. But for many Muslim women, veiling is part of being a Muslim. It is clear though that how the outside world views Muslim religious and cultural norms plays a significant role on how Islam is perceived as democratic or not.[270]

---

[268] Lahouari Addi, "Islamicist Utopia and Democracy," in *The Annals of the American Academy of Political and Social Science: Political Islam*, ed. Charles Butterworth and William Zartman (London: Sage Publications, 1992), 120-130, and Bernard Lewis, "Islam and Liberal Democracy: A Historical Overview," *Journal of Democracy* 7, no. 2 (1996): 52-63.

[269] Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 297.

[270] Ibid., 266.

But again, the Constitution of Tunisia guarantees the equality and fair treatment of all its citizens: Men and women, Muslims and non-Muslims alike. Protection against maltreatment and violence focused on women and non-Muslim minorities is guaranteed by the constitution. In fact, the constitution allows for Muslim women to be elected as President, and there are no restrictions in the number of women or non-Muslims in elected bodies. The Tunisian Constitution guarantees equal opportunity and protection under law for both groups, including their equal representation in government and employment.[271]

4.   The Inseparability of Church and State in Islam

Finally, there is the perennial issue of the non-separation of church and state in Islamic polity.[272] The Constitution of Tunisia clearly states that the national religion is Islam. By comparison, although the separation of church and state is paramount in the United States democracy, comparable democracies like Great Britain (The Church of England, Anglican) and Norway (The Church of Norway, Evangelical-Lutheran) have a constitutionally declared official state religion and/or provide varying degrees of financial support or subsidies to nationally recognized religious institutions. The Queen, for example, is the head and supreme protector of the Church of England.[273]

Other advance democracies that have official state religion include (in alphabetical order): Denmark (The Church of Denmark, Evangelical-Lutheran); Finland (The Church of Finland, Evangelical-Lutheran); Greece (Eastern Orthodox Christianity); Iceland (The Church of Iceland, Evangelical-Lutheran); Israel (Jewish); Italy (Roman Catholic); Liechtenstein (Roman Catholic); Luxembourg (Roman Catholic); Monaco

---

[271] See Articles 1 and 21 of the 2014 Constitution of the Tunisian Republic. Jasmine Foundation, trans., *The Constitution of the Tunisian Republic: Unofficially Translated by Jasmine Foundation*, (Tunis: Jasmine Foundation for Research and Communication, 2014).

[272] Lahouari Addi, "Islamicist Utopia and Democracy," in *The Annals of the American Academy of Political and Social Science: Political Islam*, ed. Charles Butterworth and William Zartman (London: Sage Publications, 1992), 120-130, and Bernard Lewis, "Islam and Liberal Democracy: A Historical Overview," *Journal of Democracy* 7, no. 2 (1996): 52-63.

[273] John L. Esposito and Dalia Mogahed, *Who Speaks for Islam? What a Billion Muslims Really Think* (New York: Gallup Press, 2007), 56, and Robert J. Barro and Rachel M. McCleary, "Which Countries have State Religions?," *The Quarterly Journal of Economics* 120 (2005): 1336-39, accessed January 25, 2014, doi:10.1162/003355305775097 515.

(Roman Catholic); Portugal (Roman Catholic); Spain (Roman Catholic); and Sweden[274] (The Church of Sweden, Evangelical-Lutheran). Clearly, the union of church and state is not unique to Islamic countries, or foreign to established democracies for that matter.[275]

But the Constitution of Tunisia clearly describes the state as a civil institution based on democratic system of governance and the will of the people as the source of power and legitimacy.[276] It also guarantees and protects freedom of religion and other personal freedoms and rights. In Muslim countries, Islam will always remain as the biggest influence in politics. This is the case not only because of the strong identity, tradition and heritage that define Muslim culture, but more importantly it is because Islam is not just a religion to Muslims: It is a way of life that encompasses every aspect of human existence. Polls indicate that Muslims in countries with substantial Muslim populations declare that religion is an important part of their daily lives.[277] 76% of Muslims surveyed by the Pew Forum on Religion and Public Life between 2008 and 2012 say that religion is very important.[278]

