

RASYID AL-GHANNOUSYI'S THOUGHT ON ISLAMIC DEMOCRACY

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Abstrak

Rasyid al-Ghannousyi, pemikir, pembaharu, pemimpin dan pendiri partai politik al-Nahdhah di Tunisia, tak syak lagi adalah salah seorang pelopor kebangkitan Islam kontemporer. Keberanian dan kepeloporannya berkontribusi dalam membangkitkan kesadaran dan kepedulian politis Islam terkait dengan akibat-akibat yang berbahaya dan jahat dari rejim otoriter Zainal Abidin Bin Ali di Tunisia. Tulisan ini mengeksplorasi kehidupan dan pemikirannya dengan fokus khusus pada pendekatannya terhadap demokrasi dan kesesuaiannya dengan Islam, kebebasan publik dan sipil, hak-hal politik warga non-Muslim di Negara Islam dan konsep legitimasi politik dalam pemikiran politik Islam.

Kata Kunci:

Kebebasan publik dalam Islam; dekokrasi dan demokrasi Islam; hak-hak politik dan legitimasi politik.

A. PENDAHULUAN

1. Al-Ghannousyi's Stand on Democracy

The relationship between Islam and the West and the future prospects of that relationship has been a source of controversy for contemporary Muslim thinkers and activists. Most, if not all, advocate independence from the West politically, economically, and culturally. This stance is based on the

perception that Islamic and western civilizations are diametrically opposed as far as their theological and worldviews are concerned. However, the Islamists vary as far as their posture toward the West is concerned. The radicals have totally rejected the West, whereas the moderates do not totally preclude relations with the West but believe in selective borrowing from it.

Al-Ghannousyi and others such as Hassan al-Turabi, Muhammad Asad

and Malek Bennabi were among the foremost supporters of the latter stance.⁴¹ To be more accurate, an evolution in al-Ghannousyi's attitude towards the West is discernible from one of total rejection of everything that came from the West to what he depicted as *relative rejection* (*al-rafd al-nisbi*) or *objective interaction* (*al-tafa>'ul al-mawdu>'i*).⁴² Al-Ghannousyi views Western thought and philosophy primarily addressed the sociological and psychological problems of the West and offered solutions applicable to its societies, which was culture-bound in nature,⁴³ and thus cannot be rejected in their totality. The Islamists should not blindly reject everything that comes from the West. To him a more constructive and positive interaction with the West requires Muslims to borrow from the West that which is compatible with Islam and to reject what is incompatible to Islam.

To al-Ghannousyi and other Islamic thinkers, democracy is not an Ideology or philosophy to be emulated by Muslims; it is only as a "*political tool*" or instrument for electing, checking, and rotating political power and for protecting the civil liberties and

basic rights of citizens. He admits that Muslims need to learn from the West, which after centuries of struggle has found the spirit of dialogue. Muslims need to learn how to build a democratic pluralistic system from the West, but as Muslims, he says that democracy is a part of Islam and he holds rationalism, humanism, the possibility of interpretation (*ijtihad*), the existence of diversity within Islam, the concept of popular consultation (*syu>ra>*), and the application of the concept of consensus (*ijma'*) which is strongly rooted in Islam, which he considered tools of Western democracy compatible with these Islamic democratic values and principles.⁴⁴

Al-Ghannousyi is implying that that there is the possibility that democracy may have Islamic roots.⁴⁵ Europe benefited from the Islamic civilization's heritage of engineering and mathematics, and as a result advanced technology. It seems perfectly reasonable that Europeans may have 'borrowed' other ideas as well. In addition, Malek Bennabi in his book *al-Islam wa al-Dimuqra>tiyyah* (Islam and Democracy) posed the question: Is there democracy in Islam? For which Bennabi answered in the affirmative: Islam is a democratic ideology that

⁴¹ Al-Fateh A. Abdelsalam, "Rashid al-Ghannousyi: Portrait of a Contemporary Islamic Thinkers and Activist", 341.

⁴² A.S. Tamimi, Rashid Ghannousyi: A Democrat Within Islamism, 36.

⁴³ Al-Fateh A. Abdelsalam, "Rashid al-Ghannousyi: Portrait of a Contemporary Islamic Thinkers and Activist", 342.

⁴⁴ Gudrun Kramer, "Islamist Notions of Democracy", in *Middle East Report*, July-August (1993), 2-8.

⁴⁵ Mohamed .E. Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, 104; A.S. Tamimi, *Rashid Ghannousyi: A Democrat Within Islamism*, 8.

bestows on Muslims political and social rights and the right to resist enslavement. He observed that democracy was practiced in the first Islamic state of the righteous caliphs (*Khulafa>' al-Ra>shidu>n*); however, this democracy ceased to exist as the Umayyads took over the Caliphate (*khila>fah*) and transformed it into a dynastic rule.

Al-Ghannousyi was profoundly inspired by the ideas of Malek Bennabi on democracy and found them more mature than those espoused by the school of Sayyid Qutb, which rejected democracy. However, despite his acceptance of democratic tools, al-Ghannousyi strongly criticises parts of Western democracy. *First*, he points out the historical problems of general suffrage. In the beginning only men with property were allowed to vote and women's suffrage was only accomplished in the first half or the middle of the 20th century. *Second*, he further criticises the Western democracy of today as "a multi-party system of governance exercised by an elite of political leaders".⁴⁶ It is tempting to interpret al-Ghannousyi's argumentation as a criticism of the procedural and formal democracy perspective. If he resents a system where political power is fought over within an elite of political leaders, al-Ghannousyi is approaching a substantive argumentation. This stance

⁴⁶ A.S. Tamimi, Rashid Ghannousyi: A Democrat Within Islamism, 86

promotes better accountability from politicians, and greater public participation in politics. Although he embraces the instruments of democracy like elections and the parliamentary system, but at the same time al-Ghannousyi criticizes the philosophies of Western liberal democracies. It is especially the secular and nationalistic values that he rejects.⁴⁷ For a democratic regime to succeed it would need to be founded on sound philosophies and humanistic values. To al-Ghannousyi, such a philosophy can be found in Islam.⁴⁸ If one moves away from the understanding that democracy is a strictly Western concept, the argumentation of al-Ghannousyi opens for an Islamic democracy as a substantive model.

B. HASIL DAN PEMBAHASAN

1. His Early Life

Rasyid al-Ghannousyi was born on 22 June 1941 in a small village of Hamma in the province of Gabes near the southeastern coast of Tunisia during the turbulence of World War II. Al-Ghannousyi grew-up under these conditions of World War II. His father was treated by the villagers as a teacher and a Mufti. His maternal uncle, al-Bashir, had a great influence over his youngnephew. Al-Bashir was an enthusiast of Pan-Arabism and its

⁴⁷ Carsten Thomassen. "Religiostro pa menneskerettigheter", 2.

