DRAFT
July 2010

BETWEEN THE PRE-DEMOCRATIC UMMAH AND THE POST-DEMOCRATIC UNITED STATES OF AMERICA

By

Ali Mazrui

◁ ▷

Director, Institute of Global Cultural Studies
and
Albert Schweitzer Professor in the Humanities
Binghamton University
State University of New York at Binghamton, New York, USA

Albert Luthuli Professor-at-Large
University of Jos, Jos, Nigeria

Andrew D. White Professor-at-Large Emeritus
and Senior Scholar In Africana Studies
Cornell University, Ithaca, New York, USA

President,
Association of Muslim Social Scientists of North America (AMSS)
Washington, D.C., USA

Presented on a panel organised by the American Muslim Alliance at the annual meeting of the Islamic Society of North America (ISNA) held in Chicago, Illinois, July 3, 2010.

The countries of origin of most Muslim Americans are pre-democratic. Those societies have yet to achieve the following basic principles of democracy:

i. Accountable rulers
ii. Participatory electorate
iii. The open society and the transparent economy
iv. Basic social justice for groups and for individuals

If we apply the term pre-democratic for a country like Pakistan, it is because we believe the country has the capacity to evolve into a full fledge democracy in the years ahead.

On the other hand, a country which appears not to stand a chance of becoming a democratic system either this century or in the foreseeable future may be described simply as "*undemocratic*" rather than "*pre-democratic*". Afghanistan is undemocratic rather than pre-democratic.

Those Muslim countries which are pre-democratic in our special sense are in that condition because of one or more of the following impediments to democratisation:

a. *Royalist Muslim States*: Such countries have powerful monarchs exercising power. These include Saudi Arabia, Jordan, Brunei, Morocco, and the United Arab Emirates.

b. *Militarized Muslim States*: Such countries are under de facto military rule either overtly or covertly. Among these are Syria, Algeria, Sudan and perhaps Egypt.

c. *Authoritarian Muslim Regimes*: These include Egypt, Tunisia, Mali, Guinea and possibly Indonesia.

d. *Failed Muslim States*: These include Somalia, Afghanistan and potentially Pakistan if the worst came to the worst.

e. *Experimental Muslim Regimes*: These include Malaysia, Senegal, Turkey, and those Emirates of Nigeria which have adopted the Sharia.

But while most Muslim countries are either *undemocratic* or *pre-democratic*, the United States is becoming *post-democratic*. Of the three branches of the American political system (the executive, the legislative and the judiciary), only the executive branch has become more democratic in this 21st century. The executive branch is now headed by a Black President (something inconceivable in the 20th century). Because the choice between Barrack Obama and Hillary Clinton as s possible Democratic candidate was so close, the United States gave signs that it was almost ready for a woman

President (though long after at least four Muslim countries had had women Prime Ministers or President — Pakistan, Bangladesh, Turkey, and Indonesia).

But while the executive branch of the American system has made progress in democratisation in this 21st century, the judiciary and the legislative are relapsing into negative post-democracy. The judiciary's behavior in the case of *Bush* vs. *Gore* in the year 2000 was worthy of a Third World corrupt Supreme Court. Five justices of the U.S. Court subverted the system so that George W. Bush would win. The justices were so conscious of the subversion that they themselves explicitly declared their decision as <u>not</u> a precedent. This was post-democratic.

Since then the Supreme Court of the United States has negated decades of precedents which were legally regulating the role of money in elections. The Supreme Court has now legitimized a free-wheeling use of money by American corporations to influence elections. This new additional empowerment of the rich is fundamentally post-democratic.

Miranda rights were supposed to protect a suspect in the process of law enforcement. This Supreme Court has diluted those rights in the year 2010 and increased the power of the police — again, throwing out decades of established legal practice ["You have a right to remain silent"]. This is another case of post-democratic deterioration.

But it is not only the Judiciary that has been democratically degenerating. The Congress of the United States is more paralysed by partisanship than it has been for over one hundred years. The requirement of sixty votes instead of a simple majority in the Senate has now become applicable to almost every decision — instead of being a rare occurrence.