C.   THE WAY AHEAD

In conclusion, it is important to point out that Muslims consider Medina as the first and ideal Islamic democracy. The Constitution of Medina declares that Islam is the source of law and order, and each sect or distinct religious community within the city-state maintains the right to administer the personal affairs of its own members. It stipulates that: All groups recognize the Prophet as the head of state; all groups pledge to

---

[274] In 2000, the government of Sweden and the Church of Sweden formalized the separation of church and state. But the agreement stipulates that the Church of Sweden will continue to receive a certain degree of state support. See "Sweden-Religions," The Encyclopedia of the Nations, accessed January 25, 2014, http://www nationsencyclopedia.com/Europe/Sweden-RELIGIONS.html#ixzz3KEcdef2v.

[275] Data for states with official religion in the year 2000. See Robert J. Barro and Rachel M. McCleary, "Which Countries have State Religions?," *The Quarterly Journal of Economics* 120 (2005): 1336-39, accessed January 25, 2014, doi:10.1162/003355305775097515.

[276] See the Preamble and Articles 1 and 2 of the 2014 Constitution of the Tunisian Republic. Jasmine Foundation, trans., *The Constitution of the Tunisian Republic: Unofficially Translated by Jasmine Foundation*, (Tunis: Jasmine Foundation for Research and Communication, 2014).

[277] 98% in Egypt, 96% in Indonesia, and 86% in Turkey. See John L. Esposito and Dalia Mogahed, *Who Speaks for Islam? What a Billion Muslims Really Think* (New York: Gallup Press, 2007), 47.

[278] The Pew Forum on Religious Life, *The World's Muslims: Unity and Diversity* (Washington, DC: The Pew Research Center, 2012), 8.

take part in defending the state and be loyal to it, and the state pledges to administer justice and protect the rights of groups and individuals; and finally, tribal and blood-related preferences or concessions are repealed, and the community of Medina is now one single *Ummah* of Arabs and non-Arabs, Muslims and non-Muslims.[279] Surely Medina evokes the spirit of democracy in Islam.

Medina arguably represents the democratic roots inherent in Islam, and the *Wasatiyya* Trend undoubtedly looks toward this Golden Age to better pursue the best interest of Islam and the *Ummah* in the current global context of the 21st Century. Although several issues remain highly suspect—the issue of apostasy, certain restrictions on women and non-Muslims to occupy the highest post in the state, etc.,[280] the *Wasatiyya* Movement has effectively presented a formidable case that proves that Islam and democracy are compatible. At a minimum, the centrist movement has provided a compelling repertoire of evidence backed by Islamic holy sources and heritage that reveals the dynamic link between Islam and democracy. This can surely open doors for dialogues, engagements and conceivable cooperation across the board to make the implementation of a democratic Islamic state within reach. Tunisia sheds a promising light in this challenging yet significant undertaking.

It is important to reiterate that *Wasatiyya* acknowledges the flaws of democracy, yet it is also convinced that, in the current context, democracy is the best choice to protect the *Ummah* from tyranny and to advance its best interest.[281] And most notably, the fact that this debate is even possible is a testament to the genuine *Wasatiyya* tendencies of moderation, justice and balance which encourage open mindedness, innovation in reason that adapts with changing time and place, and tolerance of diverse opinions, while maintaining a balanced approach rooted in the sacred principles of Islam.

---

[279] Azzam Tamimi, *Rachid Ghannouchi: A Democrat Within Islamism* (Cary, NC: Oxford University Press, 2001), E-book, 95.

[280] Issues include domination of men over women; a testimony from a man equals to testimonies from two women in court; women inheritance limited to half that of a man; numbers of both women and non-Muslims are restricted in the shura council so as to avoid domination of women and non-Muslims over Muslim men; etc. See Yusuf al-Qaradawi, *State in Islam* (Cairo: Al-Fallah Foundation, 2004), 243-297.