⁴⁸ A.S. Tamimi, Rashid Ghannousyi: A Democrat Within Islamism, 89.

leader, Jamal Abdul Nasser of Egypt. Al-Ghannousyi would listen attentively to his uncle's analysis of political developments during that tumultuous period. In addition to this early "political education", as a child, al-Ghannousyi witnessed the emergence of the armed struggle against the French colonizers. The heavy-handed policy and ruthlessness of the colonizers imbued him with a deep aversion towards colonialism. In addition, his early readings about the atrocities committed by Zionist terrorist gangs against Palestinians in the late 1940s deeply affected him.⁴⁹

At the age of eighteen, al-Ghannousyi left the village for the capital, Tunis, to pursue his secondary school education at the prestigious madrasah al-Zaytunah, where he obtained a degree in theology. Upon graduation al-Ghannousyi joined the Khaldunia Secondary School. The years al-Ghannousyi spent in al-Zaytunah exposed him, and made him more sensitive, to the identity crisis which the French, and after independence, the Bourguiba Government, had created through the extensive secularization of Tunisia. In the name of modernization, Bourguibasidelined Tunisia's Arab-Islamic heritage replacing it with the official and elite Francophile culture. For Bourguiba, Islam represented the past, and the West was Tunisia's only

⁴⁹ A.S. Tamimi, *Rashid Ghannousyi: A Democrat Within Islamism*, (Oxford: Oxford University Press, 2001), 3-6.

hope for a modern future.⁵⁰ Al-Ghannousyi summed this identity crisis as follows: "*I remember we used to feel like strangers in our own country. We had been educated as Muslim and Arabs, while we could see the country totally moulded by the French culture*".⁵¹

His Arabic education at al-Zaytuna naturally barred him from entering the French-speaking University at home, so in 1964 he went to Damascus where he enrolled in the Faculty of Letters wherein he studied philosophy. His philosophical studies deeply influenced his thought, and its impact was discernible in his writings and mode of thinking. As a student he briefly joined a secular Pan-Arab Party, the Syrian Nationalist Social Party, which was influenced by Jamal Abdul Nasser of Egypt. While in Syria, he also established close contact with the Syrian Muslim Brotherhood (*Syrian Ikhwa>nulMuslimi>n*), which resulted in his strong attachment to the ideology of the Muslim Brotherhood, which he subsequently "*adopted in its totality*".⁵² In 1968 al-Ghannousyi graduated with a master's degree in philosophy, and left for France to further his studies at the Sorbonne.

⁵⁰ John Esposito, *The Islamic Treat, Myth and Reality*, (Oxford: Oxford University Press, 1992), 153.

⁵¹ Abdul Wahhab al-Affendi, "The Long March Forward" in *Inquiry*, (London: 1987), 124.

⁵² Linda G. Jones, "Portrait of Rashid al-Ghannousyi" in *Middle East Report*, (Washington D.C., 1988), 170.

However, his studies at the Sorbonne University had to be cut short because of family difficulties, and he returned home in 1969 and taught philosophy in a secondary school.⁵³

While teaching philosophy, al-Ghannousyi Islamized the curriculum which to him reflected a materialistic Western philosophical bias as presented in Marxism, Freudianism, Darwinism and existentialism. To al-Ghannousyi, the curriculum primarily addressed the psychological and sociological issues of Western societies and was not suited for the problems faced by Islamic societies. In his critical analysis, he presented Islam as an alternative to his young students throughout the 1970s⁵⁴ and as his students went to university, his ideas began to take root.

2. Al-Ghannousyi's Involvement in the Islamic Movement

The history of the contemporary Islamic movement in Tunisia is known as the *Harakah An-Nahdah* (The Renaissance Movement).⁵⁵ It was first founded in 1970 as *al-Jama'ah al-*

Isla>miyyah (The Islamic Group), the same movement was renamed to *Harakah al-Ittija>h al-Isla>mi or Islamic Tendency/Trend Movement* (ITM) in 1981. The movement finally settled on the name *Hizb al-Nahdah* in 1988, removing religious connections from the name after pressure from the government. Despite the resignation of a few of its leaders with the formation of the new group, the majority of its members remained loyal to *Al-Nahdah* making it the main oppositional force in Tunisia.⁵⁶

From the mid-60s the Al-Zaituna Mosque served as a gathering place for traditional scholars avoiding Bourguiba's secularization policies⁵⁷ which aimed at modernising Tunisia and weaken the religious influence in the country; believing the road to modernization was through secularism. Some of these scholars held discussion circles. It was through this means that the founding figures Rasyid al-Ghannousyi, Abdul Fatah Mourou and Ahmida al-Naifer met.⁵⁸ Due to the government ban of such organizations, the group (*al-Jama'ah*) remained underground, but its leaders operated under the platform of a government-sponsored society called "The Society for the Preservation of the Holy

⁵³ A.S. Tamimi, Rashid Ghannousyi: A Democrat Within Islamism, 4.

⁵⁴ Al-Fateh A. Abdelsalam, "Rashid al-Ghannousyi: Portrait of a Contemporary Islamic Thinkers and Activist", in *Contemporary Islamic Political Thought: A Study of Eleven Islamic Thinkers*, (Kuala Lumpur: International Islamic University Malaysia, 2009), 338.

⁵⁵ Mohamed .E, Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, (Colorado: Westview Press, 1998), 7.

⁵⁶ Mohamed .E, Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, 7.

⁵⁷ Emad Eldin Shahin, *Political Ascent: Contemporary Islamic Movements in North Africa*, (Colorado: Westview Press, 1997), 67.

⁵⁸ Mohamed .E, Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, 16.

Qur'an". According to al-Ghannousyi, they acted as a religious and cultural response to Bourguiba's anti-religious and pro-Western policies.⁵⁹ The political, social, economic and cultural backwardness of the Tunisian society, which was heavily influenced by the West, as well as its loss of identity and morals, called for a return to Islam.⁶⁰ This continuous removal from Arab and Muslim culture and identity would explain why many turned to the Islamists. Al-Ghannousyi and his colleagues used aforementioned platform with the express desire to rebuild the "Arab-Muslim character" of Tunisian society, drawing from the teachings of such Muslim revivalists as Abu 'Ala al-Maududi, Hassan al-Banna and Sayyid Qutb. However, as soon as the government found out about the activities of that cell, it expelled its members. This signalled the beginning of a long relation of animosity with the Bourguiba government.

Bourguiba was a popular leading independence-figure and as such there was little opposition when he seized power in 1956. He is still regarded by many as a leader without a strong political direction. This can be seen in the various natures and directions of his policies. When for instance the socialist experiment failed, Bourguiba tried an 'open door' policy through economic

liberalization. These shifts in policy showed that Bourguiba lacked ideological roots in politics, which clearly gave the president a legitimacy problem.