Studies indicate that since the election of a Black President in the United States, polarisation between the two political parties has reached paralyzing proportions reminiscent of America in the nineteenth century. This is another measurement of a post-democratic trend.

While the election of a Black President of the United States has been a major step forward in the process of democratizing the U.S. executive branch, the same election has worsened the democratic quality of the legislature, paralyzing it further. And the U.S. judiciary is moving further and further away from the old Warren Court standard of social justice.

Democracy and Political Decay

In a seminal article entitled "Political Development and Political Decay" published in *World Politics* (Princeton, NJ) in April 1965, the late Samuel Huntington argued that premature political modernisation caused political decay rather than political development. Premature modernisation included efforts to mobilize the population at election time when the political institutions were still not strong enough to sustain the disproportionate

political participation. Networking under the discipline of the clock has not always been efficient.

Modern political institutions are intended to maximize the accountability of the rulers and to optimize the political involvement of the ruled. Postcolonial enthusiasm and charismatic mobilisation put undue stress on weak institutions. Hence Huntington's conclusion that this kind of modernizing the political process resulted in decay rather than development.

Huntington was referring to underdeveloped countries which were essentially (in my lexicon) pre-modern. Development in their case was definable as capacity-building to sustain a democratic order. Modernisation in their case was a quest for greater rationality, greater technical efficiency, and a more knowledge-intensive political process. In the context of Huntington's model, a premature quest for either greater rationality, greater efficiency, or greater knowledge-intensity could make it more difficult to sustain the pursuit of a stable democracy.

Political decay in developing societies occurs when the process of democratisation is stalled, interrupted or even reversed. What Huntington never addressed in that seminal article was whether a society which had already been democratic for generations if not centuries could still be liable to political decay. Was democracy in advanced countries reversible or subject to a serious relapse?

In our own article here we are addressing the possibility of advanced countries becoming not only post-modern, but also (in my lexicon) post-democratic. Negative post-democracy is when an advanced political system does indeed relapse normatively or decay institutionally. Positive post-democracy arrives when there are signs of innovative governance superior in ethics and performance to liberal democracy as we have known it so far. It could also be a new moral stride forward superior to social democracy, indeed as we have known it so far.

In his own influential article entitled "The End of History" published in 1989, Francis Fukuyama argued that the capitalist and democratic standards that the human race had already achieved were, to all intents and purposes, the final stage of the whole history of political economy. Those of us who rejected Fukuyama's notion of the end of history were in fact insisting that humanity's capacity to innovate and even reinvent itself should not be presumed to have dried up.

Winston Churchill had argued that democracy was "the worst form of government — except for all the others." But Winston Churchill did not know yet what "all the others" were. Nor are we as yet knowledgeable as to what new and superior methods of human governance may be around the corner in the march of global history.

What we do know already is that fully mature and well established democracies are subject to relapses and even potential reversals. Even if

positive post-democracy (entailing an improved social order) has not yet arrived, we know that negative post-democracy (a declining ability to maintain modern democratic standards) is already at hand.

Political decay in developing countries is usually caused by factors in the wider civil society — such as disproportionate networking and political activism. But political decay in advanced countries is more often caused by excesses of those in power — civilian or military — rather than by civil society as a whole.

Ends and Means in Democracy

Let us now examine more fully the basics of modern democracy. Are the basics universal or culturally relative? It would make sense for the Muslim world to distinguish between fundamental rights and instrumental rights.[1] The right to vote, for example, is an instrumental right designed to help us achieve the fundamental right of government by consent. The right to a free press is an instrumental right designed to help us achieve the open society and freedom of information.

By the same token we can distinguish in modern terms between democracy as means and democracy as goals. The most fundamental of the goals of democracy are probably four in number. Let us recapitulate. First, to make the rulers accountable and answerable for their actions and policies. Secondly, to make the citizens effective participants in choosing those rulers

and in regulating their actions. Thirdly, to make the society as open and the economy as transparent as possible; and fourthly to make the social order fundamentally just and equitable to the greatest number possible.[2] This is not the democracy of ancient Greece, but is an approximation of democracy married to modernity.