[281] Yusuf al-Qaradawi, "Islam and Democracy," in *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden,* ed. Roxanne L. Euben and Muhammad Q. Zaman (Princeton: Princeton University Press, 2009), 230.

So this is good news for Muslim countries and the rest of the world that have experienced the Arab Spring, which continues to demand greater popular empowerment (democratization) and the revival of Islam in the Muslim world. It is prudent for advanced democracies to give these newly-formed governments a chance to prove themselves of their capacity for self-determination and good governance. This is best accomplished through proactive engagement and cooperation at every level or opportunity, and by simply rendering the needed support when required.

Vast majority of Muslims are conflicted between their admiration of freedom in the West and their desire for greater self-determination: They want democracy, but they do not want it imposed on them. To Muslims, democracy equals self-determination. They eschew the wholesale adaptation of Western democracy without regard to Islamic culture and traditions. Overall, majority of Muslims points to their negative perception of the West's hatred and degradation of Islam and Muslims as the number one source of consternation. The poll by Gallup of more than 50,000 Muslims in 35 nations found that most wanted the West to instead focus on changing its negative view of Muslims and Islam.[282]

Clearly, there is light at the end of the tunnel. There is plenty of common ground that can improve the outlook of the relationship between Muslims and the West. For instance, majority of Muslims in Africa are more likely to believe that the United States and the West show genuine concern for their country's development, with Sierra Leone registering at 64%. Majority of Muslims in MENA also believe that the West is concerned about their well-being (64% in Turkey, 57% in Egypt, and 53% in Kuwait).[283]

To put that into perspective, 46% of Americans have a negative view of Islam.[284] 22% of Americans would not want Muslims as neighbors, and 44% say Muslims are too extreme in their religious beliefs. Less than 50% believe that American Muslims are loyal to the United States.[285] Furthermore, 32% of Americans state that they admire nothing

---

[282] John L. Esposito and Dalia Mogahed, *Who Speaks for Islam? What a Billion Muslims Really Think* (New York: Gallup Press, 2007), 31-35.

[283] Ibid., 31-35.

[284] Ibid., 46.

[285] Ibid., x.

about Islam and Muslims, while 25% say they just do not know. This is in contrast to Muslim respondents who say they admire nothing about the West: Only 6.3% in Jordan, 10% in Saudi Arabia, and 1% in Egypt.[286] Despite all this, 89% of Americans still say that they care about improving the relationship between Muslims and the West.[287]

The common ground lies in the fact that even now, in the age of the Internet and ever-closer global ties, there is still much room for improvement in the area of increasing knowledge and familiarity between each and every one of us. For instance, only 28% of Muslims claim to know a great deal/some about Christian beliefs and practices,[288] while 57% of Americans express that they either know nothing or little about Islam and Muslims. Many still do not know the fact that Islam, Christianity and Judaism trace their lineage from the Prophet Abraham.[289] Hope and promise are evident in the fact that many Americans report that the more they learn about Islam and Muslims, especially those who know at least one Muslim, the more likely they are to view them in a positive light.[290]

As *Qur'an* 49:13 puts it best, God created humanity into tribes and nations, so that they may get to know each other through their differences.[291] Islam established the foundation for the Islamic principles of pluralism and diversity, and most importantly, social cooperation and mutual assistance to achieve justice.[292] *Wasatiyya* is leading the way in recognizing the need for people to get to know each other better, which will only foster greater prosperity and cooperation among nations. Surely then Islam and democracy will flourish.

---

[286] Ibid., 141.

[287] The Pew Forum on Religious Life, *The World's Muslims: Religion, Politics, and Society* (Washington, DC: The Pew Research Center, 2013), 155-158.

[288] John L. Esposito and Dalia Mogahed, *Who Speaks for Islam? What a Billion Muslims Really Think* (New York: Gallup Press, 2007), 60-61.

[289] "Comparison of Islam, Judaism and Christianity," last modified May 20, 2013, http://www religionfacts.com/islam/comparison_charts/islam_judaism_christianity.htm.