Additionally, when the shifting policies did not work, and poverty and unemployment rates were continuously rising, the confidence in the government was in decline as the crisis of efficiency spread. With unemployment rates as high as 25% of the population, most of whom were youths under the age 20,⁶¹ the Islamists increasingly became a viable alternative government. The Islamists grasped the opportunity by participating in the 1978 demonstration of the General Union of Tunisian Workers (UGTT), which aimed at defending workers' rights and propagating an Islamic policy of development. The government deployed its military to stop the demonstrations, which resulted in a significant shift of public support from the government to the Islamists.

In 1979 the movement's support was wider than anyone had expected. The movement's journal *al-Ma'rifah* had increased from 6000 reviews in 1971 to 25000 review in 1979.⁶² The movement leaders felt they had to reconsider their activity and called for a

⁵⁹ Mohamed .E, Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, 12.

⁶⁰ John Esposito, *The Islamic Treat, Myth and Reality*, 163.

⁶¹ Emad Eldin Shahin, *Political Ascent: Contemporary Islamic Movements in North Africa*, 74.

⁶² Marion Boulby, "The Islamic Challenge: Tunisia Since Independence", in *Third World Quarterly*, vol.10, no2. (1988), 600.

conference to discuss and decide on the movement's future.⁶³ 70 of the most prominent members attended and in August, 1979, agreed upon a constitution for their secret association (MIT). Rasyid al-Ghannousyi was elected president (Amir) and a detailed structure for the whole organization was worked out.

As 1980 drew to a close and 1981 began, two incidents affected the policy of the movement (ITM), and in the month of December 1980 two of its members were arrested, and the movement calculated that it was only a matter of time before the government and the police would know about the movement's activities and take action. However, in the same year, the new Prime Minister, Mr. Mazali, who they regarded as a political liberalist was appointed and encouraged Bourguiba to open up for political pluralism in April 1981.⁶⁴ This event resulted in the movement's (MIT) push toward openness. It applied for official recognition as a political party in June 1981 with great expectations.⁶⁵ This political openness however did not last long and in autumn of 1981, 61 of the movement's leaders were arrested.⁶⁶

⁶³ Mohamed .E, Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, 34.

⁶⁴ Emma C. Murphy, *Economic and Political Change in Tunisia*, (Basingstoke: MacMillan Press, 1999), 63.

⁶⁵ Mohamed .E, Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, 38.

⁶⁶ Emad Eldin Shahin, *Political Ascent: Contemporary Islamic Movements in North*

MIT was not recognized as a political party but other opposition parties were tolerated. Still, these parties had to wait until 1983/1984 to be fully recognized.⁶⁷ Nevertheless, due to heavy loans from the World Bank, and to fulfil the World Bank's requirement for new loans, in 1983 the government cut the state subsidies on wheat, which doubled the price of bread and pasta products.⁶⁸ This led to 'bread riots' in January 1984 throughout Tunisia.⁶⁹ Although the riots were essentially a popular response to the socio-economic situation,⁷⁰ the Islamists managed to turn this situation to their advantage; Islamists rhetoric was used in the demonstrations and support for Islam was massive.

To calm the situation the Prime Minister Mazali managed to convince President Bourguiba to free most of the Islamists arrested in 1981.⁷¹ The Mazali relaxed policy toward the Islamists group was to neutralize the Islamists

Africa, 87. Marion Boulby, "The Islamic Challenge: Tunisia Since Independence", 609.

⁶⁷ Emma C. Murphy, *Economic and Political Change in Tunisia*, 64.

⁶⁸ Marit Tjomsland, *This but also the other: Expressions of the Islamic Trend in Tunisia*, (Bergen: University of Bergen, 2000), 89.

⁶⁹ Mohamed .E, Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, 47.

⁷⁰ Gudrun Kramer, "The Integration of the Integrist: A Comparative Study of Egypt, Jordan and Tunisia" in Ghassan Salame (ed.), *Democracy Without Democrat? The Renewal of Politics in Muslim World*, (London: I.B. Tauris Publishers, 1994), 201.

⁷¹ Marit Tjomsland, *This but also the other: Expressions of the Islamic Trend in Tunisia*, 89.

while undermining the worker's union (UGTT).⁷² But President Bourguiba did not trust the Islamists (MIT) who by that time was clearly the strongest opposition force in Tunisia. This led to the ousting of Prime Minister Mazali in 1986 and the Islamists were again put under heavy repression,⁷³ and the new Prime Minister Zainal Abidin Bin Ali was appointed. In March 1987, the repression culminated in a major crackdown on ITM where hundreds were arrested and accused of planning to overthrow the Tunisian government.⁷⁴

The New Prime Minister, Ben Ali however, believed Bourguiba had failed to implement democracy in Tunisia and set forth a bloodless *coup d'état* on November 7th 1987, which overthrew the Bourguiba presidency. Ben Ali became President and promised he would democratize Tunisia. The new President also accused his predecessor of disregarding the Arab and Islamic identity of Tunisia, which would now be restored under a new regime,⁷⁵ and he announced a wish for political reconciliation and illustrated this by releasing nearly all Islamist prisoners

connected to MIT.⁷⁶ This was followed by a mutual acceptance between MIT and the new ruler (Ben Ali). They cooperated with the Pacte Nationale, an expression of political consensus among all political groups aimed at getting Tunisia back on track.⁷⁷ The MIT was represented in the High Islamic Council, a government appointed body that dealt with all religious matters in a consultative manner. The Islamic student organization was also legalized, but an official recognition of MIT was still put on hold.⁷⁸

The ITM tried hard to win the confidence of the Ben Ali government. They even changed their name from ITM to *Hizb al-Nahdah* (The Renaissance Party) to fulfil the government's requirements that no political party could be based on religious values.⁷⁹ Nevertheless, al-Nahdah was forbidden to participate as a political party in the 1989 elections. Instead they participated and contested as independent Islamist candidates⁸⁰

⁷² Abdul Baki Hermassi, "The Rise and the Fall of Islamist Movement in Tunisia", Laura Guazzone (ed), *The Islamist Dilemma: The Political Role of Islamist Movements in Contemporary Arab World*, (Reading: Ithaca Press, 1995), 107.

⁷³ Marion Boulby, "The Islamic Challenge: Tunisia Since Independence", 610.

⁷⁴ Marit Tjomslund, *This but also the other: Expressions of the Islamic Trend in Tunisia*, 93.

⁷⁵ Mohamed .E, Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, 64.

⁷⁶ Marit Tjomslund, *This but also the other: Expressions of the Islamic Trend in Tunisia*, 95

⁷⁷ Abdul Baki Hermassi, "The Rise and the Fall of Islamist Movement in Tunisia", 109. Marit Tjomslund, *This but also the other: Expressions of the Islamic Trend in Tunisia*, 95.