Accountable rulers, actively participating citizens, open society, transparent economy, and social justice — those are the most fundamental ends of democracy.

How to achieve these goals has elicited different means. In making the rulers more accountable some democracies (like the United States) have chosen separation of powers (executive, legislative and judiciary), and checks and balances, while other democracies (like the United Kingdom) have chosen the more concentrated notion of sovereignty of parliament. These are different means towards making the executive branch more accountable and answerable in its use of power.

Is this democratic picture still valid? Is it alive and well?

In May 2010 The British Broadcasting Corporation had been doing a series of radio programs about whether democracy was out of date. Was democracy a system of values and institutions which had been overtaken by events?

The BBC involved me in the project. I reflected on the fact that the 1970s witnessed an eruption of publications on *post-modernism*. The

spectacular rise of Barack Obama raised the question of whether we had entered a *post-racial age*. The BBC and I wondered together whether we had now entered the *post-democratic age*.

As we mentioned earlier, current democratic problems include the massive partisan polarisation in the United States, often paralyzing Congress; the excesses of the Tea Party intolerance and their denunciation of Barack Obama as Hitler and Stalin rolled into one; Greece as the mother of democracy is now reduced to being the mother of political extravagance and corruption, becoming the biggest of all threats to the Euro; England as the mother of Parliaments now was reduced to a coalition of opposites, Liberal Democrats and the Tories; Islamophobia has emerged as a child of Western democratic populism; Switzerland has banned minarets in a country which so far has a total of barely six minarets; France considers outlawing the Muslim veil and the hijab because such anti-democratic measures are nationally popular; the United States has come closer to tolerating torture than at any time in the last one hundred years; the United States is more comfortable with imprisoning suspects for years at Guantanamo Bay without access to their own lawyers and often without hope of early release.

Are all these factors part and parcel of a *post-democratic* Western world? Indeed, the Supreme Court of the United States, as we indicated, is in danger of becoming a post-democracy institution. The Supreme Court's decision of the year 2000 in favour of Bush and against Gore could have been

made by a cynical Third World Court. No wonder the Supreme Court was, as we referred earlier, embarrassed enough to declare its decision as not constituting a legal precedent.

The Supreme Court's decision in 2010 allowing unlimited use of money by companies in elections is also (in our lexicon) post-democratic.

But while the Western world may be drifting towards a *post-democracy era*, most of the Muslim world, the Ummah, is still in a *pre-democracy* stage.

Many Muslim elections are notoriously rigged. Muslim losers in national elections are seldom gracious.

I personally believe that the majority of Muslim countries — though still pre-democratic — stand a good chance of getting democratized. Most recently Malaysia has led the Ummah in relatively successful democratisation. But the real test is when an incumbent president, or an incumbent political party, allows itself to be voted out of office — not once, but at least twice. Turkey has met that requirement. Malaysia is still working its way towards democratic inclusiveness in a plural society.

Democracy Resistant Countries

But there are Muslim countries which are unlikely to be democratized before the second half of this 21st century, at the earliest, and more likely in the 22nd century.

Particularly vulnerable are dual societies — countries where two rival ethnic groups account for the majority of the population. Such vulnerable countries include Iraq, which is ethnically dual between Arab and Kurd, and religiously dual between the Sunni and the Shi'a.

Another vulnerable category which may find democracy elusive is a country which has a long history of a nomadic lifestyle, and one which in pre-colonial times was a case of ordered anarchy. *Ordered anarchy* is a form of governance which relies more on consensus than on state coercion, and relies on rules rather than rulers.

The best illustration of a pre-colonial ordered anarchy is of course Somalia. A combination of pre-colonial, colonial and post-colonial factors have made Somalia the worst case of a failed Muslim state.

Another undemocratic category of countries is almost the opposite of *ordered anarchy*. These are countries which were already states in pre-colonial times, and were often cases of *ordered tyranny* rather than *ordered anarchy*. They may have been dictatorial for centuries.