[290] Ibid., 155.

[291] Muhammad Salim al-Awwa, "Political Pluralism from an Islamic Perspective," in *Islam in Transition: Muslim Perspectives*, ed. John J. Donohue and John L. Esposito (New York: Oxford University Press, 2007), 279-280.

[292] Khaled Abou El Fadl et al., *Islam and the Challenge of Democracy* (Princeton: Princeton University Press, 2004), 20.

LIST OF REFERENCES

Addi, Lahouari. "Islamicist Utopia and Democracy." In *The Annals of the American Academy of Political and Social Science: Political Islam*, edited by Charles Butterworth and William Zartman, 120–30. London: Sage, 1992.

Al-Awwa, Muhammad S. "Political Pluralism from an Islamic Perspective." In *Islam in Transition: Muslim Perspectives*, edited by John J. Donohue and John L. Esposito, 279–87. New York: Oxford University Press, 2007.

Al-Banna Hasan. "Toward the Light." In *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden*, edited by Roxanne L. Euben and Muhammad Q. Zaman, 56–78. Princeton: Princeton University Press, 2009.

Al-Qaradawi, Yusuf. "Islam and Democracy." In *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden*, edited by Roxanne L. Euben and Muhammad Q. Zaman, 230–45. Princeton: Princeton University Press, 2009.

Al-Qaradawi, Yusuf. *State in Islam*. Cairo: Al-Fallah Foundation, 2004.

Al-Turabi, Hasan. "The Islamic State." In *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden*, edited by Roxanne L. Euben and Muhammad Q. Zaman, 213–23. Princeton: Princeton University Press, 2009.

Ayoob, Mohammed. *The Many Faces of Political Islam: Religion and Politics in the Muslim World*. Ann Arbor: The University of Michigan Press, 2008.

Baker, Raymond W. *Islam Without Fear: Egypt and the New Islamist.* Cambridge, MA: Harvard University Press, 2003. Kindle edition.

Baron De Montesquieu. *The Spirit of the Laws.* Translated by Thomas Nugent. London: J. Nourse, 1777.

Barro, Robert J. and Rachel M. McCleary. "Which Countries have State Religions?" *The Quarterly Journal of Economics* 120 (2005): 1331–70. Accessed January 25, 2014. doi:10.1162/003355305775097515.

Bayat, Asef. *Making Islam Democratic: Social Movements and the Post-Islamist Turn*. Stanford: Stanford University Press, 2007.

British Broadcasting Corporation. "Sharia." Last modified September 3, 2009, http://www.bbc.co.uk/religion/religions/islam/beliefs/sharia_1.shtml.

Byrne, Eileen. "Tunisia's Islamist party Ennahda accepts defeat in elections." *The Guardian*, October 27, 2014. Accessed November 1, 2014. http://www.theguardian.com/world/2014/oct/27/tunisia-islamist-ennahda-accept-defeat-elections.

Ebeid, Raouf. "God's Authority v. Power to the People: The Views of Influential Islamic Writers." *Political Islam Online*, March 1, 2010. Accessed June 22, 2014. http://politicalislam.org/Articles /PI.

Ehteshami, Anoushiravan and Abdel Salam Sidahmed. *Islamic Fundamentalism*. Oxford: Westview Press, 1996.

El Fadl, Khaled Abou, Jeremy Waldron, John L. Esposito, Noah Feldman, and others. *Islam and the Challenge of Democracy*. Princeton: Princeton University Press, 2004.

Encyclopedia Britannica. "Jizya." Last modified April 1, 2014. http://www.britannica.com/EBchecked/topic/304125/jizya.

Encyclopedia Britannica. "Khārijite." Last modified April 30, 2013. http://www.britannica.com/EBchecked/topic/316391/Kharijite.

Encyclopedia Britannica. "Parliamentary democracy." Last modified December 26, 2013. http://www.britannica.com/EBchecked/topic/1384209/parliamentary-democracy.

