

## Islam and Democracy

In 1979, the Iranian Revolution supplanted decades of pro-West secular rule with a theocracy that was enigmatic in its approach to democracy. We then ask: is Islam compatible with democracy? I argue that the answer will depend above all on the *legal* interpretation of Islam – if one sees Islam and its ulema as the source of divine, political, *law-making* leadership, then Islam is not compatible – but if one is more moderate and sees Islam as a spiritual influence independent of judiciary politics, then Islam is compatible.

We must also define democracy. Contrary to what Voll argues (174), I maintain that democracy's definition is not contested: there is a simple definition, which is government by the people – which, relevant in our scope, necessarily includes popular involvement in passing all laws, since lawmaking is a fundamental function of any government. It is then possible to assess different legal interpretations of Islam against this robust definition of democracy.

The legal interpretation is paramount because in all cases where Islam is incompatible with democracy, this disagreement stems from tension over legal power. Conservative Muslims in opposition to democracy argue that it threatens “sovereignty of God” because “God’s law, the Shari’a, could not be altered...” (Voll 172). Clearly, some view the Shari’a as immutable and the source of all law – so having a parliament (a common manifestation of democracy) necessarily would enable the Shari’a to be altered. In that vein, fundamentalists, especially those who view any time of an absolute leader’s reign to be the true version of Islam, are especially incompatible with democracy because an absolute leader (and ulema) necessarily holds much law-making power. Historically, while legal power may swing between the leader and the ulema, like in the case of the Sultan Suleiman, it is definitely not in the hands of the people, no matter where it rests. This is inherently un-democratic. More recently, however, the aftermath of Iran’s

revolution provides a fantastic example where theocracy tried to coexist with democracy, and only shows us how seeing Islam as source of law would directly contradict the democratic resolve. For example, Khomeini's regime tried to codify the Shari'a into state law – this is Islam interpreted as a divine legal authority. Many laws were even passed by the parliament, but then, many of them were vetoed by the Council of Guardians to “ensure conformity of legislation with Islam” (Chehabi 80). Here, Islam as a legal authority had trumped democratic legal authority – in other words, democracy did not exist; the people are no longer making laws if they could be vetoed by the (conservatively Islamic) Council of Guardians. It is hard to see how the two could coexist if one adopts a strict legalistic form of Islam.

If we adopt an Islam with relaxed legal claims, then we find it easily being able to coexist with democracy. Ayatollah Hasan Qomi criticized Khomeini's powerful Islamic lawmakers, stating that “the real clergy does not want power ... the real task ... is to advise and enlighten the people” (Chehabi 82). Qomi's view is moderate; he stresses that the religious elite working in the government should not want the power, and their influence should be put to more passively influencing people through cultural and spiritual means as opposed to imposing laws. After the revolution, Iran became a “dyarchy” with popular sovereignty affirmed through a parliament, and the religious elite in a powerful oligarchy lead by Khomeini; in fact, the new constitution “placed the judiciary under the exclusive control of clerics ... and contained provisions for the extensive revision of the legal codes to render them Islamic” (Chehabi 77). Conversely, if Islamic clerics do not insist on Islamic law being imposed over parliament's, as Qomi envisions, then half the dyarchy disappears and the only thing left is a democratic parliament, unchecked by a Council of Guardians or Khomeini's clerical elite – a truer democracy. In a case like Iran, if one interprets Islam to not have legal jurisprudence at the political level, then we see there is

little left to hinder a democratic government, rendering Islam and democracy fully compatible. Again, we see that legal tension is the root of the Islam-democracy tension.

We recognize that Islam means different things to different people – and its compatibility with democracy depends on how strongly its law is imposed in opposition to laws established democratically. Iran, being a major example of an attempted duality of Islamic law and democratic law, proved that as Islam gets more political, other political structures must recede in a zero-sum game of lawmaking.

Works Cited

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