African countries of today which are mentioned by the same name in the Old Testament are Ethiopia, Egypt and Libya — countries with a Biblical history of indigenous dictatorship long before European colonial rule. In the post-colonial era it is almost certain that the pharaohic legacy of Egypt, and the dynastic legacy of Ethiopia will slow down the democratisation of these Old Testament states.

As for the relations between Christianity and Islam in the Africa of today, both religions are expanding in numbers, and growing in influence. But can they co-exist democratically and peacefully? Nigeria is the largest concentration of Muslims in Africa — Nigeria has more Muslims than Egypt. Is this a threat to Nigeria's democratisation?

In reality Christianity and Islam are divisive in Africa almost only if they reinforce prior linguistic and ethnic divisions.

In Nigeria almost all Hausa are Muslims, almost all Igbo are Christians, and the Yoruba are split in the middle. Thus Islam reinforces Hausa identity; Christianity reinforces Igbo identity and Yoruba nationalism unites the Yoruba regardless of religion.

Islam and Christianity divide Northern and Southern Sudan mainly because the two regions were already divided by even deeper cultural differences. The two regions belonged to two different *indigenous* civilisations even before they were either Islamized or Christianized.

On the other hand, *Muslims in Senegal* soon after independence repeatedly voted for a Christian president. For twenty years Leopold Sedar Senghor, a Roman Catholic, was President of a country which was over ninety percent Muslim. Leopold Senghor was succeeded for another twenty years by a Muslim president of Senegal, Abdou Diouf. The Muslim president had a Roman Catholic First Lady. This degree of ecumenical democracy has not been achieved in the Western world. No major Western democracy has

ever elected either a Jew or Muslim for President. Joseph Lieberman, a distinguished Jewish Senator in the United States, trailed far behind in his bid for the Democratic presidential nomination in the 2003–2004 primaries.

As for the distinguished nineteenth century British Tory Benjamin Disraeli, there is general consensus that he would never have become Prime Minister of Great Britain in the nineteenth century had his Dad, Isaac D'Israeli, not quarreled with his Synagogue of Bevis Marks, and then decided to have his children baptized as Christians.[3] After all, until 1858 Jews by religion were not allowed even to run for parliamentary elections in Britain, let alone become ministers.

On the other hand, experimentalist Tanzania has had a religiously rotating presidency. Julius K. Nyerere, a Catholic, was succeeded by Ali Hassan Mwinyi, a Muslim, who in turn was followed by Benjamin Mkapa, a Christian. The current President is a Muslim, Jakaya Mrisho Kikwete. The question arises whether the next Tanzanian president would be another Christian? Would the *de facto* religious rotation be interrupted or indeed continue? The answer is currently unknown. The religious rotation has been upheld *de facto*, rather than by constitutional requirement.

Pre-democratic Nigeria has not yet developed a religiously rotating presidency. But there are some party advocates of a *regionally* rotating Nigerian presidency, alternating between the north and the south. Such

regional alternation could, *de facto*, be a religious alternation of the Nigerian presidency.

Africa had no religious wars before the arrival of Islam and Christianity. But now that Africa has embraced its own Islam and Christianity, and in spite of being pre-democratic, some Africans are developing ecumenical attitudes to religion which are far ahead of the rest of the world. The ecumenical spirit of Africa is a plus for democratisation.

Most of the global Ummah did not have secular ideological wars either until the Cold War. The Cold War favoured Muslim states whose foreign policies were either pro-Soviet or pro-Western. The Cold War was bad news for democracy even in the United States. Fear of communism after World War II made the United States almost pre-democratic.

Now the U.S. fosters a war against terrorism. On the whole, this "war on terror" is also bad news for American democracy. The worsening American tilt to the *right* has unleashed post-democratic trends in the American experience.

Political Dualism: Ethnic and Regional

Let us now return to the dialectic between dual and plural societies. In the new sociology of underdevelopment. The real contrast to the *plural* society as a threat to the state is the *dual* society. The plural society endangers the state by having more sociological diversity than the political

process can accommodate. Paradoxically, the dual society endangers the state by having less sociological differentiation than is needed for the politics of compromise. Democracy is caught in-between.