⁷⁸ Abdul Baki Hermassi, "The Rise and the Fall of Islamist Movement in Tunisia", 110.

⁷⁹ Abdul Baki Hermassi, "The Rise and the Fall of Islamist Movement in Tunisia", 111. Mohamed .E, Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, 64.

⁸⁰ Emad Eldin Shahin, *Political Ascent: Contemporary Islamic Movements in North Africa*, 100.

covering 20 of a total of 25 constituencies (La Presse:1989b). According to official results given to La Presse, the government party (RCD) obtained 34% of the votes, the independent candidates won 54% of the votes and the rest of the official parties obtained approximately 5% support (La Presse. 1989a). Al-Nahdah's support in the major cities, including Tunis, was around 40% of the votes. Regardless of whether the election results were accurate or not, they strongly indicated that the Islamic groups had become an established oppositional force in Tunisia, rendering them a threat to Ben Ali's regime. Two factors seemed to have influenced the government's decision: the impressive performance of al-Ghannousyi's candidates in the national election which highlighted al-Nahdah's political potential, and the victory of the Islamic Salvation Front (FIS) in the 1989 municipal elections in Algeria. These developments clued President Ben Ali and many Muslim rulers to the dangers posed by Islamists.⁸¹

3. Al-Ghannousyi's Exile

Shortly after, the movement's name changed to al-Fajr but soon after the government put an end to this new movement. Al-Ghannousyi went into exile to London in May 1989. In his exile, al-Ghannousyi dedicated most of

⁸¹ Emad Eldin Shahin, Political Ascent: Contemporary Islamic Movements in North Africa, 101.

his energy to the cause of da'wah and political activism. However, the fate of Islamists in Tunisia was grim. The Tunisian government took measures to control Islam by installing government appointed imams and closing the mosque after prayers. Al-Nahdah's members were arrested and their families and sympathisers were eliminated. By 1992 Amnesty International reported that at least 8000 followers of al-Nahdah were imprisoned in Tunisia.⁸² The government was now clearly intolerant of any public dissent (Shahin.1997:103).⁸³ The announced electoral reform of 1994 (Dunn.1996:162) resulted in little change. Even though 19 seats in parliament were now reserved for the opposition parties, the opposition was unable to win any additional seats. Moreover, it seems like Ben Ali strengthened his position as an autocratic President when arresting the former head of the Tunisian League for Human Right Muncif al-Marzuqi, when trying to challenge Ben Ali for President.⁸⁴ After eliminating his opponent, Ben Ali won the usual 99.91% of votes in the 1994 elections.

⁸² Emad Eldin Shahin, Political Ascent: Contemporary Islamic Movements in North Africa, 101.

⁸³ Emad Eldin Shahin, Political Ascent: Contemporary Islamic Movements in North Africa, 103.

⁸⁴ Emad Eldin Shahin, Political Ascent: Contemporary Islamic Movements in North Africa, 103.

Ever since the beginning of the 1990s it has been impossible for al-Nahdah to act openly in Tunisia. Al-Nahdah has continued its work by holding conferences abroad. In 1995 they restructured the organization and redefined its policy towards the Tunisian regime. Most importantly, they stressed their non-violent nature and decided working for the prevention of further political polarization in society by fighting for political rights of the entire Tunisian society. Living in exile in London, Rasyid Ghannousy was re-elected leader of al-Nahdah at this conference with only 52% of the votes.⁸⁵ He established an al-Nahdah office in London, and constantly travels to give lectures and interviews about the al-Nahdah policy. He maintained regular contact with other Islamist groups, but argues for variations in Islamist policy in that different countries requires solutions adjusted to their specific context (Interview with the author, June 2003).

4. Al-Ghannousyi's Political Thought

During the 1970s and 1980s political ideas such as public freedom and Islamic democracy was never an issue for Islamist groups in Tunisia. Al-Ghannousyi and his colleagues emphasized the question of education and morality.⁸⁶ Al-Ghannousyi wanted

an educational system that was Arab instead of French that emphasized on religious education. It was through close contact with the Algerian Muslim intellectual and thinker Malek Bennabi, who al-Ghannousyi considered “a pillar of Islamic thought and a revivalist of Ibn Khaldun’s Islamic rationalism”.⁸⁷ To al-Ghannousyi, Bennabi’s methodology was different from what had been accepted in orthodox Islamic methodology which envisioned reality as derived solely from the religious text.⁸⁸ These experiences had a profound impact on al-Ghannousyi who came to conceive Islamic rationalism as a symbiosis of reason and revelation.

This new outlook sensitized al-Ghannousyi to some of the major deficiencies in the traditional Islamic movement. The sources of this deficiency lay within the traditional Islamic movement itself. Al-Ghannousyi cited two events of the deliberating issues of the Tunisian society at that time, namely the issues of the ‘*working class*’ and the ‘*role and position of women*’ in society. To Ghannousyi, the Islamists in Tunisia have failed to mobilize the working class; leaving the door wide open for the proponents of other ideologies to dominate this sector. Likewise, al-

⁸⁵ A.S. Tamimi, Rashid Ghannousyi: A Democrat Within Islamism, 72.

⁸⁶ Mohamed .E, Hamdi, The Politicisation of

Islam: A Case Study of Tunisia, 102.

⁸⁷ A.S. Tamimi, Rashid Ghannousyi: A Democrat Within Islamism, 31.

⁸⁸ Al-Fateh A. Abdelsalam, “Rashid al-Ghannousyi: Portrait of a Contemporary Islamic Thinkers and Activist”, 338.

Ghannousyi argued that the influence of the Islamists on the female sector has also been restricted for the same reason. The reason behind these failures can be attributed to the Islamists' ignorance and insensitivity regarding the political and social problems of the working class and lack of awareness and insensitivity toward the oppression, degradation, restrictions of women's role in the life of society that they have endured during the long centuries of decline. It was natural that women became influenced by the enticements of the West, because they had been suffering under the yoke of an oppressive, false Islam, sustained by the silence of the "men of religion".⁸⁹ What the Muslim woman needed was a liberation movement to restore her to herself and to her innate nature as a guardian of the heritage of mankind and a partner of man in liberating herself and him from the forces of exploitation. According to al-Ghannousyi, the Islamists group must also break away from the traditional belief that the workers union such as 'General Union of Tunisian Workers (UGTT)' in Tunisia was alien to the Islamic view of life which disapproves of class conflict and bears no pretence of absolute quality in material status.