Encyclopedia of the Nations. "Sweden-Religions." Accessed January 25, 2014. http://www.nationsencyclopedia.com/Europe/Sweden-RELIGIONS.html#ixzz3KEcdef2v.

Esposito, John L. and Dalia Mogahed. *Who Speaks for Islam? What a Billion Muslims Really Think*. New York: Gallup Press, 2007.

Esposito, John L. and John O. Voll. *Islam and Democracy*. New York: Oxford University Press, 1996. Kindle Edition.

Esposito, John L. *Islam: The Straight Path*. New York: Oxford University Press, 2011.

Esposito, John L., ed. *The Oxford Dictionary of Islam*. New York: Oxford University Press, 2003.

Farooqi, M. I. H. "Status Of Muslim Women In Islamic Societies-Past And Present." Last modified March 9, 2011. http://www.countercurrents.org/farooqi090311.htm.

Feldman, Noah. "Islamists' Victory in Tunisia a Win for Democracy." *Bloomberg View*, October 30, 2011. Accessed February 5, 2014, http://www.bloombergview.com/articles/2011-10-30/islamists-victory-in-tunisia-a-win-for-democracy-noah-feldman.

Freedom House. "New Study Details Islamic World's Democracy Deficit." Accessed January 21, 2014. https://freedomhouse.org/article/new-study-details-islamic-worlds-democracy-deficit#.VHU6U4vF-So.

Fukuyama, Francis. "The West has Won." *The Guardian*. October 11, 2001. Accessed October 25, 2012. http://www.guardian.co.uk/world/2001/oct/11/afghanistan.terrorism30.

Fukuyama, Francis. *The End of History and the Last Man*. New York: The Free Press, 1992.

Griffel, Frank. "Apostasy." In *The Princeton Encyclopedia of Islamic Political Thought*, edited by Gerhard Bowering, Patricia Crone, Wadad Kadi, Devin J. Stewart, Muhammad Qasim Zaman, and Mahan Mirza, 40–41. Princeton: Princeton University Press, 2012.

Grillo, R. D. "Cultural Essentialism and Cultural Anxiety." *Anthropological Theory* 3 (2003): 157–73. Accessed February 28, 2014. doi:10.1177/1463499603003002002.

Haleem, M. A. S. Abdel, trans. *The Qur'an: A New Translation*. New York: Oxford University Press, 2010.

Halliday, Fred. *Islam and the Myth of Confrontation*. New York: I.B. Taurus, 1996.

Hinnebusch, Raymond. "Authoritarian Persistence, Democratization Theory and the Middle East: An Overview and Critique." *Democratization* 13, no. 3 (2006): 373–95.

Huntington, Samuel P. "The Clash of Civilizations." *Foreign Affairs* 72, no. 3 (1993): 22–49.

Huntington, Samuel P. "Will More Countries Become Democratic?" *Political Science Quarterly* 99, no. 2 (1984): 193–218.

Jasmine Foundation, trans. *The Constitution of the Tunisian Republic: Unofficially Translated by Jasmine Foundation*. Tunis: Jasmine Foundation for Research and Communication, 2014.

Kamali, Mohammad H. "The Middle Grounds of Islamic Civilisation: The Qur'ānic Principle of Wasaṭiyyah." *IAIS Journal of Civilisation Studies* 1, no. 1 (2008): 7–40.

Kedourie, Elie. *Democracy and Arab Political Culture*. London: Taylor & Francis, Inc., 1994.

Khan, Aftab Ahmad. "What the Qur'an Says about Women." *Common Ground News Service*. Accessed January 25, 2014. http://www.commongroundnews.org/article.php?id=25247&lan=en&sp=1.

Kurzman, Charles, ed. *Modernist Islam, 1840–1940: A Sourcebook*. New York: Oxford University Press, 2002.

Lewis, Bernard. "Islam and Liberal Democracy: A Historical Overview." *Journal of Democracy* 7, no. 2 (1996): 52–63.

Lewis, Bernard. *What Went Wrong? Western Impact and Middle Eastern Response*. New York: Oxford University Press, 2002.