It is to this under-studied and even unrecognized category of the dual society that we must now turn.

As we grapple with new levels identity disputes and ideological conflicts in the Muslim world, from Dacca to Dakar, from Baghdad to Beirut, we ought to at least to try and identify which socio-political situations are particularly conflict-prone.

Quite a good deal of work has been done on the plural society in the Third World — the type of society like Malaysia and Pakistan, which have a multiplicity of ethnic and linguistic groups and a plurality of political allegiances. What has yet to be explored adequately is the phenomenon of *the dual society* — a country whose fundamental divide is between two groups or two geographical areas. The state in a dual society is vulnerable in a different way from the state in a plural society. In a dual society two ethnic groups may account for more than three quarters of the population.

Algeria is a dual society. So is the Sudan. But they are dual societies in very different senses. Algeria is an *ethnically* dual society — whose potentially fatal cleavage is between the majority Arab and the minority Berber. As we mentioned, Iraq is religiously dual between Sunni and Shia, as well as linguistically dual between Arabs and Kurds.

However, Sudan is a *regionally* dual society — divided between a more Arabised northern Sudan and a Christian-led Southern Sudan. But although the Sudan is regionally dual, it is *ethnically* plural. Both northern and southern Sudan are culturally diverse within themselves. Indeed, Darfur is a miniature Dual Society within the north.

Outside Africa, Cyprus is both regionally and ethnically dual between Christian Greeks and Muslim Turks. There is a stalemate hovering between partition and confederation, with the United Nations still trying to mediate. Czechoslovakia was also both ethnically and regionally dual between Czechs and Slovaks. In the post-communist era, the country has indeed partitioned itself into separate Czech and Slovak Republics. In effect the state of the old Czechoslovakia has collapsed and split into two. Was this comparable to the Bengali led East Pakistan and the Urdu led West Pakistan between 1967 and 1971? The two halves of old Pakistan collapsed long before Czechoslovakia.

The most risky situations are *not* those involving a convergence of ethnic duality and regional (territorial) duality, as in Cyprus or Czechoslovakia. It is true that when the two ethnic groups are concentrated in separate regions, it increases the risk of territorial or political separatism and secession. But, in human terms, that may not be the worst scenario. This is still *pre-democratic*, but not fundamentally *undemocratic*.

The most risky form of duality is that of pure ethnic differentiation *without* territorial differentiation. This can be dangerously undemocratic.

These would be two groups physically intermingled. The religious intermingling of Sunni and Shia in Iraq is one example. It means that there is no prospect of a Cyprus stalemate, keeping the ethnic groups separate but peaceful. It also means that there is no prospect of Czechoslovakia's "gracious parting of the ways" — creating separate countries. Rather, the two groups are so intermingled in neighborhoods, at times so intermarried, (like Shia and Sunni in Iraq) that a soured ethnic relationship is an explosive relationship. Such political dualism can be more than a condition: it can be an agony. Can such a country be democratized?

Although only minority Muslim, Rwanda and Burundi fall into that category — ethnic duality without regional duality. The two groups are intermingled from village to village, certainly from street to street. Rwanda also happens to be the most densely populated country on the African continent (estimated 210 persons per square kilometer before the genocide in 1994 — or, about 540 persons per square mile). Can Rwanda ever be truly democratized? Is it *pre-democratic*? Or fundamentally *undemocratic*?

Ethnic duality without regional separation can be a prescription for hate at close quarters. Algeria combines Arab intermingling with some territorial Berber areas. Rwanda's and Burundi's tragedies are a combination of ethnic duality, population density, geographic intermingling and the legacies of colonial and pre-colonial relationships.

Northern Ireland is also a case of ethnic duality (Protestant and Catholic) with considerable intermingling within the north. There is no question of partitioning the north itself into a Catholic sector to be united with the Irish Republic and a Protestant section loyal to the United Kingdom. A second Irish partition is not in the cards, not least because the population of the north is too geographically intermingled for another partition. Inter-communal hate is therefore immediate and at close range, in spite of hundreds of years of Irish liberalism.