Due to this daring thought of al-Ghannousyi the Tunisian workers unions were attracted to his ideas and

⁸⁹ Al-Fateh A. Abdelsalam, "Rashid al-Ghannousyi: Portrait of a Contemporary Islamic Thinkers and Activist", 339.

many of the Tunisian workers were drawn to al-Ghannousyi's message. Over the next few years the Islamic movement became a major force in the UGTT as more and more rural and urban workers openly sympathized with the Islamists. That was a daring move which put al-Ghannousyi and his movement in a class of their own. Although within the period of 1970-78, the Islamic movement in Tunisia remained focused on the religio-cultural transformation of society, however, in the late seventies as a result of the trade union's demonstrations, the movement had to focus more seriously on political issues in reaction to the domestic situation in Tunisia. The Islamists found themselves forced to rethink their ideas and strategy. It was an uphill task for al-Ghannousyi and his movement in addressing current issues of workers' rights, jobs, wages, poverty, westernization versus a more authentic national and cultural identity, democracy, political participation and political freedom were raised; thus presenting a living Islam rather than the "Museum Islam".

According to al-Ghannousyi, this shift was a necessary step for the movement to "link with the realities of the Tunisian society". These circumstances compelled him and the movement to emphasize two axes: the *axis of identity* and the *axis of civil liberty*. The movement aimed to defend Islam as an identity, not only a state or

way of life, and in order to fight for the principle of civil liberties the Islamic movement found it necessary to cooperate with other oppositional forces within Tunisia (Interview with al-Shira.1994:3).

5. Public and Civil Liberties

For the Tunisian government and its ruling Destourian Socialist Party, Islamism was an anathema to their espousal of “modernity” and “progress”. By July 1981, the Tunisian regime moved to round up al-Ghannousyi and all known leaders and members of the ITM and imprisoned them. Al-Ghannousyi remained in prison from 1981 to 1984.⁹⁰ While in prison, he memorized the Qur’an, studied some works on *tafsir* and *fiqh*, and completed the draft of his best known book “*al-Hurriyah al-‘Ammah fi al-Dawlah al-Islamiyyah*” (Public Liberties in the Islamic State), which he completed later on while living in exile in London. It was published in 1993 by the Centre of Arab Unity Studies in Beirut.

According to al-Ghannousyi, the mission of his movement is to win the struggle for civil liberties (Tunisian Insight.1997). In one of his most recent articles entitled “*Freedom First*”, al-Ghannousyi attempted to demonstrate the relationship between the democratic process and liberty. Al-Ghannousyi considers individual liberties as the

⁹⁰ Mohamed .E, Hamdi, The Politicisation of Islam: A Case Study of Tunisia, 103.

cornerstone of governance (<http://www.aljazeera.net>. 12/21/2009). To support his argument, he asserted that Yusuf al-Qaradawi believed that “liberty” must take precedent even over applications of Islamic belief as embodied in Islamic law (*syari’ah*), and according to him, this freedom is achieved through religion. In his view, Islam was revealed to guarantee man’s essential needs.⁹¹ Such guarantees given through Islam constitute, according to al-Ghannousyi, the general framework of human rights.

In establishing and refining a legal framework for man’s freedom, al-Ghannousyi credits al-Shatibi (d.1388 A.D.) for elaborating this framework in his book *al-Muwafaqat*, which sets out the *Maqasid al-Syari’ah* (the objective of Islamic law) as being the realization of the main interest of humanity. These interests are classified into *daruriyat* (essential needs), *hajiyat* (important, but not essential needs), and *tahsiniyat* (ameliorative needs). The first class consists of guarantees necessary for the protection of faith, life, reason, progeny, and wealth. The idea is that Islam, as a religion, was revealed for the purpose of guaranteeing and preserving man’s essential needs. The guarantees provided by Islam for accomplishing this end constitute the general framework of human rights, including the right to choose a faith, the right to life, the right to education, the

⁹¹ A.S. Tamimi, Rashid Ghannousyi: A Democrat Within Islamism, 76.

right to free expression, the right to have a family, and the right to own property.⁹²

Al-Ghannousyi opines that the first and most important human right guaranteed by Islam is the freedom of belief, which he defines as the individual's right to choose his faith free from any compulsion. He explains that by virtue of being a God-given right, freedom of choice is sanctified and guaranteed by Islamic law (*shari'ah*). The golden rule in this matter, he points out, is found in the Qur'anic verse: "No compulsion in religion" (QS 2:256). It is from this rule that the rights of non-Muslims in an Islamic state derive legitimacy. Al-Ghannousyi addresses this topic in detail in his book titled '*Huquq Ghayr al-Muslimin fi al-Mujtama' al-Islami* (The Right to Nationality Status of Non-Muslim Citizens in a Muslim Nation)' published by the Islamic Foundation in America in 1990.

Al-Ghannousyi is quite negative to the liberal view on freedom. According to him, liberties in the West are guaranteed through state institutions, but they are only formal, he argues. Man is given the theoretical right to do various things, but he is not given any real power to fulfil these rights. He criticizes the way a limited

⁹² Rashid al-Ghannousyi, "The Participation of Islamists in a Non-Islamic Government", in Azzam Tamimi (ed.), *Power Sharing Islam*, (London: Library of Muslim World Publications, 1993), 43.

group of citizens have monopolized power, wealth, and culture.⁹³ This follows the critique given by the New Left, Marxists and the substantive democracy perspective on liberalism. Power and wealth is gathered in the hands of a small group of elites. Equality and total freedom is not really achieved for the rest of the citizens. Hence, al-Ghannousyi also argues against what he calls '*negative freedom*'. This liberal view saw the need to secure citizens from the state. Al-Ghannousyi holds a more '*positive concept of freedom*'. He is compared to Kant who held that freedom is the ability to realize oneself. Choices are connected to obedience toward moral law.⁹⁴ In comparison, al-Ghannousyi sees the moral law as obedience to Islam. In his version, freedom is achieved through servitude to God. He believes the main message in Islam is to guarantee human rights.⁹⁵ The objective of Islamic law (*shari'ah*) is meant to serve the interest of human beings, says al-Ghannousyi. Religion depends on true faith and free will, thus the starting point of Islamic human rights is the freedom of belief.⁹⁶ In his book "*Public*

⁹³ A.S. Tamimi, Rashid Ghannousyi: A Democrat Within Islamism, 73

⁹⁴ A.S. Tamimi, Rashid Ghannousyi: A Democrat Within Islamism, 75.

⁹⁵ Carsten Thomassen. "Religiöstro pa menneskerettigheter". Interview with Rashid Ghannouchi for 3. Verden Magasinet X, 6/98. Found at: www.solidaritetshuset.Org/x/9806/islam.htm (1998), 1.

⁹⁶ Mohamed .E, Hamdi, The Politicisation of Islam: A Case Study of Tunisia, 107.