Locke, John. *Two Treatises of Government*. Translated by Peter Laslett. Cambridge: Cambridge University Press, 1988.

Mernissi, Fatema. *Islam and Democracy: Fear of the Modern World*. Cambridge, MA: Perseus Publishing, 1992.

Merriam-Webster. "Freedom." Accessed December 28, 2013. http://www.merriam-webster.com/dictionary/freedom.

Mill, John Stuart. *Considerations on Representative Government* (People's Edition). London: Longman, Green, Longman, Roberts and Green, 1865.

Munck, Geraldo L. "Measures of Democracy, Governance, and the Rule of Law: An Overview of Cross-National Data Sets." Paper prepared for World Bank workshop on "Understanding Growth and Freedom from the Bottom Up," Washington, DC, July 15–17, 2003.

Nasr, Seyyed Vali. "The Rise of Muslim Democracy." *Journal of Democracy* 16, no. 2 (2005): 13–27.

National Archives. "Teaching With Documents: Constitutional Issues: Separation of Powers." Accessed March 25, 2014. http://www.archives.gov/education/lessons/separation-powers/.

Online Etymology Dictionary. "Islam." Accessed January 25, 2014. http://www.etymonline.com/index.php?search=islam&searchmode=none.

Ottaway, Marina and Marwan Muasher. "Islamist Parties in Power: A Work in Progress." *Carnegie Endowment for International Peace*. May 23, 2012. Accessed October 25, 2012. http://carnegieendowment.org/2012/05/23/islamist-parties-in-power-work-in-progress/bklz#.

Oxford Islamic Studies Online. "Hadd." Accessed October 1, 2014. http://www.oxfordislamic.studies,com/Article/opr/t125/e757.

Pape, Robert. "The logic of suicide terrorism." The American Conservative, July 18, 2005. Accessed February 15, 2014. http://amconmag.com/2005_07_18/article.html.

Pipes, Daniel. *In the Path of God: Islam and Political Power.* New Brunswick: Transaction Publishers, 2003.

Polka, Sagi. "Centrist Stream in Egypt and Its Role in the Public Discourse Surrounding the Shaping of the Country's Cultural Identity." *Middle Eastern Studies* 39, no. 3 (2003): 39–64.

Qur'anic Arabic Corpus, "Qur'an 4:1." Accessed January 24, 2014. http://corpus.Qur'an.com/translation.jsp?.

Rahman, Senu A. *Punishment of Apostasy in Islam*. Chicago: Kazi Publishing Incorporated, 1986.

Religion Facts. "Comparison of Islam, Judaism and Christianity." Last modified May 20, 2013. http://www.religionfacts.com/islam/comparison_charts/islam_judaism_christianity.htm.

Rutherford, Bruce K. "What Do Egypt's Islamists Want? Moderate Islam and the Rise of Islamic Constitutionalism." *Middle East Journal* 60, No. 4 (2006): 707–731.

Said, Edward W. *Orientalism*. New York: Vintage Books, 1979.

Stanford Encyclopedia of Philosophy. "Rights." Accessed December 28, 2013. http://plato.stanford.edu/entries/rights/.

Stepan, Alfred and Graeme B. Robertson. "An Arab More than Muslim Electoral Gap." *Journal of Democracy* 14 (2003): 30–59.

Tamimi, Azzam. *Rachid Ghannouchi: A Democrat within Islamism*. Cary, NC: Oxford University Press, 2001. E-book.

Wickam, Carrie R. *Mobilizing Islam: Religion, Activism, and Political Change in Egypt*. New York: Columbia University Press, 2002.

Wright, Robin B. *Rock the Casbah: Rage and Rebellion across the Islamic World*. New York: Simon and Schuster, 2011.

THIS PAGE INTENTIONALLY LEFT BLANK

INITIAL DISTRIBUTION LIST

1. Defense Technical Information Center
    Ft. Belvoir, Virginia

2. Dudley Knox Library
    Naval Postgraduate School
    Monterey, California