Is Sri Lanka on the Indian Ocean also a dual society, with the two biggest groups being the majority Sinhalese and the minority Tamils? The population is intermingled to a substantial extent — but the Tamil Tigers rebel group waged a long war for a separate Tamil homeland in predominantly Tamil areas. Militarily the country faced a stalemate until 2009. Has Sri Lanka now become democratizable?

Ethnically dual societies are vulnerable to the risk of *polarisation*. This includes Nilotic and Great Lakes countries in Eastern Africa. The absence of potential mediating coalitions through other groups makes the Rwandas and Burundis of this world more vulnerable than ever to periodic ethnic convulsions. These societies have cultural frontiers without territorial frontiers — a dual identity within a single country, a society at war with itself. Democratisation becomes more elusive than ever.

Sudan is also a country at war with itself, but its duality is regional rather than ethnic. As we indicated, both northern and southern Sudan are multi-ethnic, but the south is distinctive by being culturally more indigenous, less Islamized, and led in the main by Christianised Sudanese. There was a civil war between the two regions between 1955 and 1972, ending with the Addis Ababa accords of the latter year. In 1983 a second Sudanese civil war broke out, and raged for almost two more decades. Both civil wars created hundreds of thousands of refugees and displaced persons. Underdevelopment was more deeply aggravated in terror and tears. More recently there has been the more localized civil war in Darfur. There is also the wider paradox that while the Sudanese South is more *Christianized* than the North, the North is more *modernized* than the South — if only infrastructually!

The first Sudanese civil war (1955–1972) was more clearly secessionist. The Southern rebels wanted to pull out of Sudan and form a separate country (the Bangladeshi solution of outright secession). The second Sudanese civil war had been more ambivalent about secession. Indeed, Southern military leader the late Colonel John Garang had emphasized that he stood for a democratisation of the whole of the Sudan rather than for southern secession. Now the South will have a choice to secede or remain Sudanese early in 2011 in a referendum.

There may continue to be some nation-wide intermingling between southerners and northerners even after separation, but on a more modest scale.

Muslims in Rwanda tried to remain out of the 1994 conflict. Nevertheless, the speed of killing in Rwanda in April and May 1994 was much faster than almost anything witnessed in the Sudanese civil wars — some two hundred thousand people were killed in Rwanda within barely a two-week period. "There are no devils left in Hell", declared the cover title to the May 1994 issue of the American newsmagazine's *Time*, "They are all in Rwanda."[4] More were killed later. A third of the population of the country was subsequently displaced or dislocated.

Of course, the state has not collapsed in Khartoum, though at times it has had no control over parts of the south or the west. Secondly, unlike the Rwandan national army, the Khartoum national army had not been seeking out helpless civilians for slaughter, from refugee camps to hospitals. However, over the long run, both civil wars have indeed been very costly in human lives and human suffering. The Sudan may be about to find a solution to its violent dualism. Its split cultural personality between north and south has so far been more divisive than its split ethic personality among diverse "tribes" and clans. Is Sudan *pre-democratic*? Or is it hopelessly *undemocratic*? The answer hangs in the balance.

The dual society continues to cast its shadow over the Muslim World — from Lebanon (Shia versus Sunni) to Algeria (Arab versus Berber), from Nigeria (north versus south) to the tensions of Karachi and Khartoum. The

sociology of underdevelopment continues to express itself in a split personality.

While the Pakistan of 1947 was a case of *both* ethnic and territorial dualism (*Bengali* vs. *Others*) and Burundi as well as Rwanda are cases of ethnic dualism (*Tutsi* vs. *Hutu*) without territorial dualism, Yemen has been a case of territorial dualism (*north* vs. *south*) without significant ethnic dualism. Is the distinction between the self-styled Republic of Somaliland and the rest of Somalia a case of territorial dualism without ethnic dualism (as in the case of Yemen)? Or is there sub-ethnic dualism between the two parts of *Somalia* which make it more like the case of Cyprus (Greek-Cypriot versus Turkish-Cypriot), both ethnically distinct and territorially differentiated? Alternatively the two parts of Somalia may be an *intermediate* category of dualism, equally prone to internecine conflict. The question continues to persist whether such dual societies are truly democratisable. Somaliland may be *pre-democratic*, but the rest of Somalia is hopelessly *undemocratic*.