Liberties in the Islamic State” he lists seven basic rights: Equality (all citizens are equal before the law), freedom to practice religious worship, freedom to propagate religions other than Islam, freedom and dignity of the human being, freedom of thought and expression, and freedom of private ownership and social rights (employment, health care and social security).⁹⁷ These values are in accordance with democratic values. The question is whether they are respected within the Islamic democracy...?

6. Al-Ghannousyi’s Conception of Islamic Democracy

The most important questions that revolve around the compatibility of Islam and democracy are the potential resources of the Islamic tradition to operate effectively to meet the demand for popular democratic participation in the contemporary political system. The Qur’an and the *Syari’ah* only provide some fundamental principles pertaining to the political and constitutional affairs of Muslims. In other words, the *syari’ah* does not prescribe any uniform system of government for Muslim countries. Al-Ghannousyi holds the view that “Islam does not include a political system”,⁹⁸ however, he

believes “there are political guidelines and values found in Islam, but there is no detailed political system to follow”.⁹⁹ The *syari’ah* has refrain from providing detailed regulations for all the changing requirements of Muslim social existence. According to al-Ghannousyi, God has left the forming of a political system to the people, as long as they do not separate religion completely from politics. He said “politics should be inspired by Islamic values. These values inspired by the *syari’ah* should have an important impact on political conduct”.¹⁰⁰

The issue of legislation in a state based on Islamic law (*syari’ah*) relates to many problems of administration which are not touched upon by the Islamic law. It is believed that with the passage of time the practical form of government for any country will naturally change and therefore the Islamic law (*syari’ah*) has left it to the community (*ummah*) to develop relevant forms of political and governmental systems through an exercise of independent reasoning (*ijtihad*) in consonance with the spirit of the law and the best interest of the nation.¹⁰¹ In

news.com/tdn/old_editions/11_13_96/feature.htm

⁹⁹Nina Eikesaeth, *Islamism and Democracy: Is the Tunisian al-Nahdah and Example of Democratic Islamist Movement?* (Oslo: University Oslo, 2003), 78.

¹⁰⁰Nina Eikesaeth, *Islamism and Democracy: Is the Tunisian al-Nahdah and Example of Democratic Islamist Movement?* (Oslo: University Oslo, 2003), 78.

¹⁰¹LukmanThaib, *Democratic Values in the*

⁹⁷ Mohamed .E, Hamdi, *The Politicisation of Islam: A Case Study of Tunisia*, 108.

⁹⁸ Turkish Daily News (13 November 1996). Interview with Rashid Ghannousyi. Found at: www.turkishdaily

matters affecting the communal aspect of community life, no legislation reasoning or decision can be left to the discretion of individuals, but the decision must be based on a definite consensus (*ijma'*) of the whole community (*ummah*). This can be implemented through the process of modern forms of public participation such as referendums or general elections. This indicates that Islam only provides broad principles and a general framework in the area of worldly interactions (*mu'a>malah*) which makes it possible for the Muslim community to evolve and meet the needs of every age.

According to al-Ghannousyi, after a hundred over years of conflict resolutions, Western communities have found that their differences can be solved through political means instead of bloody war. Muslims are increasingly adopting democracy.¹⁰² Al-Ghannousyi's theory of compatibility between Islam and democracy stems from the assumption that the government in Islam embodies a civilian authority that is answerable to the public. It would follow that there would be no place for theocracy in Islam because policy-makers could, and ought to, be opposed or criticized by individuals or groups if their policy-making were thought to be ill-advised

or misguided.¹⁰³ Stemming from the concept of enjoining good and forbidding evil (*al-amrbilma'ruf wan-nahyu'anilmunkar*) is the conviction that standing up to the authorities when they go wrong, or endeavouring to correct them, is one of the most important duties in Islam.

7. Al-Ghannousyi's Political System Based on Values

Al-Ghannousyi believed that although Islam does not provided a detailed political system to follow; there are nonetheless political guidelines and principles such as popular consultation (*shu>ra>*), majority rule (*al-hukmu al-aghla>biyyah*), popular sovereignty (*al-siya>dah*) and *maq>sid al-shari>'ah* with its five principles. According to him, Islam includes these several principles that are shared with democratic values in the modern governmental system. These democratic values in Islam are inspired by the *syari'ah* and should have an important impact on political conduct.

The Islamic system of government, which he proclaims to be the ultimate project of the modern Islamic movement, is said by him to be characteristically bound by a set of divine guidelines. It is a system that is aimed at achieving justice and peace in the world. The philosophy behind this

Islamic Political System & Muslim Politics in Malaysia, (Kuala Lumpur: Printed by UM Publishers, 2012), 5.

¹⁰² Turkish Daily News (13 November 1996).

¹⁰³ A.S. Tamimi, Rashid Ghannousyi: A Democrat Within Islamism, 90.

is that Islam is God's final Word to humanity, and is therefore, by necessity, a comprehensive and global message of mercy and justice to all mankind. An important component of this message is the body of laws known as *syari'ah* (Islamic law).

Al-Ghannousyi explains that *syari'ah*, which he sometimes defines as a set of broad guidelines as opposed to a body of laws, is entirely fair and merciful, having been revealed by God for the purpose of serving and guarding the interests of humanity.¹⁰⁴ As such, Islamic law (*syari'ah*) transcends the limits of time and place. This is the underpinning of the science of Islamic jurisprudence (*'ilmusu>l al-fiqh*) founded by Imam al-Shafi>'I (d.819), and the science of purposes (*'ilm al-maqa>sid*), founded by Imam al-Shati>bi (d.1388). Both of these sciences are of crucial importance to al-Ghannousyi in his endeavour to find within Islamic law itself the precepts of an Islamic democratic system of governance. This is crucial simply because no political theory can be considered Islamic if formulated outside the domain of Islamic law (*syari'ah*). It would simply be illegitimate from an Islamic point of view.

To avoid confusion between the precepts of an Islamic democratic

¹⁰⁴ Rashid Ghannousyi, "The Basic Principles of an Islamic State", a paper presented to Symposium on Christian-Islamic Dialogue, (Germany, June 1994), 7.

system of governance and the human rights in Islamic law, there is a need to compare how Larry Diamond, co-editor of the Journal of Democracy, and Leonardo Morlino, a specialist in comparative politics at the University of Florence, ascribe seven features to any democracy: individual freedom and civil liberties; rule of law; sovereignty resting upon the people; equality of all citizens before the law; vertical and horizontal accountability for government officials; transparency of the ruling system to the demands of the citizens; and equality of opportunity for citizens..¹⁰⁵ This approach is very important to Western liberal democracy, since it emphasizes civil liberties, human rights and freedoms, instead of over-reliance on elections and the formal institutions of the state (Robert A. Dahl.1998:76). If observed carefully, these Western Liberal democracy features are equal to al-Shatibi's theory of a requirement or interest (*maslahah*) and theory of the objectives of *al-shari>'ah* (*maqa>sid al-shari>'ah*), which according to him serves to protect five major exigencies: faith, life, mind, progeny and property.