The shadow of the United States is cast over all these Muslim states — sometimes for the better, but often for the worse. As America becomes more post-democratic, its international power may become even more dangerous. The struggle continues between the largely pre-democratic Ummah and the ominously post-democratic United States of America.

Conclusion

We have tried to demonstrate in this paper that while most of approximately fifty Muslim countries in the world are politically *pre-democratic*, the United States is deteriorating into a *post-democratic* condition. A Muslim country is *pre-democratic* if it has never been a full democracy, but stands a good chance of evolving into one. On the other hand, the United States is drifting towards a *post-democratic* condition after generations of relatively stable, even if flawed, democratic order.

But how can the United States be said to be democratically deteriorating when it has recently elected its first Black President, [Barack Obama] and came nearer to having a woman presidential candidate of a major party [Hillary Clinton] than at any time in history?

This paper acknowledges that the executive branch of the American system has become almost post-racial rather than post-democratic. The election of Barack Obama to the U.S. Presidency was a significant step forward in democratic inclusiveness.

On the other hand, the other two branches of American government (the legislative and the judiciary) have become less and less democratic. Congress is more paralysed today than it has been for more than a hundred years. Partisanship is almost at an all-time high, and the filibuster has almost totally replaced the principle of majority vote in the U.S. Senate. The growth of the so-called Tea Party has introduced forms of fanaticism which

sometimes threaten armed revolution against the Obama administration. Political candidates have openly threatened "Second Amendment Methods" [meaning "the use of guns"] if they lose future elections. This rhetorical extremism has been indirectly supported by the insensitivity of the current Supreme Court — which has further legitimized possession of guns as a constitutional right — more than ever before in the history of the Second Amendment.

The U.S. Supreme Court started to become *post-democratic* with its decision in the case of *Bush* vs. *Gore* in the presidential election of the year 2000. Five judges of the Supreme Court cynically facilitated the victory of George W. Bush in an interventionist manner unprecedented in U.S. judicial history. This was a major step towards *post-democracy*.

Since then this Supreme Court has expanded the role of unrestrained corporate money in U.S. elections, invalidated a number of other measures taken by the other two branches of government, and more recently diluted its own Miranda rights ["you have a right to remain silent"] for suspects when arrested by the police. The drift towards a *post-democratic* conservative judicial standard seems unrelenting.

Although eligibility for being elected to the U.S. Presidency has been de-racialized and heavily de-genderized, what the Executive branch concretely does in actual policy remains painfully *post-democratic*. Barack Obama has

not closed down the Guantanamo Gulag, nor has he released dozens of suspects who have been languishing without trial for years.

Again in spite of Obama's rhetoric there is reason to believe that torture is still occurring under U.S. jurisdiction or with American complicity in third countries.

Obama's use of unmanned flying machines (drones) to bomb areas of Pakistan has become much worse than such technological acts of terrorism perpetrated under George W. Bush. Dozens of innocent people have been killed. This method of warfare has been entrusted to the Central Intelligence Agency (CIA) rather than to the U.S. Armed Forces directly. This unmanned covert warfare has not been subject to the democratic oversight of any Congressional committee whatsoever. It is a form of an unsupervised system of technological assassinations committed by the Obama administration in a blood-letting form of post-democratic foreign policy. The Obama Administration is indeed still fundamentally militaristic in foreign policy.

The U.S. executive branch has become democratic at the time of election but has continued to be tyrannical in some of its actions in office after the election.

With regard to the countries constituting the Muslim Ummah, a few are almost inherently *undemocratic* rather than *pre-democratic*. The latter stand a chance of self-democratisation; but the almost inherently undemocratic are unlikely to be democratisable for at least another one hundred years.