Drawing on al-Shatibi, al-Ghannousyi refers to guidelines and regulations the objective of which is the maintenance of basic human interests and protecting them from infringement or corruption. "These guidelines and

¹⁰⁵ Larry Diamond, *Democracy in Developing Countries*, (London: Andamantine Press, 1988), 218-260.

regulations 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”.¹⁰⁶ This indicated that al-Ghannousyi agreed to the view that many of the Islamic values are shared with democratic values. In addition to sovereignty of the people there are “political pluralism, protecting minority rights and tolerance, political power based on free elections and respecting basic rights and freedoms”.¹⁰⁷ Based on these shared values between Islam and democracy many Western scholars who have learned the objectives of the Islamic law (*maqasid al-shari’ah*) and the democratic discourse through Islamic concepts such as popular consultation (*shura*), public consensus (*ijma’-ul-ummah*), the majority principle for decision-making (*al-hukm al-aghla’biyyah*), and independent interpretive judgment (*ijtihad*) have concluded that Islam is not only compatible with democracy but that a form of democracy was practiced prior to Abbasid rule. Based on this form of reasoning, Gudrun Kramer, chair of the Institute of Islamic Studies at the Free University in Berlin, concluded that the central stream in Islam “has come to

¹⁰⁶ Rashid Ghannousyi, “Human Rights in Islam”, a paper presented to a Symposium of the Association of Muslim Lawyers, (Birmingham, June 18, 1995).

¹⁰⁷ Turkish Daily News (13 November 1996).

accept crucial elements of political democracy; pluralism, political participation, governmental accountability, the rule of law, and the protection of human rights”.¹⁰⁸ In her opinion, the Muslim approach to human rights and freedom as mentioned in al-Shatibi’s concept on the objectives of Islamic law (*maqasid al-shari’ah*) is more advanced than many Westerners acknowledge.

a. Political Rights and Legitimacy

In his book of *al-Hurriyah al-‘Ammah fi al-Dawlah al-Islamiyyah*, al-Ghannousyi analysed a number of basic principles political thought of a contemporary “Islamic State”. Foremost among these are the political right of a citizen and the political legitimacy in Islam. Because of their centrality to his political thought, these two concepts warrant some analysis.

It is important to understand that in an Islamic political system, through the constitutional idea of the popular Caliphate and the principle of *shura* (popular consultation), the Islamic law (*shari’ah*) confers upon all adult Muslims, with the possible exception of some convicted criminals, equal political rights, irrespective of race, colour, religion, language and socio-economic status. The right to

¹⁰⁸ Gudrun Kramer, “Islamist Notions of Democracy”.

participate in discussion, or to be consulted over all major public issues not categorically settled by the revealed text (*nusus*), for example, is only one of those universally guaranteed political rights. This equality gave to citizens (*Muslim ummah*) of a Muslim or an Islamic state the right to participate in the decision-making process of the Islamic state. The basic reason for popular participation in the decision-making process of the Islamic government is that political rights, like almost all other rights guaranteed by the Islamic law (*shari'ah*), entail numerous religious and legal obligations.

The fulfilment of these obligations makes political participation itself an obligation of the community (*Muslim ummah*). One main obligation is to ensure that the affairs of the worldly kingdom are conducted in accordance with the divine law (*shari'ah*); as this constitutes the primary purpose of the covenants of Islam. Since the application of the Islamic law *shari'ah* represent both a personal and a collective obligation upon Muslims, for that reason it is essential for every citizen to participate in the decision-making process. From this perspective, political participation in Islam constitutes both an exercise of rights and a fulfilment of religious obligations. The ideal method for such political participation, it may seem, is that of direct popular consultation (general election).

Human experience, however, has shown that direct popular participation in decision-making is possible only in small communities as the problem of size makes direct popular participation impossible. The obstacle of a large territory and sizeable population make some sort of representative government the available practical option to ensure that participation in the decision-making process in any large state is effective. In fact, the idea of government by representation in Islam is derived from this necessity. The term "*wakalah*" (representation) according to the Islamic law (*shari'ah*) means: "The appointment of a deputy for the purpose of acting on one's behalf concerning matters in which representation is legally valid".¹⁰⁹ This definition covers all types of representation including political representation.

With regard to the right of nationality of non-Muslim citizens in an Islamic state, al-Ghannousyi started his discourse with a brief outline of the essential components comprising the principles of justice, equity, security, and community and the protection granted to non-Muslims citizen in a Muslim state as rights embodied in the divine law. There is one nationality for those who live in an Islamic state, be they Muslims or non-Muslims. They all enjoy three inviolable rights; the first of

¹⁰⁹ Abdul Wahhab Khallaf, *Masha'ir Tasyri' al-Islami Fi Ma'la Nass Fi'hi*, (Kuweit: Dar al-Qalam, 1970), 166.

these rights is equality, which is positive and comprehensive regardless of race, ethnic origin, colour, social status or creed. The second right is freedom, which encompasses freedom of thought and freedom of belief including the right of non-Muslims in a Muslim state to build churches, temples, monasteries, synagogues, and so on. The third right is the freedom of movement including the right to establish schools and religious institutions.¹¹⁰

Apart from the position of head of state, Muslim writers disagree on which positions or which public functions should be allowed or denied to non-Muslims in an Islamic state. Al-Ghannousyi rejected the stance of scholars who argued that non-Muslim citizens are not eligible to hold senior positions in the Islamic state.¹¹¹ It seems that al-Ghannousyi was of the opinion that as long as non-Muslim citizens have the right to participate in elections at all levels, it follows that they qualify to occupy any positions in the state except that of the head of state.¹¹²

8. Legitimacy

The term of legitimacy has been

¹¹⁰ Rashid Ghannousyi, *The Right to Nationality Status of Non-Muslim Citizens in a Muslim Nation*, (North America: The Islamic Foundation of America, 1990), 60-61.

¹¹¹ Said Hawa, *Al-Madkhal Ila> Dakwah al-Ikhwa>n al-Muslimi>n*, (Jordan: Amman Publishers, 1979), 17.

¹¹² Rashid Ghannousyi, *The Right to Nationality Status of Non-Muslim Citizens in a Muslim Nation*, 85.

defined as “a sovereign or his rights to rule” (Webster. 1961:141). A faction in France which after the revolution of 1830 continued to support the claims of the elder line of the House of Bourbon as the legitimate sovereign by divine rights, came to be known as “legitimist”.¹¹³ In England, the word legitimist is applied to any supporter of monarchy by hereditary right as against any other title. In International politics, legitimacy was the principle invoked at the Congress of Vienna (1814-1815) to justify the restoration of countries and ruling families abolished or dispossessed during the epoch of the French Revolution and Napoleon, a policy with which the names of Talleyrand and Metternich are associated.¹¹⁴

The question of the legitimacy of political authority and government in the Muslim world was never realistically solved. Rulers and wielders of power never succeeded in gaining full and total recognition of the legists, and if they did. It was out of “necessity” and expediency. The reason for this was due to the reluctance to adapt to the changes in the body politic of the early Islamic community and the inability to achieve a synthesis between the eternal principles of Islam and social changes.

¹¹³ Carl J. Friedrich, *Encyclopaedia Britannica*, Vol. XIII. (Chicago: William Benton Publisher, 1969), 880.

¹¹⁴ Karl W. Deutch, *Encyclopaedia Americana*, Vol. XVII. (Danbury: Grolier Inc., 1967), 224 .

Authority is the supreme seat of legitimation. It is sovereign and independent. It is also the ultimate court of punishment and reward, and the source of creation (legislation) and annulment. Whereas authority is the right to lead and command, power is the supreme legitimate force. Power obliges people to obey the will expressed by authority. The confusion that has always reigned among certain writers derives from the fact that Islam has not evolved a term of its own to specifically designate authority (*auctoritas*). Various expressions such as *al-amr* (QS 7:54), *al-hukm* (QS 12:40,28:88), *al-mulk* (QS 4:54) have been used in the Holy Qur'an to designate authority. The same words have been likewise applied to power (*Potestas*). Although these Qur'anic verses confirmed that ultimate authority belongs to God alone, however, God's authority cannot operate in the human society as He himself cannot become an immediate ruler in the political connotation.¹¹⁵ For that reason we also found that besides the Qur'an emphasizing the sovereignty of God, at the same time it repeatedly refers to man as His vicegerent (*khali>fah*) on earth (QS 2:30; 7:74; 7:129). This explains to us that the concept of authority which belongs to God according to its classical concept has been replaced by the concept of vicegerency (*khali>fah*) of God. In line

with this line of reasoning, a famous Qur'anic commentator al-Alusi said: "The rule of the Holy Prophet (PBUH) is in fact, the rule of God. After the Prophet, his *ummah* (Muslim community) succeeds to power to rule".¹¹⁶ However, the Muslim community (*Ummah*) places itself under self-limitation by declaring individually as well as collectively the moral sovereignty of God. Hence, according to Islamic theory, the sovereign power or authority is delegated by God to the Muslim community (*Ummah*) as a trust. The *Ummah* can therefore legitimately exercise this delegated authority only in accordance with His will (the *shari>'ah*).

It is very clear that political authority on earth is a gift to the Muslim community as God's vicegerent (*khali>fah*), but it is a sacred trust to be exercised by rulers of the Muslim community for implementing the will of God (*shari>'ah*) for the betterment of the Muslim community at large. Hence, it is legitimate only when exercised within the bounds and in accordance with the principles of justice and equality as set forth in the Qur'an. Based on this reasoning, according to al-Ghannousyi, the legitimacy of the Islamic state can be derived from two primary sources: the

¹¹⁵ LukmanThaib, *Political System of Islam*, (Kuala Lumpur: Amal Publisher, 1994), 32.

¹¹⁶ Shiha>b al-Di>n Mahmu>d al-Baghda>di al-Alu>si, *Ru>h al-Ma'a>ni fi>Tafsi>r al-Qur'a>n al-Kari>m*, Vol. 2. (Cairo: Matba'ah al-Munirah, 1965), 176.

revelation as represented in the Qur'an and *Sunnah (al-Nass)*, and the second source of legitimacy is popular consultation (*Shu>ra>*). To al-Ghannousyi, the authority of the Islamic law (*shari>'ah*) surpasses any other authorities in the Islamic state, and its supremacy as the source of legitimacy is unquestionable.¹¹⁷ To al-Ghannousyi the *Shari>'ah* and *Syu>ra* are inextricably linked. It is the *Ummah* that collectively deputises for God in implementing His will (*shari>'ah*) and is, therefore, accountable to Him alone. The Muslim community thus establishes a state whose government is accountable to it i.e., the Muslim community (*Ummah*) delegates to the Islamic government the authority to implement policies in accordance and in full concordance with the *shari>'ah*. The community also exercises its supreme authority over government through popular consultation (*Shu>ra>*).

Al-Ghannousyi argued that Muslims can use mechanisms of Western democracy to develop the concept of popular consultation in Islam (*Shu>ra>*) in order to produce an authentic Islamic form of democratic government.¹¹⁸ He hoped that an Islamic model of democracy which is compatible with the *shari>'ah* and capable of shielding the citizens against

injustice and despotism would emerge one day. However, he acknowledged that the transition to democracy in the Muslim world, particularly the Arab World, is hindered by a number of obstacles. Foremost among these obstacles are the project of secularization, the territorial state, the new world order and the rejectionist attitude toward democracy espoused by some Islamic groups.

C. CONCLUSION

Contrary to the assertion of his critics, al-Ghannousyi considered revelation (*al-Nass*) to be the ultimate frame of reference for his ideas. As a thinker and an activist it seems that his primary concern has been to find solutions to the sufferings of his country, Tunisia, and other Muslim countries which have been afflicted by despotic and totalitarian systems of government. He argued that democracy is the solution for the problem of despotism. However, he treated democracy not as an ideology that could be imported and copied by Muslim countries, but as a tool or set of mechanisms for electing, checking, dismissing the government of the day and for protecting the civil liberties and the basic rights of citizens. Al-Ghannousyi used the theory of *faragh* (separation theory) to rebut the Islamists' rejection of democracy. He rejected the widely accepted assumption by Western writers that both secularism and modernism are

¹¹⁷ Rashid Ghannousyi, "The Basic Principles of an Islamic State".

¹¹⁸ Rashid Ghannousyi, "The Basic Principles of an Islamic State".

essential prerequisites of democracy.

One dilemma concerning Islam and democracy is the reluctance towards human made laws. Religious forces are often eager to promote the Islamic law (*shari'ah*) as a sufficient political and legal system. This stand is obviously hindering the formation of democratic politics due to a negative attitude towards more modern solutions. In his opinion, the Qur'an and the *Sunnah* of the Prophet (PBUH) is God's final revelation to the people, and accordingly this wisdom is complete. One has to agree that the way we view democracy today is a result of

modern developments and knowledge. Accordingly, if arguing that an Islamic system based on *shari'ah* is democratic, one would assume that this system is open for modern adjustment. Among Islamists one can find spokespersons for modern adjustments. Extensive use of interpretation (*ijtihad*) is the solution they offer. These groups are often more willing to change the political system than those in power. However, many Islamists are not planning to change the system towards a democratic one, and those who are promoting democratization face the problem that few believe their efforts to be sincere.

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