The different Muslim regimes which are resistant to democratisation include those which are still monarchical [e.g., Saudi Arabia], those which are under some kind of military rule [e.g., Sudan, Libya and Syria], those which culturally come from a tradition or little or no government [e.g., Somalia and Afghanistan], those which are as old as the Biblical Old Testament and have had centuries of dictatorship [e.g., ex-pharaohic Egypt and post-dynastic Ethiopia], and those which have been experimenting with alternative models of democracy [e.g., Turkey and Malaysia].

All these have experienced impediments to democratisation stemming from the history of governance in those countries [pre-democratisation at the elite level]. But there are also societal (rather than elite) obstacles to democratisation. In this paper we have paid special attention to Muslim societies which are ethnically or linguistically dual (Arab vs. Kurd), or religiously dual (Shia vs. Sunni, or Muslim vs. Christian) and, thirdly, Muslim countries which are regionally dual (like East and West Pakistan from 1947 to 1971; or North and South Sudan). These are societal rather than elite impediments.

Finally, this paper has distinguished between *negative post-democracy* (when a long-established democracy tolerates more and more injustice, as the United States has been doing) and *positive post-democracy* (when the human mind at last succeeds in inventing a more ethical moral order than either liberal democracy or social democracy).

One scenario is a future evolution of the best that *Islam* has to offer to the human condition in terms of values, on one side, and, on the other side, the best that *democracy* in the West and in the rest of the liberalized world has demonstrated in terms of the ethics of politics and of public order.

Perhaps much of the Muslim world will succeed this century in evolving from *pre-democracy* to full-fledged democratic standards. And perhaps the United States will put the brakes on the drift towards *post-democracy* — and return to its historic role as a beacon of high expectations and wide democratic inclusiveness.

ENDNOTES

[1] For a recent discussion on fundamental rights, see Milton R. Konvitz, *Fundamental Rights: History of a Constitutional Doctrine* (New Brunswick, NJ: Transaction Publishers/Rutgers University, 2001).

[2] For a historical overview of democracy, consult Roland N. Stromberg, *Democracy: A Short, Analytical History* (Armonk, NY: M.E. Sharpe, 1996) and for a contemporary view, see Anthony H. Birch, *Concepts and Theories of Modern Democracy*, 2nd ed. (London and New York: Routledge, 2001 Edition). For more specific comments on African democracy, consult Obioma M. Iheduru, ed., *Contending Issues in African Development: Advances, Challenges and the Future* (Westport, CT: Greenwood Press, 2001), and Teodros Kiros, with a preface by K. Anthony Appiah, *Explorations in African Political Thought: Identity,* C*ommunity, Ethics* (New York: Routledge, 2001), and for a cultural approach, see Daniel T. Osabu-Kle, *Compatible Cultural Democracy: The Key to Development in Africa* (Peterborough, Ont. and Orchard Park, NY: Broadview Press, 2000), a chapter on Kenya may be found on pp. 149–162.

[3] See Todd M. Endelmann, "Benjamin Disraeli and the Myth of Sephardic Superiority," in Todd M. Endelman and Tony Kushner, eds., *Disraeli's Jewishness* (London; Portland, OR: Vallentine Mitchell, 2002), p. 34, and Bernard Glassman, *Benjamin Disraeli: The Fabricated Jew in Myth and Memory* (Lanham, MD: University Press of America), pp. 35–36.

[4] This was a quote from a Christian missionary who witnessed the carnage in the Central African country which *Time* decided to use over a picture of a Rwandese mother holding her baby at a refugee camp near Ngara, Tanzania. See *Time*, Vol. 143, No. 20, May 16, 1994, cover page and pp. 56–63. See also "Rwanda Civilian Slaughter" *Africa Confidential*, Vol. 35, No. 9 (6 May 1994) pp. 5–6, and "Rwanda: A Double Agenda" *Africa Confidential*, Vol. 35, No. 10 (20 May 1994) p. 8, and "Rwanda: From Coup to Carnage", *Africa Confidential*, Vol. 35, No. 8 (15 April 1994) p. 8, and "Streets of Slaughter" *Time*, Vol. 143, No. 17 (April 25, 1994) pp 45–6, and "Rwanda: All the Hatred in the World," *Time*, Vol. 143, No. 24 (June 13, 1994) pp. 36–7.